

**CITY OF WEST HAVEN, CT  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE REGULAR MEETING HELD ON  
TUESDAY, APRIL 26, 2022**

The West Haven Planning and Zoning Commission held a Regular Meeting and Public Hearings on Tuesday, April 26, 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 regular 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. Mullins, Commissioner	Present
Gene F. Sullivan, Commissioner	Absent
Michael Todd Taylor, Alternate	Absent
Gregory Milano, Alternate	Present
Joseph Vecellio, Alternate	Absent
Christopher Soto, Director	Present

**Pledge of Allegiance**

**Approval of Minutes**

Commissioner Biancur made a motion to approve the minutes from the special meeting held on March 31, 2022; seconded by Commissioner Milano. The motion passed by majority; Commissioner Mullins abstained because he was absent from the meeting.

**Public Hearings**

1. **560 Campbell Ave:** An application for a special permit for a café liquor permit at a previous café location File #SP22-115

The application was presented by Nicholas Ruickoldt 502 Ocean Ave West Haven, CT 06516. He represented 558 Campbell Ave, LLC. The location was an existing café for what he believes to be around 70 years. It closed just around COVID, and the previous owner vacated the space. He believes that's due to the COVID restrictions and the place is very run down. The property owner is DJV Group, LLC and owns the three units at 558, 560, and 562 and is also the proprietor of Jerry's Luncheonette.

Chairwoman Hendricks asked for the hours of operation. Nick responded that legally they can open whatever the café permit allows. The space is just shy of 605 sq. ft. so, it has a very little footprint. They will serve sandwiches and some other menu items as well as alcohol. They will open from 12:00 or 1:00 PM to 8:00 or 9:00 PM.

Commissioner Biancur asked about weekend hours. Nick responded that by 9:00 or 10:00 PM they would close. Jerry's Luncheonette opens really early in the morning and closes at 4:00 PM. He's hoping that 4:00 – 9:00 PM would be their niche hours.

Chairwoman Hendricks clarified that he is seeking a café license and not a restaurant license. Nick confirmed this. It's also in the lease that they cannot have a fryolator.

Chairwoman Hendricks asked if there would be any entertainment. Nick responded, no, there will not be any entertainment. They do not have the space for it.

Chairwoman Hendricks suggested that the Commission make a condition that the applicant must come back for approval if they want to add entertainment in the future.

Commissioner Biancur asked if they plan to have outdoor dining. Nick responded that he doesn't know what they're allowed to do. He likes the idea of outdoor dining.

Chairwoman Hendricks stated that our outdoor dining is based on restaurants. We would need to review our regulations.

Commissioner Biancur asked about making outdoor seating a condition. Director Chris Soto responded that he's not comfortable with that because he may not be able to administratively authorize that. The big issue is serving alcohol on a public sidewalk.

Commissioner Mullins asked how many tables can fit inside. Nick responded that he does not know. Part of the inside space was taken over by Jerry's Luncheonette. They have a site plan review with the Fire Marshall. Commissioner Mullins also asked if they would rent the space out. Nick responded, no, they will not be doing that.

Commissioner Mullins asked when their goal is to open. Nick responded that he is not sure. The location needs a lot of work.

Commissioner Milano asked Director Chris Soto a question about the outdoor dining regulations as it pertains to the inside seating. Chris responded that he isn't familiar with that regulation.

Director Soto suggested the Commission do not limit their hours. He recommended to allow them to set their own hours within the guidelines of liquor control.

a. **Public Session**

Chairwoman Hendricks made three calls for public comment and there was none. Commissioner Biancur made a motion to close the public hearing; seconded by Commissioner Mullins. Commissioner Suggs had discussion. He asked that Commissioner Biancur read his condition. Chairwoman Hendricks stated that it would be read when the motion on the act on the application was made.

Commissioner Biancur made a motion to approve File #SP22-115 with the following condition that any live music or events must be preapproved by the Planning and Zoning Commission. Seconded by Commissioner Mullins. The motion passed unanimously.

2. **350 Frontage Road:** An application for a special permit to construct a 10,200 sq. ft. addition to an existing manufacturing facility for the primary purpose of chemical processing File #SP22-116

Brian Phillips 555 Long Wharf Dr New Haven, CT, he presented on behalf of the applicant, and he is with Langan Engineering. They are seeking a modification the application that was approved July 2021. Those modifications include an elevated metal platform located on the southwest side of the building, which will house mechanical equipment. The previously approved plan showed a tank farm which housed chemicals for storage prior to processing, it had 5 tanks. This new application has 8 tanks, so the containment area has been increased accordingly. The final modification, previously there was a parking area that stopped about halfway of what they are showing, and they elongated that parking area slightly to accommodate the vehicle which fills up the tanks.

They are currently in the Wetlands Commission process, and he attended the meeting last week. The application will be decided on next month.

Chairwoman Hendricks stated that Inland Wetlands needed more time to make a decision. The public hearing is open, no public is present, the Commission will wait to make a call for public input until the 5/24/2022 meeting.

Commissioner Milano asked if any of the work has been started. Brian replied yes, this back area has been completed in Fall of 2021. It was just expanding the parking lot with some minor drainage improvements and a rain garden.

Chairwoman Hendricks stated the public hearing will remain open and be continued to May 24, 2022, at 6:00 PM in the Harriet North Courtroom.

### **Staff Reports**

3. **Bike and Pedestrian Plan:** Director Chris Soto reported they had a kick-off meeting with SCROG and the bike and pedestrian plan folks.
4. **West Haven Affordable Housing Plan:** Director Soto reported the affordable housing plan final draft has been on the website for a few weeks now. He spoke to Corporation Counsel Lee Tiernan about how to adopt the plan. A public hearing may not be required. The approval just may be a vote by the Commission.

### **Adjournment**

Commissioner Mullins made a motion to adjourn; seconded by Commissioner Biancur. The meeting adjourned at 8:07 PM.