

## Planning and Zoning Commission

The East Haven Planning and Zoning Commission held its Regular meeting on Wednesday May 03, 2017 immediately 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 9:10 p.m.

Roll Call – 5 Present (Cianelli, Colangelo, DeMayo, Carbo, and alternate Rivera) 1 Absent (Gravino)

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

### Public Hearing # 1

100 & 31 Sperry Lane, 161 Foxon Road: Zoning Regulations, zone change to Section 27, R-3 to R-5.

Attorney Pellegrino stated due to a defect in the advertised Public Hearing Notice we request an extension of 35 days.

### Public Hearing #2

100 & 31 Sperry Lane, 161 Foxon Road – Zoning Regulations, zone change to Planned Elderly Facilities District.

Chairman Cianelli recognized Attorney Bernard Pellegrino who indicated that Facility District) this process requires a master plan or general idea developing this property with the provisions of your regulations. The next step after this is detailed development plans, similar to site plans showing contours, drainage, etc. In this case given the size of this project the interest that we would receive from the people in the neighborhood we developed a master plan. Our master plan is more typical, due to its details, of what you would see of detail development plans. This would give one a better understanding what would come forward if you grant the first step in the process. Our civil engineers are from Milone and McBroom leaders in our state designing projects. We have performed a traffic study and a drainage analysis not typical at this stage of the process. The proposed properties for this application are 100 Sperry Lane, 31 Sperry Lane, 161 Foxon Road all those properties together equal approximately 51 acres with frontage on Foxon Road. The majority of the site is what most of you know as the Girl Scout Camp, which was recently purchased by our client. After purchasing the property he got a team together to see what the best possible options for this site and in doing so we realized that there was a demand for age restricted housing. Frankly, that is true for the entire region because there is a growing demographic of baby boomers that are now transitioning to a community style living. With that information and the characteristic of this site certainly seemed to be an interesting marriage. The property is a very nice piece it rises up to a wooded area protected by pre-existing and mature trees and landscaped areas so that the project can be developed up into the property without much visual impact within hundreds of feet of this site. South side of the buildings would be facing the high school and the east side of the property is abutting land trust property, which provides a buffer to the property. We will utilize the parcel at 161

Foxon Road to access the site through to Sperry Lane. There is an existing lake on the parcel that will be utilized to take advantage of that natural characteristic of the lake by situating the buildings around the lake we see as a huge benefit to incorporate walking trails in other areas and passive recreation for the residents. We would be utilizing the lake as a focal point of the development. Mr. Overton will describe from a civil engineer standpoint the size of the site and the drainage characteristics. We feel very comfortable handling with the handling of the drainage on the site. It would consist of 6 building which would house about 500 rental units. We have received preliminary approval from the Regional Water Authority and Greater New Haven Water Pollution Control Authority confirming capacity. Hopefully, you will look favorably on this concept, I've already pointed out the need for this type of housing in town, age restricted housing. Applicant and owner will continue to own, rent, and manage these market rate units. We are not seeking any subsidized housing, affordable housing, any government assisted housing, this is a market rate project we will own and manage ourselves. He wanted to emphasize the size of the site with the 6 buildings, the majority of the site will remain undisturbed. We have tried to protect the perimeter of the site with the mature trees and foliage as a buffer for the single family homes in the area. With regard to traffic we have retained Milone and McBroom to perform a traffic study and provide a report. Elderly housing projects are viewed as low generators of traffic by the Institute of Traffic Engineers nationwide. The number of trips per unit for this demographic is a lot less than single family homes and in addition to fewer trips per unit the peak hours of travel for resident in an aged restricted development are different from those that are going to work. The two components are there are fewer trips and those trips are at different times than your typical traffic during rush hour. Therefore, the peak hour generation of traffic is very low. From an economic development standpoint this project will be a very important benefit to the Town of East Haven. Your town assessor estimates that this project will generate 1.2 million in tax revenue annually. Also while receiving those tax dollars the town will not have to provide a lot of services. No school children, a private road which will be maintain by the owner, and no trash pick-up. In addition, if the property were to be divided up into 26-32 lots it would create 2.2 children per household to be educated at a cost to the town of up to \$880,000 annually. We believe there are a lot of good reasons that this project makes sense for this site.

Derrick Overton from Milone and McBroom project engineer for this plan. Attorney Pellegrino cover most of what I would have covered. The way we design is shown in the rendering of the site development plan overlaid with the existing background would look like. The existing conditions are that it is located about 1000 feet from the North Branford town line, Route 80 runs along the southern portion of the site and Sperry Lane comes in through the 25 ft. access road and run north through the site. There are 3 to 4 properties to the north that access through Sperry Lane along with the high school to the east with some residences on the southern border of the property. As part of this application are 3 parcels that total 51 acres that are both in an R-3 and R-5 zone, those addresses are 100 Sperry Lane, 31 Sperry Lane and 161 Foxon Road, which was formerly a Girl Scout Camp. The site is rolling with several peaks and valleys and densely wooded. Our soil scientist went out for the presence of wetlands which were flagged in association with the existing pond which is about 2 acres in surface area. We investigated the state mapping to see if this was a protected zone, it is not located in a protected zone but a portion of the property is a public water shed, which comes across through the pond. This is a watershed area associated with the Farm River the RWA has a diversion pipe on the south side of the Route 80 emptying the water into the Farm River and Lake Saltonstall. We are required to contact the Regional Water

