

**MEETING MINUTES OF PLANNING AND ZONING COMMISSION**  
**JULY 9, 2019**

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Tuesday, July 9, 2019, 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, Mullins, Suggs, Alternate Johnson, ZEO Conniff, Assistant City Planner Killeen, Corporation, Commissioner of Planning and Development, Messoro, Corporation Counsel Tiernan and City Councilperson Liaison Quagliani. Absent was Alternate Commissioner Milano.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FOR: Commissioner Mullins made a motion to approve the meeting minutes of June 18, 2019 Special Meeting, seconded by Commissioner Biancur and passed. Commissioner Sullivan made a motion to approve the meeting minutes of June 25, 2019 Regular Meeting, seconded by Commissioner Suggs and passed.

**Public Hearing**

1. **473 Sawmill Road.** Applications for Special Permit and Site Plan approval for building and site plan modifications and a Restaurant Liquor Permit to operate a new restaurant in the Commercial Design (CD) District, pursuant to Sections 45, 75, and 85 of the West Haven Zoning Regulations. Applicant/Owner: Nam Ju Jeong. File # SP 19-023 and SR 19-024.

Jesse Jepson, engineer, is representing the applicant tonight. The site is 15,800 sq. ft. located on the west side of Sawmill. It was previously a commercial site for various fast food restaurants. The proposal is to expand the building by 475 sq. ft. to allow tables for dining in. The parking lot will be restriped for 25 spaces. The two existing landscape islands will be removed and replaced with larger ones. The existing parking lot is served by three existing lighting poles which will remain. It was noted that there are several encroachments onto the neighboring apartment building property. The dumpster will be relocated to the southwest corner. There are no comments from the Police Department. Commissioner Hendricks is concerned about exiting the property onto Sawmill Ave since the driveway is not located right at the traffic lights. Snow removal may have to be trucked out if it's a large storm.

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 Files #SP 19-023 and SR 19-024, seconded by Commissioner Biancur and passed.

**Regular Meeting**

1. **Deliberation on Public Hearing Items**

- a. **473 Sawmill Road.** Applications for Special Permit and Site Plan approval for building and site plan modifications and a Restaurant Liquor Permit for a new restaurant in the CD District. Applicant/Owner: Nam Ju Jeong. File # SP 19-023 and SR 19-024.

Commissioner Biancur stated the commission finds this application is consistent with the Plan of Conservation and Development and meets the requirements for Special Permit and Site Plan approvals, including requirements for a Restaurant Liquor Permit, and as a result, made a motion to approve File #SP 19-023 and SR 19-024 with the following conditions

1. Easements to be obtained for the paved drive and the three (3) light poles that encroach on the neighboring property to the east of this property prior to the issuance of a Building Permit.
2. Submission of a more detailed landscaping plan showing a mix of perennial plants to enhance the appearance of the site, subject to the approval of the Planning and Development staff.
3. Submission of a new dumpster plan showing an enclosure that complies with the Zoning Regulations prior to the issuance of a Building Permit.

Seconded by Commissioner Sullivan and passed 5 – 0.

2. **Request for Extension of Time:**

- a. **20 Elm Street (The Haven)** – Special Permit application for approval of Resource, Removal, Filling and Grading plans related to the development of a luxury retail outlet shopping center with restaurants in a Waterfront Design (WD) District. Approval set to expire July 10, 2019. File # SP 18-020
- b. **20 Elm Street (The Haven).** Applications for approval of a Site Plan Review, a Coastal Site Plan Review, and an Erosion and Sediment Control Plan related to the Haven retail development in a Waterfront Design (WD) District. Approval set to expire July 10, 2019. File # SR 18-021 and CSPR 18-022.

Commissioner Hendricks stated these applications were previously approved for one year. The state enabling statutes actually allow this type of application to be good for five years with up to 5 years in extensions. The city will be having a public hearing on July 23 to consider changes to the regulations to reflect the state statutes. This current extension request is an administrative item only, not subject to a public hearing. Attorney Chris McKeon, New Haven, CT, is representing the applicant and stated this type of request is not unusual for this type of development. The applicant submitted a letter outlining the main three reasons that prevented the Haven from starting site work within a year's time (Approval of DOT permits for road work along Elm Street, an easement that needed to be negotiated on a neighboring property, and finalizing the terms of a \$5 Million grant from the State) . Commissioner Sullivan asks about the easement. Attorney Raymond Bershtein stated the purpose of the easement on the gas station property is for ingress/egress to the Haven property.

Commissioner Biancur made a motion to grant extensions on Files #SP-020, #SR 18-021 and #CSPR 18-022 to July 10, 2023, seconded by Commissioner Sullivan and passed 5 – 0.

Commissioner Hendricks asks the public to contact their councilpersons to vote on the two items that will be on the City Council's agenda at their next meeting on July 22, 2019. The two items will be for the \$5 million state grant and the abandonment of roads.

- c. **93 Campbell Avenue** – permission for live music for grand opening event on 7/12/19.

Mr. Killeen stated this request was received yesterday. The approval that was granted did not allow special events unless approved in advance by the Planning and Zoning Commission. Since it was received with such short notice, Commissioner Hendricks suggested on future approvals of this type that a timeframe of one month before the event be part of the condition. The band will play from 9 – 12 p.m. for this one-time event. Commissioner Mullins instruction to the ZEO officer that it is not a violation to have a DJ on July 12, 2019 from 9 – 12 p.m., seconded by Commissioner Sullivan and passed. 5 – 0.

- 3. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)**
  - a. July 30 Workshop on Village District Regulation – Commissioner Hendricks stated a workshop will be held on July 30<sup>th</sup> as a follow up from the public meeting that was held a couple of weeks ago. A meeting will be held with a Mr. Peck, who has volunteered his services for one hour to provide information to the committee. Commissioner Biancur stated people that come to the workshop will be divided into five/six groups to discuss different topics to gather information and then report back to the full group. Commissioner Hendricks reviewed the comments that were posted on the city's facebook page regarding the Plan.
- 4. **Staff Reports** - None
- 5. **Other Business** – Commissioner Hendricks confirmed July 23<sup>rd</sup> agenda applications.
- 6. **Adjournment:** 7:50 p.m.  
Commissioner Biancur made a motion to adjourn, seconded by Commissioner Mullins and passed.