

MEETING MINUTES OF
PLANNING AND ZONING COMMISSION MEETING
AUGUST 14, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, August 14, 2018, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M. The meeting was called to order by Chairman Hendricks at 7:02 PM.

PRESENT: Commissioners Hendricks, Biancur, Suggs, Sullivan, Assistant Planner Killeen, Council Liaison Quagliani and Corporation Counsel Tiernan. Absent were Commissioners Mullins and Alternates, Milano and Johnson.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve meeting minutes of July 10, 2018, seconded by Commissioner Suggs and passed. Commissioner Sullivan made a motion to approve the July 24, 2018 meeting minutes, seconded by Commissioner Suggs and passed.

Commissioner Hendricks informed the commission that on August 28th, one application, Lotus Lounge, was scheduled to be heard. However, a ZBA variance was needed and no application was submitted for the August meeting of the ZBA. Mr. Killeen was also informed that the applicant no longer works for Lotus Lounge. Attorney Tiernan suggested sending a certified letter announcing the cancellation of the August 28th meeting since no ZBA application was filed and the person who represented the business/application has no legal standing. Therefore, it was announced that the August 28th meeting would be cancelled.

Public Hearing

1. **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. (*Continued from the July 24, 2018 hearing.*)

This item was continued to the September 11, 2018 hearing of the Planning and Zoning Commission at 7:00 PM in the Harriet North Room, City Hall, at the request of the applicant.

2. **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. (*Continued from the July 24, 2018 hearing.*)

Jesse Langer, Updike, Kelly and Spellacy, stated the antennas will be located below the height of the billboard and painted to match the surface of the billboard. Six of the antennas will be camouflaged by the billboard. The cabinets will be enclosed with an 8 ft fence. T-Mobile feels that this proposal fits the site justification requirements and this installation will comply with the Federal Communications Commission requirements. Mr. Scott Heffernan, of EBI

Consulting, stated T-Mobile does not have sufficient capacity in this area for its subscribers. He also described how the workers are trained to have access to these antennas safely and prevent exposure to radiation. He explained that FCC establishes maximum permitted exposure levels, and the current application would be at 11.5% of the maximum allowed at ground level beneath the billboard. T-Mobile at this point in time is the only carrier located on the billboard. Denise Sabo, of Northeast Site Solutions, explained T-Mobile is working with landlords who are changing billboards over to digital before signing leases. She indicated that the antennas would still be able to function if this billboard is converted to a digital billboard in the future. There is one residence close by, 57 Mix Ave., that will have a view of the billboard. Attorney Langer reviewed the special permit standards that apply to this application. Alarms are also installed in case there are trespassers. Commissioners discussed having a fence other than chain link. Commissioner Hendricks suggested making a condition that applicant come back to staff after conferring with the landlord regarding fencing and landscaping.

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

Joseph Golembiewski, 67 Mix Ave., questions why the ZEO is making him take his 4 ft building down while this billboard is next door.

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

3. **2-8 Ashburton Place.** Applications for approval of a Special Permit and Site Plan Review, including an Erosion and Sediment Control Plan, to permit the construction of a 16-unit multi-family housing development, pursuant to Tables 20.1 and 39.2 and Sections 74, 75 and 85 of the West Haven Zoning Regulations, in the Central Business District (CBD). Applicant/Owner: Bert Qubes, LLC. File # SP 18-033 and SR 18-034.

This item was continued to the September 11, 2018 hearing of the Planning and Zoning Commission at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven, at the request of the applicant.

Commissioner Hendricks asked Mr. Killeen to make sure the applicant cleans up the property. She and Vice-Chairman Biancur inspected the property this week and could not believe how poorly this property is currently being maintained.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. **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. (*Continued from the July 24, 2018 hearing.*)

This item was continued to the September 11, 2018 hearing of the Planning and Zoning Commission at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven, at the request of the applicant.

b. **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. *(Continued from the July 24, 2018 hearing.)*

Commissioner Suggs made a motion to approve File #SP-18-029 and #SR 18-030 with the condition that the fencing and landscape buffering for this installation be discussed with and approved by Planning and Zoning staff, seconded by Commissioner Biancur and passed.

c. **2-8 Ashburton Place.** Applications for approval of a Special Permit and Site Plan Review to permit the construction of a 16-unit multi-family housing development in the Central Business District. Applicant/Owner: Bert Qubes, LLC. File # SP 18-033 and SR 18-034.

This item was continued to the September 11, 2018 hearing of the Planning and Zoning Commission at 7:00 PM in the Harriet North Room, City Hall, 355 Main Street, West Haven, at the request of the applicant.

2. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** – Councilperson Quagliani stated at the meeting tonight it was decided to attend the Sept 5th Allingtown Coalition meeting and present a proposal to begin a plan for Allingtown as outlined in the City’s current Plan of Conservation and Development. The Coalition will be asked to identify community leaders that should be part of this effort and discuss issues of concern. The next subcommittee meeting will be held on September 11th at 6 p.m.
3. **Staff Reports**
 - a. Discussion of Possible Regulations re: Medical Marijuana Dispensaries/Facilities - Mr. Killeen stated there was an effort made in prior years for a draft regulation, and copies were distributed to the Commission. He felt this was a good starting point. Commissioners reviewed the draft and discussed whether to use the language medical marijuana dispensary as opposed to just marijuana dispensary. Mr. Killeen was asked to draft a new copy eliminating the medical part and referencing the CT State statues where applicable.
4. **Other Business** – The next P & Z meeting will be held on September 11, 2018. There will be no meeting on August 28th.

Commissioner Hendricks asked Mr. Killeen to check on the dates that the dumpster was to be enclosed for the car wash that was approved on the Boston Post Road. Commissioner Suggs asked that staff also check on the dumpster at O’Reilly’s Auto Parts.

5. **Adjournment:** 8:12 p.m.

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