

MINUTES
Planning and Zoning Commission
September 25, 2018

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, September 25, 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, Mullins, Milano, ZEO Conniff, Assistant City Planner Killeen, Commissioner of Planning and Development Messore and Corporation Counsel Tiernan. Absent was Alternate Commissioner Johnson.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Suggs made a motion to approve the September 11, 2018 minutes, seconded by Commissioner Sullivan and passed.

Public Hearing

- 1. 5 Industry Drive Extension.** Special Permit and Site Plan Review applications to construct an office and storage building with associated parking, in an Industrial Planned Development (IPD) District, pursuant to Table 39.2 and Sections 75 and 85 of the West Haven Zoning Regulations. Applicant/Owner: Borrelli Realty, LLC. File # SP 18-035 and SR 18-036.

Attorney Vincent Falcone stated the current office building at 4 Industry Drive is too small to accommodate the business, and the applicant is seeking approval to construct this new, larger building across the street. There will be no change in the company's operations. The subject property is on a cul de sac and approximately four acres in size. The planned development will be about one acre. Jim Pretti, Criscuolo Engineering, described the layout of the subject property showing landscaping, parking, lighting and the location of the proposed building. The building will be approximately 15,000 sq. ft. The office area will be approximately 4,000 sq. ft. with a storage area of 11,200 sq. ft. The Inland Wetlands Commission did approve their application last week with the condition that additional jersey barriers be added to protect the wetlands. Attorney Falcone responded to comments regarding Section 85 and Section 67 regarding parking. Attorney Falcone would like approval for parking in the front yard. In response to a question about the W.B. Hunt parking to the rear of the property, Steven Borrelli explained that the each employee's car takes the place of the trailer that they drive for that day. Commissioner Messore asked what color the building will be. The applicant was uncertain and asked if there were any suggestions. Commissioner Messore suggested that earth tones be used. In response to questioning from the Commission, the applicant responded that there will be no hazardous materials stored in the new building.

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 from the public to speak for or against this application.

Commissioner Sullivan made a motion to close the public hearing on File #SP 18-035 and #SR 18-036, seconded by Commissioner Suggs and passed.

2. **1046 Orange Avenue/Boston Post Road.** Special Permit and Site Plan Review applications to expand current service shop and change traffic flow for an existing used car dealership in a Regional Business (RB) District, pursuant to Sections 44, 75, and 85 of the West Haven Zoning Regulations. Applicant: Elite Motors, LLC. Owner: 1046 Orange Avenue, LLC. File # SP 18-037 and SR 18-038.

Christopher Torkamani, applicant, stated he purchased the property about seven months ago. It was as a used car dealership prior. He has done some work on the property such as removing a fence to allow two way traffic. The size of the shop is too small to service larger vehicles, which is the purpose for this application. His request is to add additional square footage to the shop floor. He has received ZBA approval of a variance, since the proposed enlargement will violate existing sideyard setbacks. The impervious cover will not change. Applicant circulated to the Commission sets of photos taken today of the property and also included some historical photos taken before he took over.

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 Sullivan made a motion to close the public hearing on File #SP 18-037 and #SR 18-038, seconded by Commissioner Suggs and passed.

3. **1055 Boston Post Road.** Special Permit application to request restaurant wine/beer liquor permit in a Regional Business (RB) District, pursuant to Sections 45 and 85 of the West Haven Zoning Regulations. Applicant: Adriou Rodriguez, Owner: Guo Family, LLC. File # SP 18-039.

Applicant stated he asked for wine/beer because he would like it to be a family business. The restaurant will have 32 seats. Hours of operation 11 a.m. to 10 p.m. The property was a Chinese restaurant prior. He is here only for the beer/wine permit tonight so he can go to the state to request a license.

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 File #SP 18-039, seconded by Commissioner Sullivan and passed.

4. **Beach Street Elevation Project, Phase 1.** The City proposes to elevate a section of First Avenue from Monahan Place to south of the Water Treatment Plant as Phase 1 of the Beach Street Roadway Improvements project. The Planning and Zoning Commission will conduct a public hearing on this item and consider the project under Section 8-24 CGS for consistency with the Plan of Conservation and Development. Applicant/Owner: City of West Haven.

Abdul Quahir, City Engineer, stated this is Phase I. This phase is funded with \$3.5 million dollars. City Council has approved this, and now Mr. Quadir is seeking approval of the Planning and Zoning Commission. This is necessary for the project to go forward. This approval is for review under Section 8-24 CGS and gives the commission the

opportunity to review it from a planning perspective. Andy Bevilacqua, engineer, stated this is to provide resiliency for the treatment plant and to try to limit the effects of high tidal water on Beach St. Excavation will be about 4-1/2 ft. down and fill with stone. The road width will be about the same with the addition of a sidewalk and a bicycle lane. The project should take two to three months and hopefully will start March 2019. There will be some grading on the property at 99 Second Ave, and an easement will be needed at that time.

