

EAST HAVEN TOWN COUNCIL
PUBLIC HEARING MINUTES
TUESDAY, MAY 9, 2017

Stanley G. Marino, CTC
TOWN CLERK

In accordance with Chapter III, Section 6 of the East Haven Town Charter, the East Haven Town Council Hearing Committee held a public hearing meeting Tuesday, May 9, 2017, at 7:00PM at the East Haven Senior Center, 91 Taylor Avenue, East Haven, CT 06512.

Chairman Fred Parlato calls the meeting to order at 7:18PM.

Item #1

Roll Call for Hearing Committee-10 present-5 absent (Mckay, Depalma, Sand, Butler III and Anania).

A quorum is present.

Chairman Parlato asks all to stand for the pledge of allegiance.

Item #2

To conduct Public Hearing #1 regarding "An Ordinance Approving and Authorizing the Conveyance of a Portion of 240 Commerce Street to 198 Commerce Street Associates, LLC."

**AUTHORIZING ORDINANCE OF THE
East Haven Town Council**

**An Ordinance Approving and Authorizing the Conveyance of a Portion of 240
Commerce Street to 198 Commerce Street Associates, LLC**

WHEREAS, the Town of East Haven is desirous of selling a portion of the real property located at 240 Commerce Street in East Haven, Connecticut, better known by the following Map, Block, and Lot Number: "090-0911-001" and bounded as follows:

**"BOUNDARY DESCRIPTION
A Portion of 240 Commerce Street
East Haven, Connecticut**

A certain parcel of land situated in the Town of East Haven, County of New Haven, and State of Connecticut being more particularly bounded and described as follows:

Beginning at a point marked by an iron pin, said pin is located North 69° – 57' – 32" West, 197.53 feet from a monument located on the Westerly street line of Commerce

Street between #198 and #240 Commerce Street, said point being the Southeasterly corner of the hereinafter described parcel;

Thence the following three (3) courses and distances along land now or formerly of 198 Commerce Street Associates, LLC:

South 68° – 57' – 45" West, 30.44 feet to an iron pin;

South 84° – 17' – 22" West, 201.00 feet to a point;

South 20° – 12' – 13" West, 76.27 feet to a point;

Thence the following four (4) courses and distances along land now or formerly of the Town of East Haven:

North 69° – 57' – 32" West, 120 .00 feet to a point;

North 20° – 02' – 28" East, 80.00 feet, to a point;

North 77° – 47' – 35" East, 194.15 feet to a point;

South 69° – 57' – 32" East, 160.00 feet to the point of beginning.

The hereinbefore described parcel of land is more particularly bounded and described on a map entitled: "Property Survey, Proposed Property Lines, Property Located at #198 Commerce Street, East Haven, Connecticut"; Prepared for #198 Commerce Street Associates, LLC; Scale: 1" = 30'; Dated: November 14, 2016 and prepared by Criscuolo Engineering LLC."

AND WHEREAS, the Town's Planning and Zoning Commission, at its special meeting on March 23, 2017, issued a favorable 8-24 referral approving such a conveyance;

AND WHEREAS, the Town Council intends, concurrently with the approval of this ordinance, to waive the competitive bidding requirements with respect to the proposed conveyance of the subject property;

AND WHEREAS, the conveyance of the property is subject to the approval of the Town Council;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of East Haven that the conveyance of the portion of 240 Commerce Street described herein to 198 Commerce Street Associates, LLC is hereby approved for a sales price of \$1.00 (One Dollar);

BE IT FURTHER ORDAINED that Mayor Joseph Maturo, Jr., or his designee, is authorized to enter into any agreements and to execute any and all related documents in order to effectuate said conveyance;

This Ordinance shall be effective in accordance with the provisions of the East Haven Town Charter.

Submitted by: Danelle Feeley, Council Clerk
 Approved by: Joseph Maturo, Jr., Mayor
 Received by: Stacy Gravino, Town Clerk

Date: _____
 Date: _____
 Date: _____

- Town Attorney Joseph Zullo explains that a while back the Council received a cover letter in their packet along with a summary of the 8-24 referral from Planning & Zoning. He explains that the parcel itself isn't a perfect rectangle and in order to comply with our bulk standards as far as the size of the building that the company would like to construct, which is basically doubling the size of the building on the property now, they need to have what is essentially a full rectangle. They need to meet all of the setbacks as well as the lot coverage so in order to facilitate that the Town has agreed to sell them the triangular portion on the backside of its parcel, which is part of the East Haven landfill; it just barely borders on the part that is encapsulated. That portion has no value to the Town, it is landlocked and the only purpose it serves is to even out that portion of the lot and the entity buying it is comfortable taking it with any potential environmental issues that there may be with that portion of the lot. The Town is getting new tax revenue off of a very small sliver of land that otherwise there is no use for.

