

Planning and Zoning Commission
Public Hearing

The East Haven Planning and Zoning Commission held a certain public hearing, Wednesday May 29, 2013, at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT

Chairman Cianelli called the meeting to order at 7:01 p.m.

Roll Call – 5 Present (Commissioners Cianelli, Colangelo, Ruocco, Raymond and alternate Metzler)

Staff Present – Town Engineer, Kevin White, PE, Assistant Town Attorney, Alfred Zullo, Esq., and Zoning Official, Frank Biancur. Also present third party engineer and real estate analyst.

Attorney Hollister stated that the original proposal of December 2012 still is covered under the State Statute 8-30g and the reduction in cost will be preserved for 30 years. We have resubmitted and asked that the public hearing be continued; we will not be revisiting the previous information submitted the record reflects everything except for the revised portion.

Attorney Zullo stated that a prepared revision to the affordability plan reveals a 3.3 acre open space; the plan is self explanatory. Originally, 105 dwelling units decreased to 102 units.

Attorney Hollister stated that the regulation indicates that this plan is appropriate to the site; the roadways have been increased from 26 ft. in width to 30 ft. in width and the increase in the sidewalk to 5 ft. in width. Measuring from the garage door to the curb its 21 ft. providing two parking spaces in the driveway and two parking spaces within the two door garages.

Mr. Nafis stated they widen the roadway and the sidewalks and moved all units 5 ft. from the original plan with the loss of 3 units and one mailbox location, no much change to the drainage, some of the interior roads were shortened leaving no time in the underground detention; with some infiltration into the public storm drain on Strong Street with no negative impact on the town's drainage system.

Attorney Hollister stated that the revised sheet numbers did not change; we have conformed to the Town Engineer's requests and eliminated the mail area and clubhouse to give sufficient green space and exclusive use areas. The dedicated open space indicated is not legally required. Inconsistencies are not valid reasons for a denial.

Chairman Cianelli asked Attorney Hollister if he was going to give us a lesson on what is legal, right now.

Attorney Hollister outlined the affordability plan median income data utility allowance for heat, electric, and hot water for a three bedroom at \$179.00 per month. The calculation will

be determined when they are place for sale, as will the administrator of the plan; if the East Haven Housing Authority wants to be identified as administrators that would be suitable.

The clerk read correspondence in opposition of Autumn Ridge from the following; Town of East Haven Officials: East Haven/Board of Education, Finance Director, Paul Rizza, Police Chief Brent Larrabee, and Fire Marshal, Anthony Moscato all copies are on file in the Zoning Department File.

Chairman Cianelli recognized the following people to address the commission:

Arthur DeSorbo, Director of Administration and Management spoke on behalf of Mayor Joseph Mauro, regarding feed back since the continuation of the public hearing and would like to reiterate that reducing the density from 105 units to 102 units does not alleviate the concerns of the residents. The Mayor strongly advises sidewalks be required on both sides of the street and revisit the cost. Also, the drain on town services including education is a great concern to the administration. Listen to the residents' comments regarding health and safety before reaching a decision.

Bill Richardson, 136 Bennett Road, Town Councilman stated that this is the same project, much too dense. The builder should go with his original plan with a reasonable bottom line, why do the residents have to suffer for the profits of the owner. The drainage issue, alone, is a health and safety issue into Grannis Lake.

John McGuire, 38 Margaret Court read a statement in opposition to the proposed plan of Autumn Ridge, as it relates to health and safety to the community. An original copy of Mr. McGuire's statement is on file in the Zoning Department file. Mr. McGuire's credentials include a Bachelors Degree in Sanitary Engineering, Masters Degree from MIT, Licensed Professional Engineer, 50 years of experience with water treatment and drinking water.

Margaret Thomas, 42 Grannis Street has lived on Grannis Street for 35 years and is opposed to the proposed plan because of the negative affect it will have on the health and safety of the area and its residents. There is so much talk about green building and the emission from the additional traffic alone is a concern. The contractor is laughing in the face of the blue collar workers of this town, who is going to purchase these cages they want to build, the blue collar workers deserve better than this. These units will be nothing more than a drain on town services and will finally bankrupt the town. Just place the land in the Land Trust.

Andrew Esposito, 8 Ann Street stated that this plan is far too dense and hazardous and cause an increase to town services. There will be an increase in taxes, insurance rates for home and auto insurance that will affect the entire town. The water issues have not been addressed adequately and the propose damns are dangerous.

Bill Zampa gave a brief history of this parcel, this is the fifth presentation, steps were taken for a zone change and site development only to be changed once again. This zone is not in keeping with the area and is spot zoning, it is beyond realistic.

John Loffraddo, 75 Grannis Street who commended the Mayor and his staff on the information presented. It is an insult to this commission and the residents to bring a revision from 105 units to 102 units this is basically the same plan. The developer and his attorney can threaten a law suit all they want but this is bull s***.

Geoffrey. Jacobson, PE the third party engineer to hired review the report and plans. Mr. Jacobson's report is on file in the Zoning Department file in its entirety.

Attorney Hollister asked Mr. Jacobson if he reviewed the hydrology report provided 10 days prior.

Mr. Jacobson stated yes the revised report was compared it had various changes but identical text mirrored revisions.

Vice Chairman Ruocco stated that he reviewed the report and compared side by side the text is essentially identical.

Zoning Official, Frank Biancur gave his report and submitted into the record, which is on file in the Zoning Department file.

David Carforo, third party analyst with regard to reasonable expense for the Autumn View Development, presented his finding and presented the data, which is in the Zoning Department file in its entirety. Mr. Carforo's credentials are a BA from Manhattan College and two Masters, one in real estate from NYU.

Town Engineer, Kevin White referred back to his letter in February 2013, regarding the sidewalks and the detention pond. The detention pond across from the residential area on Strong Street has a design flaw, if approved would end up being built in the roadway.

Assistant Town Attorney, Alfred Zullo submitted his finding and pointed out that 225 properties in East Haven are for sale, the average price being \$134,000 why would anyone purchase one of these houses at \$225,000 with deed restrictions. He presented all his finding and submitted them into the record, which is on file in the Zoning Department file.

Attorney Hollister is in disagreement with Mr. Carforo calculations and does not like to respond on the fly, but feels there is a lack of supporting information.

A discussion between the Town Attorney, Zullo, Mr. Jacobson and Attorney Hollister with regard to Attorney Hollister requesting the Mr. Jacobson further review as he feels the recently submitted information should be review. Attorney Zullo stated that we had time constraints due to the fact we had to find someone who has not work with either you or Mr. Nafis. It in no way was scheduled to hinder you or your applicant in any way. You have had sufficient time and opportunity to provide to this commission the information requested.

Chairman Cianelli stated that based on your original calculations and revised calculations you have the same problems and you have had every opportunity to respond. You deliver additional information on Friday prior to this meeting and would now like us to respond. You should provide this commission's requests in a timely manner and there will be no more continuations. You have the right to appeal; any deficiencies are your failure to provide us with calculations in order to come to a conclusion. There are no supporting facts to the hydrology report and you have dug this hole and want this commission to wait. It is not going to happen.

Mr. Nafis stated that the maximum depth of the retention pond is 6 ft. at the 100 year storm, at no time a wall of water. The retention ponds can be slightly deeper and wider and if we have to do rain gardens we will. There are no standards of testing the soil for the rain gardens.

Mr. Biancur asked Mr. Nafis if he is satisfied with the side yard set backs, and he indicated that he is.

Attorney Hollister stated that he objects to the closing of this public hearing.

Chairman Cianelli closed the public hearing at 10:05 p.m.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk