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Town of East Haven
Planning and Zoning Commission

Special Meeting Minutes – November 21, 2023

East Haven Senior Center, 91 Taylor Avenue

I. Roll Call and Pledge of Allegiance

Commission chair, Marlene Asid started the meeting at 7:16pm and led the Pledge of Allegiance.

Present for the meeting were Marlene Asid (Chairperson), John Tarducci (vice-chair), Lou Fusco, Al Shaul and Bob Cubellotti.

Also, in attendance were Planning and Zoning Administrator and Zoning Enforcement Officer, Joseph Budrow and Assistant Town Attorney, Jennifer Coppola.

II. Review and Action on Prior Meeting Minutes

MOTION: Mr. Cubelotti made a motion to continue the approvals of all meeting minutes to the next regular meeting. Mr. Fusco seconded the motion. All were in favor.
Motion carried, 5-0.

III. Public Hearings

Application No. 23-23 – on behalf of CPDE East Haven, LLC., 990 Foxon Road.

Kevin Hixson of BL Companies presented. He introduced John Mancini, also with BL Companies. He showed the Commission a map showing various parcels. The State owns three parcels known as “excess land” and the applicant is looking to purchase them. Mr. Mancini described the process to purchase them. The proposal states the total acreage as inclusive of the State parcels. Mr. Hixson described the proposed project layout with three food serve establishments, a medical clinic and a self-storage building. In the New Haven portion of the property will be an ATM and additional parking spaces. The applicant has submitted the plans to the City of New Haven for review. He showed a lighting and photometric plan.

Mr. Budrow asked for more detail on the onsite lighting. Mr. Hixson stated the lighting will not spread out and will maintain safety for patrons.

Mr. Hixson showed the erosion and sediment control plan. Stock pile areas were shown and silt fence location. A construction sequence is shown on page EC-2. He showed a truck-turning radius map. A traffic study is being done for the encroachment permit. Ms. Asid asked about the lighting affecting people on Foxon Road. Mr. Hixson didn't see an issue due to the grades on site being higher than the road. He showed the grading and drainage plan. The lighting is directed downward. Mr. Cubelotti asked if all the storage was inside. Mr. Hixson answered "yes." Ms. Asid asked if the Commission had to wait for other agencies to approve first. Attorney Coppola stated that the applicants have acknowledged that they know they need other approvals. The Commission cannot condition an approval based on another agency. They should focus on the site plan. Mr. Budrow asked Mr. Hixson to explain the proposed vehicle charger infrastructure and how tenants may initiate the installation of the chargers. He said a vendor may be chosen by the tenants.

Mr. Budrow stated that Mr. James Esposito was the applicant that went to the ZBA as Country House Realty. Tonight, the applicant is CDPE East Haven, LLC, and asked for clarification. Mr. Hixson answered they are the same ownership.

Mr. Mancini said that demolition could start in the Spring and construction to follow. On a map, he showed the location of a neighboring house owned by the Rocas. He showed their driveway location as partly across a portion of the subject property. He said it was agreed to that there will be a permanent easement placed on the land records. The proposed self-storage building is 2.5 feet off the edge of the driveway. Tonight, there was an agreement to go to 15 feet away.

He added that in the winter time, for the neighbors, the applicant is willing to build a couple of pocket parking spaces along the road. Attorney Coppola told the Commission they're doing this to come to a compromise with the neighbors. She felt the neighbors would confirm this. Mr. Mancini said after tonight's meeting, a new plan set with changes will be submitted to the Town Planner for a final assessment before mylars are filed on the land records. He mentioned that blasting may occur. He stated drill holes would be close together to insure easier separation of the rock. Mr. Mancini confirmed that pre-blast surveys would be done.

Attorney Coppola confirmed that blasting is the jurisdiction of the Fire Marshal. Mr. Mancini said it can be conditioned that the applicant submits a letter as to how the blasting will occur. Attorney Coppola said the letter should be scanned onto the plan set. Mr. Mancini agreed that is a way to go. Mr. Budrow said this is the first time he has heard of blasting occurring. He said he would have required a map showing a cross-hatched area where blasting would occur. Mr. Mancini said geo-testing will confirm if blasting is even needed. Ms. Asid confirmed that a blasting plan would be Condition #6. Mr. Budrow answered "yes."

Ms. Joann Roca, of 141 Old Foxon Road, spoke. She is concerned with the size of the self-storage building and they made an agreement with Mr. Mancini. She said her house is 103 years old. Mr. Vincent Roca approached the Commission and handed out maps. Ms. Roca shared her concern about the blasting. She is satisfied with the proposal and wants the easement on the land records. Mr. Mancini said the easement can be a condition, as done with the ZBA. Ms. Roca mentioned the two parking spaces. Ms. Asid also noted the 15 feet offset of the building. Mr. Fusco asked if the Rocas wanted landscaping. Ms. Roca said she wants her tenants to have a safe

way to get into and leave the driveway. Mr. Mancini showed where the two spaces could go. Mr. Budrow stated he didn't think the Commission could allow the spaces and perhaps the Town Services Department could. Mr. Mancini said it still could be conditioned. Ms. Asid said the easement is condition #7 and the two parking spaces are condition #8. Ms. Roca said the concern for getting the two spaces is because the driveway ices up.

Rosie Cifarelli, of 1150 North High Street, spoke. Ms. Roca is her daughter. Her concern is that the side street is very dangerous. There is a stop sign that no one stops at. It is right near the driveway. She said Art Desorbo came to the house and saw dangerous parking situation. The driveway soon followed. Mr. Mancini said a "Blind Curve/ Blind Driveway" sign should be installed. The applicant would put it in. Attorney Coppola said they would have to go to the Police Commission for permission for the sign. Ms. Asid said that would be condition #9.

Babara Law, of 160 Thompson Street, wondered what the long-term effect of stormwater and sewer piping would be. How will the people in the area be affected? Mr. Tarducci said the proposal will not increase taxes as it will add to the grand list. Mr. Hixson answered the questions. He said the existing conditions are inadequate for drainage. The proposal adds underground stormwater collection that treats water prior to it getting to the State system. Grease traps will reduce wastes that used to get to the sewer system. The Water Authority and WPCA will review the plans.

Mr. Frank Capone, who owns 164 Foxon Road, spoke. He feels this is a win-win for the Town. Businesses will pay a lot of taxes. He said there will be jobs added for people. He feels this will give East Haven people a reason to stay in Town.

Mr. Budrow asked the applicant to please describe the traffic impact of the development. Mr. Mancini said they submitted a memorandum and described the area roads and intersections. He described the traffic measuring process they used.

Mr. Budrow read all 9 conditions. Attorney Coppola stated a blasting letter will be incorporated into the plan set. Also, that amended site plans will be submitted to Town staff for final compliance.

MOTION: Mr. Tarducci made a motion to close the public hearing for **Application No. 23-23**. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

IV. New Applications

Application No. 23-24 – on behalf of the Planning and Zoning Commission.

Mr. Budrow described that a recent Public Act approved by the State Legislature seeks to make sure municipalities treat child care homes and group child care homes the same, permit-wise, as single and multifamily homes. Attorney Coppola reiterated the Act focuses on the smaller child care centers as being an as-of-right use. There is a shortage in child care.

MOTION: Mr. Tarducci made a motion to schedule a public hearing for **Application No. 23-24** to the January 10th meeting date. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

Application No. 23-25 – on behalf of William Snow, for New Haven Truck and Auto Body, Inc.

Mr. Budrow described the situation. The existing use is not allowed in the zoning district where it is located. Changing the zone to CB-2 will alleviate that situation. As presented the application is ready to be scheduled for a public hearing.

MOTION: Mr. Fusco made a motion to schedule a public hearing for **Application No. 23-25** to the January 10th meeting date. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

V. Deliberation Session

Discussion and possible decision on **Application No. 23-23 – on behalf of CPDE East Haven, LLC., 990 Foxon Road.**

Mr. Fusco felt that everything Mr. Mancini has done to help the neighbors is good. This property is a Gateway. Ms. Asid sees this as a nice development. Mr. Shaul feels they have covered all the bases. Mr. Tarducci agreed. Ms. Asid feels the record is substantial.

MOTION: Mr. Tarducci made a motion to approve **Application No. 23-23** with all nine conditions imposed. Mr. Shaul seconded the motion. A roll call vote was called and all were in favor. **Motion carried, 5-0.**

VI. Discussion

There was final discussion on the upcoming accessory dwelling unit Regulation. They decided that ADUs will be for family-only and can generate income.

VII. Adjournment

MOTION: Mr. Cubelotti made a motion to adjourn the meeting at 9:31pm. Mr. Fusco seconded the motion. All were in favor. **Motion carried, 5-0.**