Authority with regard to any portion of the watershed area that they manage. No regulated flood plan as it is in a floodplain X. We have a total of 6 proposed buildings to house 498 elderly apartments in six, four story buildings with a 60/40 mix between one and two bedroom apartments. The one bedroom units need approximately 11 acres to accommodate those and two bedroom units need about 20 acres, which gives us about 19 acres of excess land that's not used to meet the density requirement. The layout is that we will utilize the 75 ft. of frontage at 161 Foxon Road as the main access into the property proposing a 24 foot wide private road that road will be considered a loop road to provide access to a portion of Sperry Lane and access to the properties further north. We anticipate some type of closing of the bottom portion of Sperry Lane so that the new road is used to access the site. The homes that exist at the bottom portion of Sperry Lane will still be able to access their homes from the bottom portion of Sperry Lane. There will be sidewalks on one side of the road to access all the buildings *Inaudible*. One of the amenities on site is the pond we tried to make some useable space outside facing the pond and trying to place the building around the pond not getting too close to avoid any impact to the pond, we created usable open space with the courtyards and more open space behind the buildings. We are in excess of the open space requirement and we are providing open space around buildings. We have provided parking in proximity to the buildings, the three buildings around the pond do not have parking under the building as the other three will have parking in proximity of those buildings. All sidewalks or walkways and parking will all meet ADA requirements. We made an effort placing the buildings as to create a buffer around them with the wood area. The subdivision to the east has an open space parcel between the two parcels along with another large wooded buffer on the east side. The design that we prepared is consistent with all the PEFD requirements, the site will be served by public water and public sewer both of which we have received letters from. The RWA indicates that there is a 48" main on Foxon Road would be enough water supply to serve this facility and we have passed the sewage generation for this property. With regard to storm water management we have provided a narrative with the plan which describes what we have explained. We included in the margins a small narrative about using the existing watershed and the public water supply watershed. We've shown on the plans the drainage plan and tried to use the existing pattern. The grading will be created to maintain storm events. The staff is devising a storm water management approach. There is thought that we could use the existing pond as a detention pond there is a pipe that discharges out of that pond as a high level discharge. We have provided for water quality management with some small basins at the outlets to dump into the pond. The entire site drains to the Farm River, we meet all the storm water management criteria *Inaudible*. There was no formal S&E plan prior to this process but we will move on to the next step along with the final grading will meet with the DEEP sediment control standards as well as local standards. This project being on a state road we had one of our traffic engineers do a traffic analysis so Nathan Peck from Milone and McBroom will review that portion.

Mr. Peck explained that he is a licensed civil and traffic engineer. First we went to the site and collect data; traffic volume and speeds and the most traffic accident history along with any future development in the area. We look at the traffic conditions without the site being developed and we project the future traffic conditions with the site. We also take a look at the intersection sight lines at the proposed access locations. Then we perform a capacity analysis for the roadway network with and without the proposed site traffic. With this particular study we identified two intersections Wheelbarrow Lane and River Road, which is a signalized intersection. We then included the proposed access point on Route 80. So the results of our data collection and site visit showed us Route 80 is a state road with one lane traveling each way

with a speed limit of 45 MPH and has what we refer to as the 85 percentile speeds which is slightly higher than the posted speed of 47.6 MPH to 47.9 MPH. Wheelbarrow Lane and River Road are very close with a signal and the access to Sperry Lane is a stop sign. We will maintain emergency access where Sperry Lane is currently along with the new access to Sperry Lane. Using the speed data that we reflected we can determine that the sightline is approximately 500 feet. We did some visual testing at the site and have determined that it meets and exceeds the minimum requirements for intersection design. We next looked at the accidents, out of 22 accidents there were no fatalities.

Attorney Pellegrino indicated that this development is in line with the town's plan of conservation and development with regard to 55 and older housing.

Chairman DeMayo Stated that you do not meet the town's parking regulations.

Attorney Pellegrino stated that the commission has the discretion to waive the 2.5 spaces per unit and we asked if the commission look favorably on it.

Gennaro Amendola 7 Branhaven Drive stated that it was a good presentation but he does not like spot zoning the amount of area will be too saturated developers are not leaving a lot of natural topographical area, the buildings are too close together and they're too close to the open space. He has lived there for 40 years and now they want to encroach on the public watershed with 4 story buildings. What about the houses behind this development they will be looking at these buildings, which will be 40 to 50 feet in the air they will see and hear everything. The developer is dangling the carrot of tax income from the developer. There will be a minimum of 500 residences, which equates to approximately 800 parking spaces of 55 and older. This development is 400 to 500 feet from the next town line. Have perk test been completed and we're talking about destroying hundred-year-old trees they will be blasting at this site.

