

**CITY OF WEST HAVEN, CT  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE REGULAR MEETING HELD ON  
TUESDAY, JULY 12, 2022**

The West Haven Planning and Zoning Commission held a Regular Meeting and Public Hearings on Tuesday, July 12, 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	Present
Michael Todd Taylor, Alternate	Present
Gregory Milano, Alternate	Absent
Joseph Vecellio, Alternate	Present
Christopher Soto, Director	Absent
Catherine Conniff, Asst. City Planner	Present
Karen Kravetz, Deputy Corporation Counsel	Present

**Pledge of Allegiance**

**Approval of Minutes**

Commissioner Biancur made a motion to accept the minutes from the June 28<sup>th</sup> meeting; seconded by Commissioner Mullins. The motion passed unanimously.

**Public Hearings**

1. 98 Orange Avenue: An application for a Special Permit: Village District Overlay approval to add dormers and a rear 3<sup>rd</sup> story addition to an existing 2 dwelling and 1 commercial unit structure. The structure is to remain 2 dwellings and 1 commercial unit. Owner/Applicant: Michael Sirachman File # SP 22-121
  - a. Robert Pryor Professional Engineer, Land Surveyor with Solli Engineering 501 Main Street, Monroe, CT 06468. Robert Pryor reviewed the outstanding issues that the Planning and Zoning Commission asked him to address; a review and final opinion by the town engineer, comments that were received from the fire marshal. The town engineer's earlier comments were addressed and submitted revised plans to him. Chris Soto received an email from the town engineer dated

June 27<sup>th</sup>. They responded to the fire marshal's comments and had a conversation with him the same afternoon as this meeting, June 12<sup>th</sup>. The applicant's responses were provided to the fire marshal and the Planning and Zoning office on July 7, 2022. There were 8 responses to the fire marshal's comments and Pryor read them into the record. Chairwoman Hendricks spoke to Director Chris Soto earlier in the afternoon and informed Pryor the city engineer is satisfied with his responses.

b. Public Session

- i. Kevin White 6 Taylor Avenue, East Haven, CT is a registered professional engineer in CT who represents Bruce Black and Bold Drive In LLC. White had a letter written by Kevin Pasedan that was given to the Planning and Development office on the day of the meeting July 12, 2022. This letter was not provided to the Planning and Zoning Commission. He read the letter into the record. After reading the letter, White asked Chairwoman Hendricks about the timing of the application and wanted to know when it was received, were there any formal extensions or a deadline that needs to be addressed this evening. The Chairwoman replied, the Commission will take care of business and do what they need to do if they decide to carry the application forward. Commissioner Biancur questioned how the abutting property value would be diminished; White could not answer that because he is not the author of letter, and the author was not present.
- ii. Chairwoman Hendricks asked the applicant (Pryor) to return to the podium and asked him if he would be submitting an A-2 Survey. Pryor replied they expected to have it as part of the permit application in conjunction with any other requirements that we have. He added the survey submitted is certified to A-2.
- iii. Chairwoman Hendricks made three calls for public comments. There were no more comments. She called for a 5-minute recess to speak with Attorney Kravetz at 6:30 PM.
- iv. Chairwoman Hendricks reconvened the meeting at 6:34 PM. Commissioner Biancur reviewed the letter from the city engineer. He noted both the landscaping and the lighting plan were both submitted. All the concerns were addressed. Chairwoman Hendricks mentioned the A-2 survey issue. There is a property line dispute. Richard Pryor spoke to Director Chris Soto earlier in the day. Even if the property line were to move, the applicant still meets the bulk standard requirements. She suggested adding a condition that if the property line does move the applicant has to submit an updates site plan to the Planning and Development office.
- v. Commissioner Biancur reviewed the conditions for approval:
  1. The outdoor storage area could include but not be limited cars, ATVs, motorcycles, etc. This will allow for outdoor boat storage.
  2. Buffers will be added to the back part of the property as per staff review.
  3. Resolution of the title search.

