



CITY OF WEST HAVEN, CONNECTICUT

Zoning Board of Appeals

Planning & Development Department • City Hall • 355 Main Street • 1st Floor
West Haven, Connecticut 06516 Phone 203.937.3580 • Fax 203.937.3742



CITY HALL 1896 -1967

John Clifford, Chairman
Ed Wise, Commissioner
Brent Coscia, Commissioner
Carol Porto, Commissioner
Aleshia Caple, Commissioner
Stephen Hotchkiss, Zoning Enforcement/ Inland Wetlands

open, Alternate
Rich Deleo, Alternate
Chuck Zentarski, Alternate
Brian Miller Consultant
Catherine Conniff, Asst. City Planner

MEETING MINUTES OF ZONING BOARD OF APPEALS JUNE 21, 2023

The West Haven Zoning Board of Appeals held a Public Hearing and Regular meeting on Wednesday June 21, 2023, in the Harriet North Room, Second Floor, City Hall, 355 Main Street, West Haven, CT at 6:30 P.M.

PRESENT: Commissioners Clifford, Wise, Carol Porto, Caple, Coscia, Deleo, ZEO Hotchkiss and Assistant Planner Conniff. Absent was Commissioner Zentarski.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Coscia made a motion to approve the minutes for the Regular Meeting and Public Hearings of May 17, 2023, seconded by Commissioner Wise and passed.

CONTINUED:

371 Center St: A request to mount solar panels which will be visible from the street to allow for maximum sun exposure, in the VDO (Village District Overlay) district under Article 2 Section 21.5 b VI of the City of West Haven Zoning Regulations. Owner: Nicholas Morse/ Applicant: Tylon George, File # 038-23 V

Applicant did not show for the third time.

137 Hemlock Street: An application to construct a 26'2" x 26'6" addition to an existing two-family structure in a R2 (Single Family Detached Residence) zone. A side yard variance of 3' to permit 12' where 15' is required under Section 11 of the City of West Haven Zoning Regulations. Owner: Trimen 137/Applicant: Ron Patel File# 033-23 V

Applicant stated the application is for 26 x 26 two-family structure with a finished basement. The existing home has rear stairs but are not up to code. This proposal is to bring both entrances along the stairs and in the rear add an addition. This will add value to the neighborhood with added renovations as well as new landscaping. Commissioner Coscia questioned the number of bathrooms (5) for this two-family home. He is concerned it may become a boarding house for UNH. Comments from the building official were read into the record.

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

George Wilkinson 184 Forest Rd, is concerned about parking.

Carol Cappelli, 138 Hemlock, concerns were addressed regarding basement.

PUBLIC HEARING:

38 Barbara Street: An application for a Special Use Exception to allow for a guitar repair business to operate in a R3 (One-Two-Three Family Residence) zone pursuant to Section 91 of the City of West Haven Zoning Regulation. Owner: Nicholas Johnson/ Applicant: Kevin Jones File # 041-23 SUE

Applicant is proposing a guitar repair business in his home that is owned by Nicholas Johnson. The repairs will be done in the basement of the home. There will be no impact to parking and no increased noise. Operating hours will be Monday thru Wednesday 8-5 and Saturday noon to 8 and Sunday noon to 5. Mailings were submitted to the file. Comments from the Building Official were read into the record.

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

487 Sawmill Road: Variances are requested to allow construction of a restaurant within the Commercial Design (CD) zone.

- 1) rear yard setback variance to permit 9.9' where 50' is required for a drive-thru canopy,
 - 2) front yard parking setback variance to permit 5.5' where 50' is required,
 - 3) minimum front perimeter screening strip variance to permit of 5.5' where 10' is required,
 - 4) minimum side and rear perimeter screening strips to permit 4.5' where 5' is required,
- under Sections 20, 81, 82, 90, 92 and Tables 20.1, 39.2, 62.1 of the City of West Haven Zoning Regulations. Owner/Applicant: Endurance West Haven, LLC File # 042-23 V

Attorney Vincent Amendola Jr, introduced his team, a project engineer and traffic consultant. This site was the former home of Denny's. The existing restaurant will be demolished and a new drive through restaurant will be constructed. There will be no sit-down dining. A special permit has been applied for six tables outside. The property is flat, has no wetlands and has a slight elevation in the rear. The hardship is the volume of traffic that will leave I-95 southbound due to the alignment of the driveway and the exit of the highway. There will be 10 employees per shift. There are 40 parking spaces available. A variance for the rear is being asked for a canopy that will be in the rear to cover patron's when they are ordering/waiting. There will be a 26-car double queue lane so cars can queue on the property making it safer for the patrons. Kevin Hickson, BL Co., project engineer, described the site. He stated the impervious area will be reduced by 5%. Hours at 6:30 am to 10 p.m.. except Sunday closed. The stormwater quality will be improved leaving the site. A sidewalk will also be installed. Comments from the Building Official were read into the record. Danny Cuya, DRS Provident, traffic engineer, presented the commission generated traffic readings and there will be minimal increase. Peak hour site, Sat 1-2 p.m., will generate approximately 76 vehicles on site.



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Attorney Amendola stated the variances do not affect the Plan of Conservation of Development. This application is consistent with that Plan. These variances are maximizing the parking and queue spaces and promotes the general welfare of the patrons.

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

Deliberation on Public Hearing: 371 Center Street File# 038-23 V

Commissioner Coscia made a motion to deny File #038-23 V due to no show three times by the applicant, Tylon George, seconded by Commissioner Carol Porto and passed. 5 – 0.

Deliberation on Public Hearing: 137 Hemlock Street File# 033-23 V

Commissioner Coscia made a motion to approve File #033-23V with the condition that it be a two-family house not a rooming or boarding house, seconded by Commissioner Carol Porto. Roll call was called. File #033-23V approved 5 – 0.

Deliberation on Public Hearing: 38 Barbara Street File# 041-23 SUE

Commissioner Coscia made a motion to approve File #041-23 SUE, seconded by Commissioner Carol Porto. Roll call was called. File #041-23 SUE approved 5 – 0.

Deliberation on Public Hearing: 487 Sawmill Road File # 042-23 V

Commissioner Coscia made a motion to approve File #042-23V, seconded by Commissioner Caple. Roll call was called. File #042-23V approved 5 – 0.

Staff Reports: Commissioner Clifford stated the commission needs to force the issue when materials are not received on time for a meeting by staff. Materials are being given out at the night of the meeting. Commissioner Carol Porto suggested writing a letter to the Mayor outlining the issue regarding insufficient staff.

Adjournment: 8:15 p.m.

Commissioner Coscia made a motion to adjourn, seconded by Commissioner Wise and passed.