

Planning and Zoning Commission

The East Haven Planning and Zoning Commission held its Regular meeting on Wednesday November 2, 2016 following certain public hearings at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

Chairman Cianelli called the meeting to order at 8:40 p.m.

Roll Call – 4 Present (Cianelli, Metzler, Colangelo, and DeMayo)

Staff present: Christopher Soto, Zoning Official, Kevin White, PE, Town Engineer, and Joseph Zullo, Esq., Town Attorney

- 1a) Commissioner DeMayo moved to accept and approve the Minutes of October 5, 2016 Regular Meeting, October 12, 2016 Special Meeting, and October 24, 2016 Public Hearing and Special Meeting.
Commissioner Metzler second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Accepted/Approved

- 2a) Chairman Cianelli stated that this item has been before the commission numerous times and he feels confident it has been resolved.
18 Wheelbarrow Lane – Application for Special Exception: Removal of rock from property.
Town Attorney, Joseph Zullo disclosed that the applicant is a client of his law firm. Chairman Cianelli asked Town Engineer, Kevin White if he had any comments, Mr. White replied, that as long as he only removes what is loose and installs the retaining wall.
Commissioner DeMayo asked for a time limit be placed on the approval to complete the work.
Commissioner Colangelo moved to approve with a 60 day time limit to complete the work and report to the Zoning Official upon completion.
Commissioner DeMayo second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Approved with Conditions

- 2b) Commissioner Metzler moved to approve 93 Hemingway Avenue, Zone Change Application: RA-1 to CB-2.
Commissioner DeMayo second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Approved

- 2c) 35 & 47 Sharon Drive – Application for Re-Subdivision: 13 Lots
Public Hearing Remains Open/November 30, 2016
- 2d) Chairman Cianelli indicated that this item was before a Blue Ribbon Committee, Town Council, and Planning and Zoning for a public hearing, with regard to 200 Tyler Street Application for Special Exception: Elderly Living, Non-Assisted Facility (§33.19)
Commissioner Metzler asked if the building meets the parking regulations for handicapped parking.

Christopher Soto, Zoning Official indicated that he has received an update from the Building Official that 4 handicap spaces are required. The plans show 4 handicap spaces: 3 regular handicap spaces and one space for loading and unloading for a van. With regard to the cars parked along the Thompson Avenue side there will be fencing and landscaping. The Fire Marshall has placed a condition of striping the fire land and increase the lighting at the rear of the 1964 wing, along with two new hydrants in the rear of the property.

Commissioner Metzler stated that handicap accessibility is not what the commission previewed.

Mr. Soto indicated that there is an elevator and handicap ramps accessible from the 1964 wing.

Commissioner DeMayo moved to approve the special exception with the changes and modifications.

Commissioner Colangelo second the motion.

Voice Vote – All in Favor. None opposed. No abstentions.

Approved with the changes.

- 2e) 24 Warner Road: Proposed 5 lot subdivision application.
Attorney Timothy Lee and John Paul Garcia representing the applicants for this 5 lot subdivision, which was tabled due to open space issues. Today they have come to a resolution. The same layout with a 15 ft. portion on the northerly boundary to access the land up to and excluding the pond with markers (pins) every 75 ft. to delineate the open space of the Land Trust.

Chairman Cianelli recognized Robert Sand of the Land Trust. Mr. Sand indicated that although the pond was very enticing it will not be part of the Land Trust. This portion of land is difficult to traverse the 15 ft. strip of land will make it easier to access the property and the Land Trust is happy to take possession of the property. Attorney Lee stated that the maps will depict the Land Trust's portion.

Mr. White asked who will own the pond and there will be sidewalks lots 4 and 5.

Attorney Lee indicated that they pond will possibly remain with the owners.

Commissioner DeMayo moved to approve with the conditions of the Town Engineer.

Commissioner Colangelo second the motion.

Voice Vote – All in Favor. None opposed. No abstentions.

Approved with Conditions

- 3a) 495 Short Beach Road: Request for five year extension of approved site plan.
Mr. Soto indicated this is a former approval of a storage facility and they are seeking a 5 year extension of the approval. Mr. Soto recommended that the extension commence upon the date of expiration.

Commissioner Colangelo moved to approve with the extension beginning at the expiration date of the original approval.

Commissioner DeMayo second the motion.

Voice Vote – All in Favor. None opposed. No abstentions.

Approved

- 3b) 75/83/93 Hemingway Avenue - Application for Special Exception: Elderly living non-assisted facility. (§33.19)

Commissioner DeMayo moved accept for review and set a public hearing date for the Special Exception Application.

Commissioner Colangelo second the motion.

Accept for Review/Public Hearing set 1/4/2017

- 4a) 439 Main St: Modified Site Plan Administrative Approval (§33.10): Retail Sale (convenience store) and Gas Retail uses.

Mr. Soto indicated that this is a 60 year old building the site of a previous gas station and all kinds of retail use. They want to reintroduce the gas use, which they don't lose just because they stop selling gas. They will reopen the gas use, convenience store, laundromat, and the single family dwelling. All of this will never be conforming and there are no real changes to what's existing.

Commissioner Metzler wanted to know what the 3 bays on the side of the building will be utilized for because there are new laws for motor vehicle repair, which goes to Zoning Board of Appeals.

Mr. Soto indicated that there is no use other than storage currently in that space.

Commissioner Colangelo moved to approve.

Commissioner DeMayo second the motion.

Voice Vote – All in Favor. None opposed. No abstentions.

Approved

- 4b) Schedule of Planning and Zoning Meetings for 2017.
Commissioner DeMayo moved to add the 2017 schedule to the agenda.
Commissioner Colangelo second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Approved

Commissioner DeMayo moved to approve the 2017 schedule.
Commissioner Colangelo second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Approved

- 4c) Chairman Cianelli requested Sub-Committee reports for Bed and Breakfasts determinations for January 4, 2016.
Attorney Zullo stated through his research dwellings with a PMI on the mortgage are violating the mortgage agreement.

Commissioner DeMayo moved to adjourn.
Commissioner Colangelo second the motion.
Voice Vote – All in Favor. None opposed. No abstentions.
Meeting adjourned at 9:11 p.m.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk