

## SPECIAL MEETING

### Planning and Zoning Commission

The East Haven Planning and Zoning Commission held a Special meeting on Thursday, March 23, 2017 immediately following a certain Public Hearings at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

Roll call- 5 present ( DeMayo, Carbo, Colangelo, Gravino, and Cianelli) 1 alternate not voting (Rivera)

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

#### **Item #1**

1a) Accept/Approval of Minutes from January 4, 2017 Regular Meeting.

Commissioner carbo moved to accept the minutes.

commissioner DeMayo second the motion.

Voice vote- all in favor. none opposed. no abstentions.

Approved

#### **Item #2**

2a) **75, 83, 93 Hemingway Avenue:** Application for Special Exception: Elderly living – non assisted facility. (§33.19).

Public Hearing Remains Open/No Action Taken

2b) **35 & 47 Sharon Drive :** Proposed 12 lot Re-Subdivision Application.

Public Hearing Remains Open/No Action Taken

2c) **444 Short Beach Rd.:** Application for Special Exception: Building Contractors, business & Storage Yards. (Schedule. A, Line #56).

Commissioner DeMayo Tabled to April 5, 2017 Meeting/Awaiting Inland/Wetland Decision and any concerns to be addressed.

Commissioner Colangelo seconded the motion.

Voice vote - All In favor. none opposed. No abstentions.

Table with conditions.

2d) **690 Main St:** Application for Modified Site Plan Approval: Laundromat (Schedule. A; Lines #6 & #31).

Chairman Cianelli recognized attorney Peter Berdun.

Attorney Burdon asked to make a quick review of the 17,777 square feet site and 2,965 square feet building, which is in East Haven. They have received approval for this operation in the City of New Haven in an existing structure where a portion of it is in the Town of East Haven. They have 13 parking spaces in the City of New Haven 4 more than what is required by that city, the portion of the structure in East Haven is less than 400 square feet, which requires 4 parking spaces, the site plan shows 7 spaces, 3 extra spaces than what is required. The Town of East Haven jurisdiction line stops at the property line, the zoning official and the town engineer are in agreement with that assessment too.

Chairman Cianelli recognized Mr. Cannell who indicated the site has sufficient sight line East and West of a 165° of vision perfectly parallel to the road that naturally bends to create the sight line. He provided a diagram to the commission to view as he described the conditions at the site. Town Engineer, Kevin White indicated that requested additional information was provided to him and he has no further questions he's satisfied.

Attorney Federici asked to rebut the 2 previous speakers.

Mr. White indicated that the applicant provided information he requested at the previous meeting and this is not a public hearing.

Attorney Federici pointed out that he would like to address some things that were just brought up previously.

Attorney Zullo stated that he could proceed.

Attorney Federici indicated that he does agree with Attorney Burdon who stated that we are only here to discuss the parcel that is in the town of East Haven. But I believe his calculations are incorrect 5,700 sq. ft. of use and the portion under consideration 1,250 is two floors which creates a total of 7,000+ sq. ft. Your regulations read, based on the square footage of the building, which is 7,000 sq. ft. and your regulations would require 66 parking spaces and Since there's only 22% of the building in East Haven 22% of 66 is 14 spaces and they only have 7 spaces and if you use the 7,000 square feet they need 17 spaces. Where the curb cut is proposed there will be a billboard at that location, which is an issue. In addition, there's only one handicap space provided for, where there should be two.

Attorney Berdun stated that Mr. Ballistraci was approved with 15 spaces at his sight of similar size with more machines. The ratio of machines to parking at his site is about 6 and a quarter at 690 Main Street the ratio is that about 5 per machine.

Chris Ballistracis stated that applicant's attorney is completely wrong and he feels it's a personal attack.

Chairman Cianelli stated that this meeting is not for this type of dispute please go and sit down.

Commissioner DeMayo move to approve.

Commissioner Colangelo second the motion.

Voice vote- all in favor. None opposed. No abstentions.

