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EAST HAVEN, CONN.

Stacy Gwinn, CTC

Planning and Zoning Commission

TOWN CLERK

The East Haven Planning and Zoning Commission held its regularly scheduled meeting Wednesday October 7, 2015 at 7:00 p.m. at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

Chairman Cianelli call the meeting to order at 7:00p.m. and requested roll call.

Roll Call – 5 Present(Cianelli, Fiorillo, Colangelo, Richardson, and Metzler)

Alternate Commissioner Rivera present not voting.

Staff Present: Town Attorney, Zullo, Kevin White, PE, Town Engineer, Salvatore Brancati, Director of Administration, and Zoning Official, Christopher Soto.

Item #1—

- 1a) Accept/ Approval of Minutes from September 2, 2015 meeting.
Commissioner Fiorillo moved approve the minutes.
Commissioner Richardson second the motion.
Voice Vote- All in Favor. None Opposed. No Abstentions.
Approved

Item #2—Old Business:

2a) 32 Pinehurst Drive, Golfcrest Condominium.

Zoning Official, Christopher Soto stated that he met with the developer, Bob Scott, for installing the appropriated driveway.

Chairman Cianelli stated that going forward with regard to all PDD/PEFD's an "As Built" must be submitted for each individual unit.

Mr. Brancati stated that moving the garage was not well received by the developer and placing the driveway to the side of the garage was not well received. The only salvation is to place the driveway to the side of the garage for the off street parking with landscaping.

Commissioner Richardson asked if the garage is still in the same location with a 14 ft. driveway, which does not meet regulations.

Attorney Zullo indicated that all regulations do not apply because this is not a town road nor is it a public road.

Commissioner Richardson stated that placing the driveway to the side of the garage is not a solution, it's creating another problem. Also, the drainage issues need to be addressed.

Attorney Zullo indicated that there was a lawsuit with the previous developer a stipulation was part of the litigation to release the road/drainage bond.

Kevin White, Town Engineer explained that as each lot is completed the drainage will be addressed.

Chairman Cianelli indicated that with regard to the retention pond the Commission can impose another bond.

Kevin White, Town Engineer stated that you are mixing apples and oranges; we can impose a bond which will give us leverage. We must meet in the middle, a \$100,000 bond is difficult to walk away from, if the work is not completed with 12 months of completion then the Town will pull the bond and the town will complete the work.

Commissioner Richardson repeated that he can't see approving something that is wrong and he does not see this as a solution. What if the garage was eliminated?

Mr. Brancati explained that is how it was approved on four different plans, to be slanted.

Commissioner Richardson stated that it does not meet code therefore is not legal.

Kevin White stated that it's impossible to change the entire floor plan.

The Commission asked the members of the Condo Association if they would accept the driveway to the side of the garage.

They were all opposed to the proposition and felt it would be place on common land.

Commission Colangelo commented that the land is owned by the developer now.

Christopher Soto made clarification that this is not an accurate depiction, the plans that are on file show the foundation crooked. This is all common land with no measure of a front setback.

Condo Association members stated that the declaration on file shows them in a straight line.

Commissioners asked if the house could be cantilevered and push the house back.

Attorney Tim Lee indicated that it would change the interior design greatly. Bob Scott the owner and developer stated that it is not as easy as pushing it back 4ft. it would cause problems with the open floor plan. He has a significant interest in the project and would affect all if he can't move forward.

Commissioner Richardson asked if the regulation is that there cannot be any vehicles parked in the roadway.

The Association indicated that he is correct.

Mr. Scott indicated that without a resolution there will be a bigger issue with a large hole in the ground and he cannot solve the drainage issue.

Commissioner Metzler asked if instead of placing the driveway on the side of the garage what about a hammer-head type of parking area, it alleviates the issue with the parking spot in front of the garage.

Commissioner Metzler moved to set a \$100,000 bond, place the signage at the entrance, and place the driveway at a 90°, off the present driveway at a length of 18 ft. with adequate landscaping along with any addition recommendation and conditions of the Town Engineer and lift the cease and desist.

Commissioner Colangelo second the motion.

Voice Vote- All in Favor. None Opposed. No Abstentions.

Approved with Conditions/Bond Set at \$100,000.

2b) 41-45 Foxon Boulevard: "Modified Site Plan."

Mr. Vidala asked if he could change the site plan by placing rocks in the front instead of grass and needs additional time to install the electric gate.

The Commission asked the Town Engineer, Kevin White if he was acceptable to these changes.

Mr. White said yes but in the future what is present on the site plan is what they must do.

Commission Fiorillo moved accept the modifications.

Commissioner Colangelo second the motion.

Voice Vote- All in Favor. None Opposed. No Abstentions.

Approved for a 90 Day Extension

Item #3—New Business:

3a) 112 Hemingway Avenue: Site Plan Application to convert residence to a professional office.

Chairman Cianelli removed himself from sitting on the commission for this item due to conflict.

Attorney Alfred Zullo disclosed that he represents the seller.

Mr. White asked the applicant if it is necessary to remove the tree, can we pick up additional parking on the site. Can't we go with 70% density instead of 90%?

Mr. Tracy, the applicant, indicated that the parcel goes beyond the garage.

The Commission asked how much drainage there is on Hemingway and how many galleys.

Commissioner Metzler moved that the applicant meet with the Town Engineer to tweak the site plan with regard to the drainage and parking for the purpose of protecting the neighborhood.

Christopher Soto, Zoning Official stated 33.15.5 of the parking regulations for this special exception is a specific provision that for every 300 sq. ft. of floor space they require one space they have 1400 sq. ft. of livable space whereas that is the ratio for commercial use, 5 spaces is the minimum.

Commissioner Richardson asked if the applicant had a total of 9 parking spaces because the plan shows 9 not 5 parking spaces. He further stated that he has a problem with the parking if there are not 9 spaces.

Kevin White, Town Engineer stated that there is an adequate number parking for personnel on site.

Commissioner Colangelo second the motion.

Roll call vote-All in Favor. None Opposed. No Abstentions.

Approved with Conditions

3b) 1 Mansfield Grove Road, Four Beaches Condominium.

Modified Site Plan-Accept for Review

Christopher Soto, Zoning Official stated that the condo association wanted to create an enclosure for the dumpsters, which would be much more esthetic and structurally sound. Condo Association Representative indicated that the current structures are in disarray. The new one will have a roof and sided with Hardy Board with the bins inside.

Commissioner Metzler asked if the trash hauler has to pull the dumpster out prior to lifting and dumping.

The Representative indicated that is how it was done with the old enclosure also.

Commissioner Metzler moved to approve.
Commissioner Colangelo second the motion.
Voice Vote- All in Favor. None Opposed. No Abstentions.
Approved

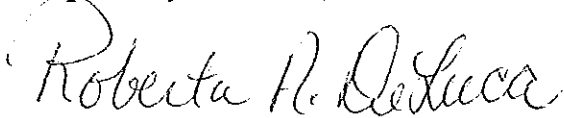
3c) Staff Report: 420 Barberry Road: Administrative approval to minor modification of previously approved Site Plan and Special Exception.
Mr. Soto informed the Commission that this site has a previous approval for a 28 stall barn. This structure is for a 12'x24' paddock for 4 horses to be used for therapy for children with autism.
Administrative Approval

Mr. Soto presented an auto repair site modification to utilize only 2 bays for tire repair in an existing garage.
Administrative Approval

Mr. Soto presented the plan for 290 Dodge Avenue for review.
Commissioner Metzler moved to accept for review.
Commissioner Colangelo second the motion.
Voice Vote- All in Favor. None Opposed. No Abstentions.
Accepted for Review.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,


Roberta A. DeLuca
Commission Clerk