

**CITY OF WEST HAVEN, CT  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE SPECIAL MEETING HELD ON  
THURSDAY, MARCH 31, 2022**

The West Haven Planning and Zoning Commission held a Special Meeting and Public Hearings on Thursday, March 31, 2022, in the Harriet North Room, 2<sup>nd</sup> Floor, City Hall 355 Main Street, West Haven, CT at 6:00 PM.

**Call to Order**

The special meeting was called to order at 6:00 PM by Chairwoman Kathleen Hendricks.

**Roll Call**

Kathleen Hendricks, Chairwoman	Present
John Biancur, Vice-Chairman	Present
Christopher Suggs, Secretary	Present
Steven R. Mullin, Commissioner	Absent
Gene F. Sullivan, Commissioner	Present
Michael Todd Taylor, Alternate	Present
Gregory Milano, Alternate	Present
Joseph Vecellio, Alternate	Present
Christopher Soto, Director	Present
Karen Kravetz, Corporation Counsel	Present

**Pledge of Allegiance**

**Approval of Minutes**

Commissioner Sullivan made a motion to approve the minutes from the meeting held on February 23, 2022; seconded by Commissioner Todd. The motion passed by majority; Commissioner Suggs abstained because he was absent from the meeting.

**Public Hearings**

Chairwoman Hendricks stated that the public hearing for 2 & 8 Ashburton Place would not be held because the application was withdrawn at the request of the applicant. This application is number 1 on the meeting agenda.

Chairwoman Hendricks stated that in the absence of Commissioner Mullins, Commissioner Milano would vote on the even numbered applications and Commissioner Vecellio would vote on the odd numbered applications.

Chairwoman Hendricks stated that due to the robust agenda, everyone must be recognized by the Chair in order to speak, specifically the Planning and Zoning Commission.

1. **Proposed Amendment to Zoning Regulations:** An application to amend the City of West Haven Zoning Regulation, Section 49.1 Marijuana Facilities and Table 39.2. The proposed amendment would include cannabis establishments as allowed per Public Act 21-1 File #ZR22-110.

The application was presented by Director Chris Soto. He drafted the proposed amendment to allow for Cannabis Establishments in the Light Manufacturing District (LM). The definition and use were added into the current section and table of uses. He asked the Commission if they wanted to consider adding a prohibition of smoking on-site. He was asked by a member of the public to make three changes; 1) to allow cannabis establishments in the Regional Business District (RB). 2) reduce the distance of cannabis establishments in relation to other sites from 800 ft. to 600 ft. 3) reduce the distance between marijuana dispensary, production facility/producer, or cannabis establishment to a distance less than 1,500 ft.

Chairwoman Hendricks suggested adding a sub-section G to Section 49.1 to prohibit consumption on-site. Commissioner Milano suggested that we allow consumption inside of the cannabis establishment but not outside. However, he was not sure that the Commission has the authority to regulate where consumption occurs. Commissioner Taylor stated that the regulations speak to production, not consumption, so he agreed with Commissioner Milano and is not sure if the Commission has the authority to regulate where consumption occurs.

Commissioner Suggs mentioned there may be a typo sub-section D.4. There is an additional 'No' in the sentence that needs to be removed.

i) Public Session

- (1) Councilwoman Robin Watt-Hamilton, 92 Bedford Street West Haven, CT stated that she does not want the Commission to consider allowing the use of cannabis establishments in the RB District. She does not want the use allowed on the Boston Post Road or on Route 34.

Commissioner Biancur made a motion to close the public hearing; seconded by Commissioner Milano.

Commissioner Biancur made a motion to approve, with discussion, File #ZR22-110 with a change to sub-section D.4 by removing the additional 'No' from the sentence; seconded by Commissioner Sullivan. Chairwoman Hendricks stated that previous Commission put in a lot of work, and legal consultation before drafting the existing regulation. She is not comfortable invalidating the research of the previous Commission that resulted in only allowing the use in the LM District.

Chairwoman Hendricks called for a Roll Call vote: Commissioner Milano voted Yes, Commissioner Sullivan voted Yes, Commissioner Biancur voted Yes, Commissioner Suggs voted Yes, Chairwoman Hendricks voted Yes. The motion passed unanimously.

2. **1 Circle Street:** An application for a Special Permit and Coastal Site Plan Review to construct an addition to the West Haven High School for the Pamela Bellmore Gardner Memorial Lecture Hall and other related site improvements File #SP22-111

The Applicant Michael LoSasso, AIA, LEED|AP, BD+C, 271 Fairfield Avenue Bridgeport, CT presented the project overview and the project need.

The Site Engineer Kent Gannon 55 Church Street, Suite 601 New Haven, CT discussed the site plan for the lecture hall.

Commissioner Milano asked how many seats will be in the lecture hall compared to the auditorium. The lecture hall will have 120 seats and the auditorium has 820 seats.

i) Public Session

- (1) Cynthia Beecher 144 Painter Avenue West Haven, CT stated that her backyard is up against the parking lot. There used to be a 50 ft. buffer but that is no longer there. The hockey community utilizes the parking lot on weekdays and weekends. She wants a buffer between her yard and the parking lot or privacy screening. Director Soto did communicate her concern to the Board of Education, and he was told that there is a chain link fence separating her property; although this may not be to her satisfaction, there is a fence. Commissioner Milano stated the lecture hall will not affect the parking situation. Chairwoman Hendricks stated that the Commission must decide on the application that is being presented and cannot decide based on things that were done in the past, although she does sympathize with the concerns of the surrounding residents.