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

Sharon Mancini, 85 Second Ave., commented that her property is near the end of this project, and she is looking for answers about how the water will flow away from her property during times of flooding. She is also concerned about traffic during construction.

Cindy Franco, 85 Second Ave., is concerned about grading that may be done on her property.

Commissioner Biancur made a motion to close the public hearing on Beach Street Elevation Project, Phase I, seconded by Commissioner Mullins and passed.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. **5 Industry Drive Extension** . Special Permit and Site Plan Review applications to construct an office and storage building with associated parking, in an IPD District. Applicant/Owner: Borrelli Realty, LLC. File # SP 18-035 and SR 18-036.

Commissioner Biancur made a motion to approve File #SP 18-035 and #SR 18-036 with the following conditions:

1. Applicant shall provide a more detailed floor plan to show what portion of the building will be used for office space, to verify parking requirements; and office space shall not exceed 4,000 sq. ft.
2. Approval is subject to posting of a performance bond in an amount to cover erosion and sediment controls and the submission of an As-Built Survey to the satisfaction of the City Engineering Department

Seconded by Commissioner Suggs and passed.

- b. **1046 Orange Avenue/Boston Post Road.** Special Permit and Site Plan Review applications to expand current service shop and change traffic flow for an existing used car dealership in an RB District. Applicant: Elite Motors, LLC. Owner: 1046 Orange Avenue, LLC. File # SP 18-037 and SR 18-038.

Commissioner Mullins made a motion to approve File #SP 18-037 and SR 18-038 with the following conditions:

1. There shall be no more than nineteen (19) spaces subject to staff approval on this property at any time.
2. No vehicles shall be parked on Jaffrey Road or Orange Avenue.

3. There shall be no use of banners, flags or other devices designed to draw attention to the site for advertising purposes, aside from American flags and signs permitted under the City's Zoning Regulations.
4. Dumpster location to be enclosed and approved by staff.
5. Striping in back parking lot shall be clearly marked and subject to staff approval.
6. There shall be no more than one (1) inoperable vehicle on the property at any time.
7. The applicant is approved for a used car dealership only, not a repairer's license. No repairs shall be conducted on vehicles other than those that are part of the inventory of vehicles for sale by this dealership.
8. For the whole property and especially the repair shop to the rear of the property:
 - a. There shall be no outside storage of parts, materials, batteries or containers.
 - b. Oil, other petroleum products, and any other toxic materials shall be handled properly so that they are not dumped into the City's sewer or allowed to leach into the groundwater.
 - c. Oil separators shall be installed, if required by the City Engineer.
9. There will be a one year review by staff.

Seconded by Commissioner Suggs and passed.

- c. **1055 Boston Post Road.** Special Permit application to request restaurant wine/beer liquor permit in an RB District. Applicant: Adriou Rodriguez, Owner: Guo Family, LLC. File # SP 18-039.

Commissioner Biancur made a motion to approve File #SP 018-39, seconded by Commissioner Suggs and passed.

- d. **Beach Street Elevation Project, Phase 1.** The City proposes to elevate a section of First Avenue from Monahan Place to south of the Water Treatment Plant as Phase 1 of the Beach Street Roadway Improvements project, pursuant to Section 8-24 of the CT General Statutes. Applicant/Owner: City of West Haven.

Commissioner Biancur made a motion to approve the Beach Street Elevation Project, Phase I, as being consistent with the Plan of Conservation and Development, pursuant to Section 8-24 of the CGS, seconded by Commissioner Suggs and passed.

2. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)** – A meeting was held tonight. The Allingtown plans are moving forward and a committee of seven will be formed. Suggestions for members will be two residents from the neighborhood, two people representing institutions, (likely UNH and the VA Hospital), two people from businesses, (likely the Acorn Group and Lighting Quotient) and City Council representative, Ron Quagliano. Once together, staff hopes a workshop will

be held sometime before Thanksgiving. Discussion was held on the Village District. Streetscaping will be discussed at the next meeting.

3. **Staff Reports**

- a. Discussion of Possible Regulations re: Medical Marijuana Dispensaries/Facilities
After discussing the draft that had been circulated by staff, the Commission agreed to schedule a public hearing on this item for November 14, 2018.

4. **Other Business** – None

5. **Adjournment:** 8:30 p.m.

Motion was made and seconded to adjourn the meeting at 8:30 pm. Motion passed.