Planning and Zoning Commission

The East Haven Planning and Zoning Commission held its regularly scheduled meeting on Wednesday, January 4, 2017 immediately following a certain Public Hearing at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

Roll Call – 4 Present (DeMayo, Metzler, Gravino, and Cianelli) 1 Absent (Colangelo)

Staff Present – Christopher Soto, Zoning Official, Kevin White, Town Engineer, Sal Brancati, Director, and Town Attorney, Joseph Zullo.

Item #1

Accept/Approval of Minutes from November 2, 2016 Regular Meeting.

Commissioner DeMayo moved to approve the minutes.

Commissioner Gravino second the motion.

Roll Call Vote-All in favor. None opposed. No abstentions

Approved

Item #2

**75, 83, 93 Hemingway Avenue:** Application for Special Exception: Elderly living – non assisted facility. (§33.19)

No Action/Public Hearing Remains Open

Item #3a

**197 Borrelli Road**: Proposed 15 lot Subdivision Application.

Chairman Cianelli recognized Attorney William Coté, East Haven who represents the applicant. Mr. Coté stated that this is a 15 lot subdivision application that was previously approved but was not built due to the economy.

Chairman Cianelli indicated that this was previously approved and it is just a technicality that they had to come back before the commission.

Mr. Soto indicated that technically it is a new application but it has been through all the application processes locally and there has not been any change since the last application.

Mr. White stated we have talked about this for some time now and there has been some site mapping done and the original grades have not been achieved so there will be the need for some minor amounts of fill to go into the site. Other than that he has no real issue with some building going on in this area it will be good.

Commissioner Metzler moved to approve based on the recommendations of the Town Engineer and the Zoning Official.

Commission Gravino second the motion.

Roll Call Vote-All in Favor. None Opposed. No Abstentions.

Approved

Item #3b

**30 Stoddard Rd:** Appeal of Notice of Blight Violation: Violation of Section 10-106 of East Haven Code of Ordinances. Property deemed blighted due to graffiti.

Zoning Official, Christopher Soto stated that the Fire Marshal called him with the complaint that he felt this violated the town’s blight laws with the amount of graffiti on the house. Upon receiving the complaint Mr. Soto sent a violation letter to the homeowner. The homeowner felt it was artistic expression and has appealed Mr. Soto findings.

Commissioner DeMayo asked how large is this.

Mr. Brancati asked if it is a sign?

Attorney Joseph Zullo indicated that it is more abstract than a sign.

Conversation took place, did neighbors complain.

Attorney Zullo stated that the standard for this evaluation is if this graffiti or abstract art is a factor, substantial and unreasonable interference of lawful use of other premises in the neighborhood as documented by other neighbors. That is the standard that is in our blight regulations. You need to determine if that is applicable.

Chairman Cianelli asked if there are any neighbor complaints and what exactly does it look like.

Mr. Soto indicated that it is spray painted all over the garage door and on the driveway.

Chairman Cianelli asked Mr. Soto if it was his determination that this was blighted property.

Mr. Soto indicated yes.

Chairman Cianelli stated he does not like making a determination against the staff.

Mr. Brancati recommended that if it’s artistic rendering and not offensive it doesn’t seem to be a problem.

Mr. Soto indicated that he did not receive any neighbor complaints.

Attorney Zullo stated that is an important factor. It does not factor substantial and unreasonable interference of lawful use of other premises in the neighborhood as documented by other neighbors. If there are no complaints to the town then we are missing a critical element. He is comfortable with the decision to overturn the violation.

Chairman Cianelli asked if we could table or is there a time limit.

Mr. Soto indicated that there is 30 days limit.

Kevin White stated you don’t have enough information for a decision.

Commissioner DeMayo moved to overturn the Violation of Blight.

Commissioner Gravino second the motion.

Roll Call Vote-All in favor. None opposed. No abstentions

Violation Overturned

Item #3c

**485 Main St:** Application for Site Plan Approval: Nail Salon (Sched. A; Line #27.)

Attorney Lee represents the applicant who is interest in placing a nail salon at the site. Mr. Gallagan has designed a site plan and is submitting for review.

Commissioner DeMayo move to accept or review.

Commissioner Gravino second the motion.

Voice Vote-All in favor. None opposed. No abstentions

Accepted for review.

Item #3d

**690 Main St:** Application for Modified Site Plan Approval: Laundromat (Sched. A; Line #31.)

Commissioner DeMayo move to accept for review.

Commissioner Gravino second the motion.

Voice Vote-All in favor. None opposed. No abstentions

Accepted for review.

Any Other Business to Come Before the Commission:

Item #4

**Text Change:** Discussion on possible text change language for addition of a bed and breakfast use.

Propose use on file in the Planning and Zoning office.

No Action/Discussion Only

Item #4b

**47 Frontage Rd:** Application for a Modified Site Plan: Veterinary Hospital.

Approved Administratively per §33.10.

Commissioner DeMayo moved to adjourn.

Commissioner Gravino second the motion.

Respectfully submitted,

Roberta A. DeLuca

Commission Clerk