

MEETING MINUTES OF PLANNING AND ZONING COMMISSION
JULY 24, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, July 24, 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, Sullivan, Suggs (arrived 7:02 p.m.) Mullins, Milano, Johnson, Assistant City Planner Killeen, ZEO Conniff, Corporation Council liaison Quagliani, Commissioner of Planning and Development Messoro (arrived 7:25 p.m.) and Corporation Counsel Tiernan.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: July 10, 2018 (*continued to next meeting*)

Public Hearing

1. **857 Boston Post Road.** Applicant seeks Special Permit approval for Outdoor Dining in a Regional Business (RB) District, pursuant to Section 20.10 and 85 of the West Haven Zoning Regulations. Applicant: Quinne Wright. Owner: Bart Realty. File # SP 18-023.
(*Continued from the June 26, 2018 hearing.*)

Based on a request from the applicant to allow him to seek variances from the Zoning Board of Appeals, this item was continued to the August 28, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven.

2. **261 Platt Avenue.** Applications for approval of Special Permit, Site Plan Review and Coastal Site Plan Review to renovate an existing automobile service station into a gas station with convenience store, in a Neighborhood Business (NB) District, pursuant to Table 39.2, and Sections 71, 75, and 85 of the West Haven Zoning Regulations. Applicant: United Energy Company. Owner: Wischert Management, LLC. File # SP 18-024, SR 18-025, and CSPR 18-026.

Mark Smith, CMG Environmental, Sturbridge, MA presented the application tonight. Staff comments were received this afternoon and he reviewed them. This is an existing filling station with three dispensers under a canopy. The building is an existing 1800 sq. ft. building. Existing tanks and gasoline dispensers will be replaced, but there will be only two tanks in place of three that currently exist. The existing service bay building currently has a small retail store. That building will be converted to all retail. The parking lot will be squared off for loading, and paving will be installed. Regarding the staff request to narrow or eliminate existing curb cuts, the applicant is proposing to reduce two of them to 30 ft (from 50 ft. currently). DOT will probably have to be contacted which could possibly result in other requirements since about 4 ft of the bypass lane is owned by the State. Commissioner Hendricks is concerned that this application encompasses land owned by DOT and is not owned by the owner. She suggested that the applicant either withdraw or continue the application so that permission in writing from DOT can be obtained. Owner of United Energy stated he is grandfathered in on the DOT property. Commissioners want a letter from DOT stating this. Mr. Smith described the landscaping, lighting and the existing drainage. Hours will be from 5 a.m. to 11 p.m. seven days.

Three calls were made to speak in favor and three calls were made to speak against this application. There was no one that spoke for or against this application.

To allow the applicant time to contact the State DOT for clarification of the proposed layout, this item was continued to the August 14, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven.

Next, Commissioner Mullins made a motion to hear File #SR 18-028 at the same time as File SP 18-027, seconded by Commissioner Biancur and passed.

3. **10 Forest Road, 275 Orange Avenue, 16 Forest Road, 20 Forest Road, 24 Forest Road and 14 Orange Terrace.** Application for approval of a Special Permit to locate 64 parking spaces within the front yard as part of a temporary parking lot containing a total of 130 parking spaces in a Planned Residential Commercial (RCPD) District, pursuant to Sections 60.7 and 85 of the West Haven Zoning Regulations . Applicant/Owner: Forest Cove, LLC. File # SP 18-027.
4. **10 Forest Road, 275 Orange Avenue, 16 Forest Road, 20 Forest Road, 24 Forest Road and 14 Orange Terrace.** Application for approval of a Site Plan Review in order to construct a temporary parking lot containing a total of 130 parking spaces, including 24 replacement parking spaces for the Louis J. Piantino Branch Library in a Planned Residential Commercial (RCPD) District, pursuant to Section 75 of the West Haven Zoning Regulations. Applicant/Owner: Forest Cove, LLC and Park Commons, LLC. File # SR 18-028. *(This was listed as Item # 2, on the Regular Meeting Agenda).*

Attorney Mark Sklarz stated this application is for a temporary parking lot containing 130 parking spaces. The University of New Haven has asked for interim parking spaces and this plan could accommodate their temporary needs as well as the other spaces asked for in this application. This project needs to be efficient to obtain economic, parking needs and to provide the basis for the future infrastructure for long-term development proposed at this location. 64 spaces lie within the front yard, which requires Special Permit approval. Attorney Sklarz read the requirements from the special permit regulations and how they apply to this application. It is their position that the standards are met for this special permit. This will allow the project to go forward with Phase III (“The Forest”) for completion by July 2022. Gary Letendre stated 130 spaces are the minimum that is needed due to retaining walls in the rear. Lou Anino, UNH, acknowledged there will be a shuttle and there are signaled crosswalks. This parking lot is intended to be used by UNH staff and not students.

