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Town of East Haven  
**Planning and Zoning Commission**

Special Meeting Minutes – January 24, 2024  
East Haven Senior Center, 91 Taylor Avenue

**I. Roll Call and Pledge of Allegiance**

Present for the meeting were John Tarducci (vice-chair), Lou Fusco, Al Shaul and Bob Cubellotti.

Also, in attendance were Planning and Zoning Administrator and Zoning Enforcement Officer, Joseph Budrow and Assistant Town Attorney, Jennifer Coppola.

Commission Vice-chair, John Tarducci started the meeting at 7:08pm and led the Pledge of Allegiance. He then called for a roll call.

**II. Review and Action on Prior Meeting Minutes**

Mr. Tarducci asked Attorney Coppola if they can approve all the minutes in one motion. She answered that they could but to state the dates.

**MOTION:** Mr. Fusco made a motion to approve the meeting minutes of the February 15, September 6, October 25, November 1 and November 21, 2023 meetings. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 4-0.**

**III. Other Business**

**Planet Za Za's, 744 Foxon Road**

Mr. Budrow told the Commission that their folders contain a letter to Planet Za Za and that there were also some redacted incident reports from the Police Department. He said a few weeks ago he received a telephone call from an attorney asking if it was even worth appearing tonight. Mr. Budrow answered him by letting him know the Commission will be hearing from the Police Department. Attorney Coppola asked what the attorney's name is and Mr. Budrow said his name was Max and he was from the Milford/Stratford area.

Deputy Chief of Police, Pat Tracy, spoke. He said there have been 30 police calls for service to Planet Za Za since March, 2023. They were told there was marijuana and THC products sold there. The Police Department contacted the Department of Consumer Protection and on three separate occasions went to Planet Za Za and made seizures of marijuana product and made arrests. He said there was a burglary. He said this is not a unique situation to East Haven. One problem is bright, catchy labels that attract young people.

Mr. Budrow verified with Attorney Coppola the process of revoking the permit and how he was to enforce the closure of the business. She answered that she would provide guidance. She confirmed with the Commission on what they would be voting on tonight. She said they could consider if there is a threat to public health and safety. When they make a motion, it should be addressed. Attorney Coppola said that Planet Za Za did get a letter stating they could be here tonight to speak.

Mr. Tarducci asked if there was anyone present on behalf of Planet Za Za who wished to speak. No one was present.

**MOTION:** Mr. Cubelotti made a motion to have Mr. Budrow send a letter to Planet Za Za Corporation stating that the Site Plan Modification is being revoked. Attorney Coppola added that the letter should cease all illegal activities. Mr. Fusco seconded the motion. All were in favor. **Motion carried, 4-0.**

#### **IV. Public Hearings**

1. **Application No. 23-24 – on behalf of the Planning and Zoning Commission.**

Attorney Coppola told the Commission that the public hearing will have to be continued due to a Notice issue. The text amendment was not available in the Town Clerk's office.

**MOTION:** Mr. Fusco made a motion to continue the public hearing for **Application No. 23-24**. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 4-0.**

2. **Application No. 23-25 – on behalf of William Snow, for New Haven Truck and Auto Body, Inc.**

Mr. William Snow and Renee Stevens, a realtor helping Mr. Snow sell his property, presented.

Mr. Budrow asked Ms. Stevens if she mailed all the letters to abutters. She said she did and handed him the list.

Mr. Budrow told the Commission that auto repair uses are allowed only as an accessory use in the current zoning district. The use is allowed as a principle use within a CB-2 zoning district.

Mr. Snow gave a history of his time at the property over the last 20 years. He said his customers were trucking companies and the Town, including the Police Department. He said he came to the Commission to get a change of use. He said he got a State License approving him to be an auto repairer.

Mr. Tarducci asked if there was anyone present who wanted to speak in favor or against the application. There was no one that spoke.

**MOTION:** Mr. Fusco made a motion to close the public hearing for **Application No. 23-25**. Mr. Cubellotti seconded the motion. All were in favor. **Motion carried, 4-0.**

3. **Application No. 22-07** – on behalf of the East Haven Planning and Zoning Commission.

Mr. Budrow gave an update on the draft Zoning Regulations book. A meeting Attorney Coppola is to be scheduled to talk about her thoughts and concerns. Other updates are being corrected.

**V. New Applications**

1. **Application No. 23-26** – on behalf of Basil Waite, 912 Foxon Road.

Mr. Basil Waite and his daughter, Anastassia Scott presented. He is the owner of Hot Roostah that he wants to open at 912 Foxon Road. There will be vegan and other healthy choices. He is just getting into this business. He has restaurant experience as his father is a chef of over 50 years. He will join him.

There was discussion on the need for shared parking with a neighboring property. Attorney Coppola stated that there is no agreement in place that should be placed on the land records. If the Commission is going to approve this tonight, there should be an imposed condition among the appropriate authorities. She is worried that there is no agreement.

Mr. Waite said they have a lease for two years.

**MOTION:** Mr. Fusco made a motion to continue **Application No. 23-26** to the February 7 meeting in order for the applicant to get an official parking agreement in place. Mr. Shaul seconded the motion. All were in favor. **Motion arried, 4-0.**

2. **Application No. 23-27** – on behalf of the Planning and Zoning Commission.

