

MINUTES
PLANNING AND ZONING COMMISSION
JUNE 12, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, June 12, 2018, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Biancur, Suggs, Mullins, Sullivan, Johnson, Milano, (7:17 p.m.), ZEO Conniff, Assistant City Planner Killeen, Commissioner of Planning and Development Messorre and Corporation Counsel Assistant Gunning.

PLEDGE OF ALLEGIANCE

Commissioner Hendricks informed the commission and the public how to contact the commissioners either via the website or through the P & Z office.

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve the meeting minutes of May 22, 2018, seconded by Commissioner Sullivan and passed (with Alternate Milano voting in place of Commissioner Mullins before his arrival).

Public Hearing

1. **502 Main Street.** Applicant seeks Special Permit approval to operate a chiropractic office as a less nonconforming use than the previous credit union in an R2 (Single Family) Residential District, pursuant to Sections 81 and 85 of the West Haven Zoning Regulations. Applicant: R. Mark Pappas. Owner: US Alliance Financial fka West Haven Teachers Federal Credit Union. File # SP 18-014.

Attorney Tim Yolen is representing the applicant tonight. This application is to utilize the property as a single practitioner chiropractic office for Dr. Pappas. His present office is located in West Haven and the applicant would like to move to this location on Main Street. This property will be nonconforming, since it is a Residential District, but Attorney Yolen indicated he would demonstrate how this use would be less nonconforming and have less of an impact on the surrounding neighborhood than the previous credit union that was operating there. Attorney Yolen reviewed the operating schedule and staffing level of both operations and then, provided data on the number of previous weekly transactions of the credit union in relation to the anticipated schedule of appointments for the chiropractor's office. He showed that there will be fewer customer visits and no weekend hours. Attorney Yolen pointed out this application meets all the regulations. Dr. Pappas stated the outside will be cleaned up and repairs will be made to the building if needed.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Carmen Durso, 506 Main St., stated he tried to get the previous owner to install a guardrail to protect his property. There has already been an accident of a car driven into his home. He asks, with this change of use, that a guardrail be installed near the pool in his front yard.

Mr. Killeen suggested a condition that there be no expansion of the business.

Commissioner Sullivan made a motion to close the public hearing on File #SP 18-014, seconded by Commissioner Mullin and passed.

2. **596 First Avenue.** Applicant seeks approval of a change of zone from the R3 (Multi-Family) Residential District to the Waterfront Design (WD) District, pursuant to Section 86 of the West Haven Zoning Regulations. Applicant: Juan Ysidro Fernandez. Owner: Unique Properties, LLC. File # ZM 18-015.

Mr. Killeen explained to Chris Kloszowski, Madison, CT, representing Unique Properties (the owner), the reason for his property to be rezoned. Commissioner Hendricks explained that she is not comfortable with going forward with this application due to the fact that the applicant is not here. She suggests that the application be continued until the next meeting.

This item was continued to the next public hearing, scheduled for Tuesday, June 26, 2018 at 7:00 PM in the Harriet North Room.

3. **596 First Avenue.** Applicant seeks Special Permit approval of a Grocery Beer Liquor Permit for an existing convenience market in a proposed Waterfront Design (WD) District, pursuant to Sections 45 and 86 of the West Haven Zoning Regulations. Applicant: First Ave Delimart. Owner: Unique Properties, LLC. File # SP 18-016.

This item was continued to the next public hearing, scheduled for Tuesday, June 26, 2018 at 7:00 PM in the Harriet North Room.

Regular Meeting

1. **Deliberation and Action on Public Hearing Items:**

- a. **502 Main Street.** Applicant seeks Special Permit approval to operate a chiropractic office as a less nonconforming use than the previous credit union in an R2 (Single Family) Residential District. Applicant: R. Mark Pappas. Owner: US Alliance Financial fka West Haven Teachers Federal Credit Union. File # SP 18-014.

After further discussion and review of the public hearing, Commissioner Biancur made a motion to approve File #SP 18-014 with the following conditions:

1. There shall be no expansion or increase in the operation of this business without additional review by the Planning and Zoning Commission.
2. Applicant shall install additional protection (such as a wood guard rail) to stop traffic along Parking Spaces #1 to #3, subject to approval of the Planning and Zoning Staff.

seconded by Commissioner Sullivan and passed.

- b. **596 First Avenue.** Applicant seeks approval of a change of zone from the R3 (Multi-Family) Residential District to the Waterfront Design (WD) District. Applicant: Juan Ysidro Fernandez. Owner: Unique Properties, LLC. File # ZM 18-015.

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District. Applicant: First Ave Delimart. Owner: Unique Properties, LLC. File # SP 18-016.

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2. **Request for Approval of Alternate Notification Procedures for Large Scale Development Under Section 92.2.3.** The Haven Group LLC requests modification of the sign posting requirements for their upcoming Application #SP 18-020, SR 18-021, and CSPR 18-022.

James Fuda, Benesch Engineering , project manager, is representing The Haven Project. This is a request to provide alternate notification for this project with respect to signage. He is suggesting posting seven larger signs rather than 57 smaller signs. There will be seven locations where the larger sign will be posted with all the required information, as outlined in his correspondence dated June 7, 2018. Commissioner Hendricks made a motion to approve alternate notification procedures for SP 18-020, SR 18-021 and CSPR 18-022, seconded by Commissioner Mullins and passed.

3. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** – Commissioner Biancur gave an overview of the meeting that was held. He asked Commissioner Messoro to attend the next meeting on June 26, 2018. Overlays and revision to regulations for districts will be discussed. He would like the Commissioner’s feedback so the items can be prioritized.
4. **Staff Reports** - None
5. **Other Business** – Surf Shop has opened and has a website. Chairwoman Hendricks asked that staff check with the owners of the Surf Shop to make sure that the photos of outside display on their website were for illustrative purposes only. The owners of this shop still need to obtain Commission approval of any outdoor display.
6. **Adjournment: 8:00 p.m.**

Commissioner Mullins made a motion to adjourn, seconded by Commissioner Suggs and passed.