Joe Devine, engineer, stated this property is 2.1 acres. There are 24 replacement parking spaces reserved for the library as required by the approval of the Park View Development in November 2017. Six spaces will be handicap accessible and will be within the 50 setback. Existing curb cuts will be used to access the site. Sidewalk will be provided at the intersection of Forest Rd. The entire lot will not be paved due to the temporary nature of the lot. The six accessible parking spaces will be paved. He also described the storm runoff, drainage on the property, 8 pole lights and landscaping. Mat Skelly, traffic engineer, described the flow of vehicles to and from the site and the capacity analysis they conducted.

Commissioner Hendricks is concerned about school buses going up Orange Terrace and where the stops are.

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

Joe Genovese, 323 Boston Post Rd., is concerned about the traffic on the Boston Post Road and speeding. He is the only driveway there.

Lillie Bowes, 24 Orange Terrace, is concerned about her privacy with respect to lighting and dust from the site.

Irma Gutierrez, 30 Forest Rd., concerned about the traffic in the area and the safety of the kids that wait at the school bus stops.

Jane Whelan, asks what happens to parking for the library when this permit ends.

Attorney Tiernan questions the two year agreement for the library, when it expires and the special permit is still in effect.

Gary Letendre has agreed the 24 library spaces will be maintained for the approved duration of the special permit. However, the library spaces are to be used by library patrons only and they intend to monitor those spaces. Commissioner Suggs suggested the police department install signage that there be no on street parking on Orange Terrace for UNH students or faculty.

Commissioner Sullivan made a motion to close the public hearing on File #SP 18-027, seconded by Commissioner Suggs and passed.

5. **53 Mix Avenue.** Applications for approval of a Special Permit and Site Plan Review in order to install nine (9) wireless telecommunication antennas to an existing billboard, with associated equipment, in a Light Manufacturing (LM) District, pursuant to Sections 48 and 85 of the West Haven Zoning Regulations. Applicant: T-Mobile. Owner: Gannett Outdoor Company of Connecticut. File # SP 18-029 and SR 18-030.

Based on a request from the applicant, this item was continued to the August 14, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven.

6. **217-19 Campbell Avenue.** Special Permit application for approval of outdoor dining and a liquor license to serve beer and wine at an existing restaurant in a Central Business (CBD) District zone, pursuant to Section 20.10, 45, and 85 of the West Haven Zoning Regulations. Applicant: Ihsan Ulhaq. Owner: Abele Grillo, File # SP 18-031.

Applicant is requesting approval for outdoor dining. There are 10 seats presently and the ability to add up to 14 seats inside. Commissioner Hendricks stated the regulations call for 25% of inside seating to be allowed outside. Therefore, there would only be three seats allowed outside. Applicant stated he is thinking of increasing the inside seating to 16. Commissioner Hendricks stated applicant can go to ZBA and ask for a variance if he needs it. The Commission agreed they would not require the applicant to file a formal application with the Commission if additional seats were approved; however, the applicant would have to come back for administrative approval of the fence and planting dividers if they are required.

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

There was no one present to speak for or against this application.

Commissioner Mullins made a motion to close the public hearing on File #SP 18-029 and SR 18-030, seconded by Commissioner Biancur and passed.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. **857 Boston Post Road.** Applicant seeks Special Permit approval for Outdoor Dining in an RB District. Applicant: Quinne Wright. Owner: Bart Realty. File # SP 18-023.
(Continued from the June 26, 2018 hearing.)

This item was continued to the August 28, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven

- b. **261 Platt Avenue.** Special Permit, Site Plan Review and Coastal Site Plan Review applications to renovate an existing automobile service station into a gas station with convenience store, in an NB District. Applicant: United Energy Company. Owner: Wischert Management, LLC. File # SP 18-024, SR 18-025, and CSPR 18-026.

This item was continued to the August 14, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven

- c. **10 Forest Road, 275 Orange Avenue, 16 Forest Road, 20 Forest Road, 24 Forest Road and 14 Orange Terrace.** Special Permit application to locate 64 parking spaces within the front yard as part of a temporary parking lot in an RCPD District. Applicant/Owner: Forest Cove, LLC. File # SP 18-027.

After considering the results of the Public Hearing, Commissioner Sullivan made a motion to approve File #SP 18-027 with the following condition:

1. Four year approval subject to review on an annual basis by staff.

Seconded by Commissioner Mullins and passed.

- d. **53 Mix Avenue.** Special Permit and Site Plan Review applications to install nine (9) wireless telecommunication antennas on an existing billboard, with associated equipment, in an LM District. Applicant: T-Mobile. Owner: Gannett Outdoor Company of Connecticut. File # SP 18-029 and SR 18-030.

This item was continued to the August 14, 2018 Planning and Zoning Commission meeting, at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven

- e. **217-19 Campbell Avenue.** Special Permit application for approval of outdoor dining and a liquor license to serve beer and wine at an existing restaurant in a CBD zone. Applicant: Ihsan Ulhaq. Owner: Abele Grillo, File # SP 18-031.

After discussion of the results of the Public Hearing, Commissioner Biancur made a motion to approve this application as amended to allow three seats for outdoor dining and approval of the liquor permit for beer and wine, seconded by Commissioner Sullivan and passed

2. **10 Forest Road, 275 Orange Avenue, 16 Forest Road, 20 Forest Road, 24 Forest Road and 14 Orange Terrace.** Application for approval of a Site Plan Review in order to construct a temporary parking lot containing a total of 130 parking spaces, including 24 replacement parking spaces for the Louis J. Piantino Branch Library in a Planned Residential Commercial (RCPD) District, pursuant to Section 75 of the West Haven Zoning Regulations. Applicant/Owner: Forest Cove, LLC and Park Commons, LLC. File # SR 18-028.

After considering the testimony of the applicant and their professional advisors, Commissioner Biancur made a motion to approve File #SR 18-028 with the following conditions:

1. Temporary parking lot will exist up to 4 years with an annual review by staff.
2. The 24 replacement spaces for the library will remain as long as the special permit is in effect.
3. Staff review with the developer on any action needed to address any safety concerns of the Police Department or the Boards of Education (West Haven and New Haven) regarding the safety of school children waiting at the school bus stop(s) at this intersection.

Seconded by Commissioner Mullins and passed.

3. **260 Rockdale Road .** Application for approval of a Site Plan Review in order to construct a concession stand and restroom facility in an Educational Facilities District (EFD), pursuant to Section 75 of the West Haven Zoning Regulations. Applicant/Owner: University of New Haven. File # SR 18-032.

Lou Anino, UNH and Ray Paier, engineer, stated this application is to apply for approval of the construction of a concession stand and restroom facility between the baseball and football fields on UNH property. The concession will be operated by UNH food service seasonally (spring and fall). There will be an upgrade to the sewer line that will enable connections to residential properties to the north and east of this site. The University is coordinating those plans with the City's Engineering Department. The building will be heated and ventilated and will have building controls and security cameras. The kitchen will have a grill, fryolator and refrigerator. Construction will begin as soon as possible.

After further discussion, Commissioner Mullins made a motion to approve File #SR 18-032, seconded by Commissioner Suggs and passed.

4. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** – A meeting was held tonight and the committee discussed the possibility of a village district overlay. The Committee reviewed regulations from other towns. The next scheduled meetings will be held on August 14 and 28, 2018 at 6 p.m.
5. **Staff Reports** - none
6. **Other Business** – Commissioner Hendricks stated three citizens contacted her asking why there was a special meeting to review The Haven. She wanted to clarify that it was not a special meeting but a regularly scheduled meeting. Only the meeting location was changed.
7. **Adjournment:** 9:19 p.m.
Commissioner Mullins made a motion to adjourn, seconded by Commissioner Milano and passed.