Approved

### **Item #3**

**3a667 Coe Ave:** Application for Site Plan Approval: Existing Gas (Sched. A; Line #39).

Chairman Cianelli recognized John Calise a licensed land surveyor with the State of Connecticut he is here to represent the applicant Standard Petroleum and then submitted plans of the site to the commission. He also submitted a statement of use and an outlining the plans to redevelop the site. He then explained this is an LI-2 Zone it's an existing conforming lot, the site is just under 17,000 square feet the structure was built in 1960, the square footage is 1320+/- . We will be increasing the size of the building by 700 square feet, increase in the building to 2,020 square feet. To accomplish it will be on the southerly side of the building to accommodate walk-in coolers. In addition to the building being redeveloped the canopy will be removed and a new canopy 25 by 66 we have submitted an application for a variance for this design and approved on March 16, 2017. We filed a coastal area management application and was approved February 27th. Although we will be increasing the size of the building by 700 square feet we have managed to decrease the impervious

surface. We will also be putting landscaping around the perimeter and in the front to allow for the runoff to go into a vegetative area instead of the street. There are currently 4 dispensers we will only have 3 dispensers we will be getting rid of the kerosene. There will be two underground tanks one to serve for unleaded at the 2000 gallon tank and then another 10,000 gallon tank for the premium fuel and diesel fuel. Currently, there are two service bays that area will serve as retail space we will use the existing curb cut, we will be reducing the radius on Coe Avenue. The calculations require 10 spaces and one for an employee there will 12 parking spaces on the site. They will be open seven days a week from 5 a.m. to 11 p.m. Standard Petroleum has their own fleet of trucks they can schedule deliveries on off hours. If you look at the plans provided for you you'll see that the current canopy is a foot over the road the new canopy will be set 15 feet from the road consistent with the with the variance for that structure. We will be maintaining the existing drainage pattern at the site, it will slow to the adjacent street as it does currently, We did look at the drainage in the street and those catch basins are at about elevation 3.5 and We will be raising the building 18 inches higher than it was previously Will dry proof the building up to the 12 foot elevation 1 foot above the base flood elevation. We took into consideration the reconstruction of the intersection at Coe and Short Beach with regard to the drainage we wanted to follow the existing hydrology but we didn't want to make the drainage worse. Unfortunately, the storm water currently is a foot below the grates therefore we did not tie in didn't want to make matters worse. Inaudible. We took into consideration that the road will be raised about three feet and it will have no effect on our site. There will be LED lighting directed down; there will be some light spillage from the canopy that is something we can't control.

Commissioner Carbo asked about the safety catch.

Mr. Calise indicated that the state now requires a small catch area. In the event of a spill the safety release will go into effect and most spills are usually small to none.

Commissioner DeMayo move to approve with conditions.

Commissioner Gravino second the motion.

Voice vote- all in favor. None Opposed. No abstentions.

Approved with conditions.

**3b) 405 Main St:** Application for Modified Site Plan Approval: (Schedule. A; Line #39 & 30).

Chairman's Cianelli recognized Mr. Mangione who indicated that he represents Gloria Hernandez who would like to expand her cooking area and menu, also to include and ice cream area too.

Zoning official Chris Soto stated that his Department has received complaints with regard to the trash enclosure and grease being kept outside. He recommended to the commission that construction debris be cleaned up, an enclosure for the trash and grease receptacle, and the property be maintained properly.

Commissioner DeMayo asked if there would be any additional seating.

The applicant indicated no.

Commissioner DeMayo move to approve with the zoning officials recommendations and to place a white vinyl fence enclosure for the trash receptacle and grease receptacle.

Commissioner Carbo second the motion.

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

Approved with conditions of the engineer.

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

Commissioner DeMayo moved to accept for review and set a public hearing date for May 3 2017.

Commissioner Colangelo second the motion.

Voice vote - All in favor. None opposed. No abstentions.  
Accepted for Review and Public Hearing date set for May 3, 2017.

**3d) 100 Sperry Lane, 31 Sperry Lane, 161 Foxon Road:** Zoning Regulations, zone change to Planned Elderly Facilities District.

Commissioner DeMayo moved to accept for review and set a public hearing date for May 3, 2017.

Commissioner Carbo second the motion.

Mr. Soto indicated that the commission will be provided with the police and fire departments reports and how the town resources will be affected.

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

Accepted for Review. Public Hearing date set for May 3, 2017.

**3e) 198 Commerce Street:** 8-24 Referral Request – Request for favorable Referral to the Town Council for Sale of Property.

Attorney Joseph Zullo first indicated that he had a conflict of interest waiver as they have represented the Hennessey family in the past. He then explained that the Economic Development Department for the Town of East Haven has been trying to squeeze out every possible sale of land, there is a .58 acre parcel that abuts Forbes Fuel's property in the industrial park, it's a portion of where the old landfill was located and does not abut any other property except Town property.

Commissioner DeMayo moved for a favorable 8 - 24 referral to the East Haven Town Council.

Commissioner Colangelo second the motion.

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

Approved with a Favorable Referral.

Respectfully submitted,

Roberta A. DeLuca  
Commission Clerk