Louis Pacelli thank the applicant for a great presentation he has some questions as to what time of day the traffic study was performed. They will be blasting for a private road close to the schools and there's a concern for the animals in the area being displaced. The removal of mature trees will cause more flooding and we already flood. With regard to the traffic study you indicated that there were no serious injuries in any of the accidents report. There was accident in 2015 and there was a fatality. There is a concern for the school children on Sperry Lane and the bus traffic. Another concern is if these units cannot be completely rented will they be renting to Section 8 or get federally subsidized housing. These concerns are no reflection on the applicant they are a good family and great people but we do have some concerns.

Ralph Corolla 21 Branhaven Drive stated that he has a great concern as to where all the water will go because their homes flood now with heavy rains.

Joe Ryan what happens if the owner applicant can't rent all 500 units will this turn into a Bella Vista where they rent to Section 8 bringing an unsavory element, what is the long-range plan if they're not rented.

Steve Haddon 5 Branhaven Drive, Stated that the applicant does do quality development but I want to address some comments that attorney Pellegrino stated. He chaired the plan of conservation and development and it was not the intent of that commission to encourage these types of zones or to encourage 55 and older housing. The traffic study didn't mention anything about how narrow Sperry Lane is and that's a deep bend on Route 80 contributes to accidents all the way to the North Branford Town Line. He does understand that the traffic will has dropped off along Route 80 at the completion of the Q Bridge but 55 and older are still part of the workforce. His main concern is the flooding in the spring. Has a hydrologist been hired to determine where all this water will go especially if you are blasting and you have parking lots that are impervious it'll go down into Branhaven Drive which empties into a meadow at the bottom of Branhaven Drive. I would like to review some hydrology data covering the runoff and I would like to see the traffic study expanded because I do not believe that 1 million dollars and tax revenue is worth it.

Gene Ruocco stated that he has seen this before with the approval of 55 and older buildings just in order to quarry because there is a lot of Blue Rock there the same thing that is at Tilcon. I would like to know the estimates of Blue Rock that would be coming out of there and how many feet down there will be allowed to blast. This commission need to control the removal of rock.

Bob Fox 180 Coe Avenue, asked what the topographical height is of this site. He also is concerned that this will end up being a ghost town.

Karen Rybak 39 Foxon Road also believes the traffic study should be extended past the entrance of Deer Run School and north to Totoket Road in North Branford. We also should be concerned with the traffic and the children exiting Maple Street where the pit is located.

Mr. Izzo 11 Branhaven Drive asked if there was going to be any access from the site to Branhaven Drive. and what is going to happen to the bird sanctuary and animal preserve at the north end of that property .

Patrick of Strong Street is greatly concerned with the environmental impact to the Natural Woodland and how it will create an ecological imbalance. He's concerned about the water contamination, the killing off of wild life, which is all potentially dangerous to the environment.

Matt Longobardi 172 Foxon Road had no idea that the houses on Branhaven Drive were flooding and was sorry to hear about this. But the development is good for taxes and yes there is a dangerous curve on Route 80, although I don't know this family who owns he site his other buildings show me they love the community and they do good developments.

Resident 65 Foxon Road in the past five years there have been 3 to 5 extremely serious accidents. There is a tremendous amount of traffic that starts in front of my house on Foxon Road to Rite Aid daily. I'm concerned about the blasting and how it will affect my home and I am also concerned with the height of these buildings.

Anne Pacelli 103 Foxon Road believe that this property should remain as open space there are herds of deer, wildlife, and birds it should remain untouched .

Anthony Martone 20 Branhaven Drive is concerned with regard to their quality of life.

Nikki Whitehead as the chairman if the public hearings will remain open.

The chairman indicated they will remain open.

Chairman Cianelli address his comments to attorney Pellegrino and wanted to know when the traffic study was done because he did observe 14 and 15 year olds on their cell phones and monitoring the traffic. With regard to the storm water runoff you need to sit with our town engineer Kevin White and we will have to discuss the parking regulations.

Commissioner Carbo clarified how many units per building, 80 and you're calculating 1.5 parking spaces per unit. Also he does not believe with the change in the land that sending the runoff to the river is a good idea hopefully you have a plan B.

Commissioner DeMayo is also concerned with the quality of life of the abutting neighbors. Five hundred units is a significant change and it will impact safety and the quality of life. The Fire Marshal also has his safety concerns and I believe we need a lot more details. Quarrying at this site is a great concern to this commission, is it the intent to utilize the rock on site? We also are in need of a timeframe. He also agrees it was a great presentation.

Paul Thompson stated that the tax revenue here is not a tax bonanza but it will tax our Fire department and our Police Department.

Chairman Cianelli indicated that he expects that these building will be deed restricted with regard to being 55 +.

Commissioner Colangelo stated that kids cannot legally be prevented from living there with a parent who meets the criteria.

Commissioner DeMayo move to leave the public hearing open (9:00 p.m.).

Commissioner Colangelo second the motion.

The public hearing will remain open.

Respectfully submitted,

Roberta A DeLuca  
Commission Clerk