Commissioner Sullivan made a motion to close the public hearing; seconded by Commissioner Vecellio.

Commissioner Biancur made a motion to approve File #SP22-111; seconded by Commissioner Sullivan. The motion passed unanimously.

3. **400 Derby Avenue:** An application for a Special Permit to construct a Self-Storage facility with 106,800 square feet of interior accesses storage units and 46 exterior access storage modules for a total floor area of 122,886 square feet File #SP22-113

The Attorney Stephen W. Studer, Esq., Berchem Moses P.C. 75 Broad Street Milford, CT presented the project overview.

The Site Engineer Jeffrey Gordon, President, Codespoti and Associates 263 Boston Post Road, Suite 5 Orange, CT discussed the site plan for the self-storage facility.

Stanley Bonilla w/safeguard self storage 1522 Old Country Road Plainview, NY spoke about the mission and the structure of safeguard self storage. There are 80 locations nationwide and the West Haven location will be the third in Connecticut.

Chris McLean, P.E., Traffic Engineer, LANGAN CT Inc. 555 Long Wharf Drive New Haven, CT discussed the traffic pattern and impact of the self-storage facility. The OSTA Site Plan has been submitted to State of Connecticut and is currently under review.

Christopher Michalek, SGW Architecture 444 North Michigan Avenue, Suite 1850 Chicago, IL discussed the internal design of the building.

Stephen W. Studer, Esq. provided a summary of the application and asked the Commission for an approval.

i) Public Session

- (1) Rick Close of George Harte Nissan Auto Group 426 Derby Avenue stated that his only concern is their right of way. He and the applicant have maintained a very open line of communication and they have promptly answered any questions. He's looking forward to them opening.

Commissioner Sullivan made a motion to close the public hearing; seconded by Commissioner Milano.

Commissioner Biancur made a motion to approve File #SP-22-113; seconded by Commissioner Milano. The motion passed unanimously.

## Regular Meeting

4. **1 Circle Street:** An application for a Site Plan Review for the addition of ground mounted directional signs at the West Haven High School Campus File #SR22-109

Michael LoSasso, AIA, LEED|AP, BD+C 271 Fairfield Avenue Bridgeport, CT discussed the site plan for the addition of the ground mounted directional signs.

Commissioner Biancur made a motion to approve File #SR22-109; seconded by Commissioner Suggs. The motion passed unanimously.

5. **456 Derby Avenue:** An application for a Site Plan Re-Approval of a previously approved Special Permit for uses auto sales in order to demonstrate compliance with approved conditions File #SR22-112

The Attorney Vincent R. Falcone 334-336 Main Street West Haven, CT presented the application to demonstrate it is in compliance with the conditions set in year 2020.

Pasquale Civitella 456 Derby Avenue West Haven, CT stated the parking spaces numbered 20 – 23 will remain gravel with painted striping to separate them. This statement was made in response to Commissioner Suggs questioning those specific parking spaces.

Commissioner Todd pointed out the submitted materials state the hours of operation are determined by the Commission. Attorney Falcone responded by saying he was told that was from a 2009 approval. The hours of operation are Monday – Friday 9:00 AM – 6:00 PM; Saturday 9:00 AM – 6:00 PM; Sunday 11:00 AM – 5:00 PM.

Commissioner Milano made a motion to approve File #SR22-112; seconded by Commissioner Sullivan. The motion passed unanimously.

6. **1 Notre Dame Way:** An application for a Site Plan Approval for the construction of two additions, 1,588 square feet and 1,414 square feet, and landscaping and other associated site improvements File #SR22-114

Commissioner Milano recused himself from this application.

The Applicant/Architect David Thompson, David Thompson Architects LLC 1211 Chapel Street New Haven, CT presented the application.

Chairwoman Hendricks asked if a student drives to school, unanticipated, how are they allowed to park that day.

Rachael Blessing 1 Notre Dame Way West Haven, CT answered this question; the student would see the Dean of Students and would be given a day pass, directed to park in a numbered parking space, or directed to park in a visitor parking space.

Commissioner Vecellio made a motion to approve File #SR22-114; seconded by Commissioner Biancur. The motion passed unanimously.

### **Other Business**

- 7. Bike & Pedestrian Plan:** Update on the status of the plan.

Director Soto provided an update on the status of the plan. On April 8, 2022, at 10:00 AM there is a kick-off meeting scheduled with technical advisors.

- 8. West Haven Affordable Housing Plan:** Update on the progress of the plan.

Director Soto discussed programs and incentives that West Haven could be participating in to encourage affordable age 55+ communities and affordable home ownership.

### **Adjournment**

Commissioner Taylor made a motion to adjourn; seconded by Commissioner Suggs. The motion passed unanimously. The meeting adjourned at 9:28 PM.