4. The three conditions suggested in the DEEP site plan review that will have to be satisfied.
      5. Any changes per the fire marshal's review, an updated site plan will have to be filed with the office.
      6. Should the property lines change, an updated site plan will be reviewed with the office.
    - vi. Commissioner Biancur made a motion to close the public hearing; seconded by Commissioner Mullins. It passed unanimously.
  - c. Commissioner Biancur made a motion to approve File # SP/CSP 22-119 with conditions. The motion was seconded by Commissioner Mullins. The conditions:
    - i. The outdoor storage facility would be labeled as non-automobile related which would not allow for the storage would include but not be limited to cars, ATVs, motorcycles, and the like.
    - ii. Landscaping buffers be enhanced on the back part of the property as per staff.
    - iii. Resolution of the title search.
    - iv. The three conditions suggested in the DEEP coastal site plan review checklist be satisfied.
    - v. Any changes as per the fire department's review that would force an updated site plan be filed and reviewed with the office.
    - vi. Should the property lines change, an updated site plan review would also be filed with the office.
  - d. Chairwoman Hendricks asked for a roll call vote:
    - i. Commissioner Mullins: Yes
    - ii. Commissioner Biancur: Yes
    - iii. Commissioner Vecellio: Yes
    - iv. Commissioner Suggs: Yes
    - v. Chairwoman Hendricks: Yes
  - e. The motion passed unanimously.
2. 255 Campbell Avenue: An application for a Special Permit: Village District Overlay approval to add dormers and a rear 3<sup>rd</sup> story addition to an existing 2 dwelling and 1 commercial unit structure. The structure is to remain 2 dwellings and 1 commercial unit. Owner/Applicant: Michael Sirachman File # SP 22-121.
- a. Thomas Lynch, Esq. 63 Cherry Street, Milford, CT. He presented several photos of other properties that are in close proximity of his client's property, which are

also in the Village District Overlay Zone. The focus is the building mass. The property is a very small parcel, only 2,500 sq. ft. and the proposed building is only 20 ft. in width. He reiterated they are really limited with what they can do on the site because on the site the maximum width is only 20 ft. The height and the use of the dormers along the roof line of the third floor are a very important aspect of his client's application. The pictures show that many existing parcels in the area have the same mass and configuration. Lynch presented a set of revised plans to leave for the file. Lynch also submitted a letter from the fire marshal stating that since the maximum occupancy for the building is less than 100 there is no need for additional access to the rear of the property. The dormers were reduced by 8 ft., there is a 4-foot reduction on each side of the building.

- b. Public Session – No public comments
  - i. Commissioner Mullins made a motion to close the public hearing; seconded by Commissioner Biancur. The motion passed unanimously.
  - c. Commissioner Biancur made a motion to approve File # SP 22-121; seconded by Commissioner Taylor. The motion passed unanimously.
3. 480 Sawmill Road: A modification of a previously approved application (April 14, 2021) to relocate utilities, a curb cut and sidewalk. In the CD (Commercial Design) district. Owner/Applicant: 480 Sawmill WH LLC File # SR 22-122
  - a. Chairwoman Hendricks stated for the record that the addresses for the property are both 458 Saw Mill Road and 480 Saw Mill Road.
  - b. John Knuff, Esq. 147 N. Broad Street, Milford, CT. He pointed out that the city's GIS website shows both properties with the 480 Saw Mill Road address. He briefly reviewed the approvals for the initial application.
  - c. Jeff Bord, Professional Engineer for Bohler Engineering 65 LaSalle Road, West Hartford, CT. The biggest changes were related to the site driveway itself and coordinating with the adjacent land owner and the DOT. On the southwestern side they shifted the curb 4 feet over which allowed the hotel to keep their existing monument sign. The driveway is 8 feet wider on the northeast side of the site to accommodate tractor trailers turning into the site, this was a DOT comment. The rear dumpster was also relocated and allowed them to provide an additional 2 parking spaces. A handful of underground utilities that didn't show up on any mapping had to be dealt with. A generator pad was moved down a little bit. The hotel did not want a sidewalk on their property, so they took that off; they went to DOT to get a revised sidewalk configuration and ramp.
  - d. Commissioner Biancur asked if any of these changes impact the conditions under which the Commission approved the last application. Chairwoman Hendricks and Jeff Bord said that they do not.

- e. Attorney Knuff asked for a condition that no overnight parking for tractor trailers is allowed.
- f. Commissioner Biancur asked when the opening date is. Jeff Bord said very, very soon. This approval was the last thing to be done before they get a C.O.
- g. Commissioner Mullins made a motion to approve File # SR 22-122 with the condition that no overnight parking be allowed and all of the previous conditions will be carried forward; seconded by Commissioner Sullivan. The motion passed unanimously.

### **Staff Reports**

950 Frontage Road where the old Sears building is will be restriping.

The had a good meeting with UNH today. They are changing some security because of some problems they had on campus.

A daycare came in but there are a lot of things that need to be brought up to code for an early education center.

Inland Wetlands stopped Enthone because they are putting up huge silo's so the fire department is not allowing it. They need to have containment for them.

### **Adjournment**

Commissioner made a motion to adjourn at 7:17 PM; seconded by Commissioner Sullivan. The motion passed unanimously.