**MOTION:** Mr. Fusco made a motion to schedule a public hearing for **Application No. 23-27** for the March 6 meeting. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 4-0.**

3. **Application No. 23-28** – on behalf of David Breton, 133 Commerce Street.

Mr. David Breton presented. He has a family-run commercial laundry called Spotless Linens currently located in West Haven. Mr. Fusco asked if this would be an additional location. Mr. Breton said this will be a relocation. He currently has 6 employees and he sees having 12 to 15 in a few years. Seven people are on the floor and he has three drivers. His business just uses soaps, not chemicals. Mr. Shaul asked if there was a need to have his water approved. Mr. Budrow said he will need an approval of some kind from the New Haven WPCA. Mr. Breton said there will be no external changes at the property. The company has three washing machines. Probably will get one more. They have three dryers. Mr. Fusco asked there are any parking issues. Mr. Budrow did not see any concerns. There are approximately 20 spaces. Mr. Budrow asked if there will be any obnoxious odors or gasses. Mr. Breton said there will none. Mr. Budrow asked how much larger this facility is compared to the West Haven site. Mr. Breton answered this site is 19,000 square feet and he has 6,000 square feet now.

**MOTION:** Mr. Fusco made a motion to approve **Application No. 23-28**. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 5-0.**

4. **Application No. 24-01** – on behalf of Anthony DeMaio, 439 Main Street.

Mr. Anthony Demaio, of East Haven, and Joanne Fowler, of Wallingford, presented. Mr. Dimaio wants to open a one-on-one fitness training facility in a space that was a laundromat. Mr. Fusco asked what the parking is like. Mr. Budrow said things look good as this will be the only tenant there. There was discussion about the fire marshal and the health department assessing the proposal. Mr. Fusco asked what kind of equipment he will use. There will be a treadmill, bars and free weights. There will be no need for a shower.

Attorney Coppola searched and found that there is a licensure required for athletic trainers.

**MOTION:** Mr. Fusco made a motion to approve **Application No. 24-01** with a condition that any State, local or Federal licenses might be needed. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 4-0.**

5. **Application No. 24-02** – on behalf of Ying Luo, 96 Frontage Road.

Ms. Ying Luo presented. She and her brother would like to open a Japanese restaurant where Boston Market was. They love the location. She has a restaurant in Middletown that opened in December, 2021. This will be a second restaurant. The Middletown restaurant is called Niuda Noodles and Sushi. In East Haven, the restaurant will be called Nui Noodle and Ramen. Mr. Budrow said this is a restaurant replacing a restaurant but this restaurant will request a liquor permit so he felt it should come to the Commission.

He didn't see a concern with parking. Ms. Luo said there will be about 20 tables and about 60 seats. Mr. Cubelotti asked how many parking spaces are there now. Mr. Budrow said there are over twenty. Ms. Luo said there will not be a bar. There will be saki, beer and wine. Mr. Budrow said that based on the floor plan submitted, he feels there will be not be a concern about the parking.

**MOTION:** Mr. Fusco made a motion to approve Application No. 24-02. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 4-0.**

6. **Application No. 24-03 – on behalf of 13 Carlson Place, LLC., 13 Carlson Place and 360 Thompson Avenue.**

Attorney Chandler Holcomb presented, in place of Attorney Steve Studer. He said twenty units are proposed, each with a garage. Roughly 30% of the homes will be affordable. He shared area income numbers. With a regional median income of \$100,000, half of the affordable units will be at 60% and half will be at 80% of that income. The rents will be \$60,000 and \$80,000. The affordable units will house people who will participate in the community. He said the affordable units will conform to the environment. These will be rented units. Mr. Budrow confirmed there will be six three-family buildings and one two-family building.

Attorney Chandler described the current property as commercial. There will be seventeen outside parking spaces additional to the garage spaces. Each unit will be three stories.

Attorney Coppola reminded the Commission that may decide whether to have a public hearing or not. Mr. Tarducci said the proposal should be a public hearing. The Commission didn't have any questions tonight.

**MOTION:** Mr. Cubelotti made a motion to schedule a public hearing for Application No. 24-03 for the March 6 meeting. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 4-0.**

## **VI. Deliberation Session**

1. **Application No. 23-24** was moved to the February 7 meeting. There was no discussion.
2. Discussion and possible vote on **Application No. 23-25 – on behalf of William Snow, for New Haven Truck and Auto Body, Inc.** Mr. Budrow reminded the Commission to state their reasons for a potential approval. Mr. Shaul said there is a CB-2 zone around the parcel for many years.

**MOTION:** Mr. Fusco made a motion to approve Application No. 23-25 due to the reason that the current use is suitable and appropriate for the proposed CB-2 zoning district. Mr. Cubelotti seconded the motion. All were in favor. **Motion carried, 4-0.**

3. **Application No. 22-07** was scheduled to March. There was no discussion.

## **VII. Discussion**

Mr. Budrow said the set aside language is being separated from the desired inclusionary regulations. He will discuss the set aside language with Attorney Coppola later in the week. He shared what the set aside language was going to sound like. More details are forthcoming.

## **VIII. Adjournment**

**MOTION:** Mr. Fusco made a motion to adjourn the meeting at 8:35pm. Mr. Tarducci seconded the motion. All were in favor. **Motion carried, 4-0.**