Council comment:

- Councilman Palladino asks who wants this.
- Attorney Zullo says it is 198 Commerce Street Associates.
- Councilman Palladino asks what they plan on doing.
- Attorney Zullo says they are going to construct a double sized building for the warehousing of trucks for their gasoline business.
- Councilman Santino says he checked up on it and spoke with the owner, he owns a big building there already and purchased the one across the street so he would like another building which is a great idea because it will bring more tax revenue.
- Councilman William Richardson says if they don't give them this sliver, can they not expand?
- Attorney Zullo says if they don't give him the sliver he can't expand the building without a variance, which is appealable. And the way it is being proposed is for proper traffic and turnaround.
- Councilman Santino says it is a good move.

No public comment.

Item #3

Adjournment of Public Hearing #1.

Councilman Santino makes a motion.

Councilman Robert Parente seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #4

To conduct Public Hearing #2 regarding "An Ordinance making various revisions to the Town's Floodplain Management Ordinance."

AUTHORIZING ORDINANCE OF THE East Haven Town Council

An Ordinance making various revisions to the Town's Floodplain Management Ordinance.

WHEREAS, on August 20, 2015, the Federal Emergency Management Agency (FEMA) presented the Town of East Haven with revised preliminary Flood Insurance Rate Map panels associated with the Quinnipiac River Watershed Restudy project for Hartford and New Haven Counties.

AND WHEREAS, these revised map panels will become effective on May 16, 2017;

AND WHEREAS, in order for East Haven to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town must adopt revised regulations that include the new date for these panels.

NOW THEREFORE, BE IT ORDAINED that Chapter 9, Article III, Sec. 9-52 of the East Haven Code of Ordinances is repealed and replaced, in its entirety, as follows:

"The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated May 16, 2017, and accompanying Flood Insurance Rate Maps (FIRM), dated May 16, 2017 (Panels- 09009C0452J, 09009C0453K, 09009C0454J, 09009C0461J, 09009C0463K), July 8, 2013 (Panels- 09009C0442J, 09009C0444J, 09009C0557J, 09009C0576J), and December 17, 2010 (Panel - 09009C0462H,), and other supporting

data applicable to the Town of East Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA.

The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFE's published in the FIS for a specific location. The FIS and FIRM are on file with the Town Clerk."

This Ordinance shall be effective in accordance with the provisions of the East Haven Town Charter.

Submitted by:	Danelle Feeley, Council Clerk	Date: _____
Approved by:	Joseph Maturo, Jr., Mayor	Date: _____
Received by:	Stacey Gravino, Town Clerk	Date: _____

- Town Engineer Kevin White addresses the Council and explains that about 10-15 years ago the Town did all the work along the farm river bridges. The Federal Government decided they would finally look at the work that was done along that corridor. In 2013, a few years after the last bridge was done, the study was completed showing that the floodwaters would move quickly down the Farm River as opposed to being held back by the five bridges. Therefore, hundreds of homes will be taken out of the flood zone area. There will be a tremendous savings to many homeowners.

Council comment:

- Councilwoman Letizia Lettieri-Morales asks if he knows what streets are going to be taken out.
- Mr. White says basically everything from Moulthrop to the Maple Street Bridge.
- Councilwoman Susan Archambault says they will all come out of the flood zone?
- Mr. White says hundreds of homes will be taken out. Some will be removed entirely.
- Councilwoman Archambault asks if the zones will get changed also.
- Mr. White says it depends how close you are as to where the actual mapping is but there is a major impact.

- Councilwoman Lettieri-Morales says she lives on Thompson Avenue and has spoken with him before because she is in a flood zone and doesn't know the reason and there have been two hurricanes and her basement is dry.
- Mr. White says she won't be affected, sorry. He says there may be hope down the line but not with this map.
- Councilman Richardson asks if River Road will be impacted.
- Mr. White says each parcel will have to be looked out but there is a possibility, yes.
- Councilman Santino says by taking the house out of the flood plain, does that increase the tax value of the house?
- Mr. White says he would imagine it would increase the value.
- Councilman Santino asks about the land on North High Street where they lease the farm area, does it affect where the farm is over there?
- Mr. White says some of it.
- Councilman Santino says it may then become building property.
- Mr. White says some of it and Chairman Parlato says the Town owns some of that property.
- Councilman Parente says this means a person that has flood insurance on their house does not need to have it anymore, correct?
- Mr. White says yes.
- Councilman Parente asks if there is a 100-year storm and the property gets flooded and does not have flood insurance, does it affect that property?
- Mr. White said they would not be insured.
- Councilman Santino says that will be between the homeowner and their insurance company to decide.
- Mr. White says the Town is the facilitator of this program, it is a Federally ran program. The banks or insurance companies set the rates and we just interpret the data. Over the course of the last 5 years they have had hundreds of requests and sometimes they are able to help people and sometimes they are not. This is just a new boundary map set by the Federal Government based on data that is more current than was being used previously.
- Councilman Richardson says if they approve this tonight, when will the homeowners see relief.
- Mr. White says the homeowners will have to work directly with their bank and/or insurance companies. If their policy were up in January, it would take affect then but if it doesn't come up until April then it takes affect then.
- Councilman Santino asks if the Town will send notification to these residents.
- Mr. White says no.
- Councilman Santino says then how would they find out? It is up to them? He says he thinks they should send notification.

- Mr. White says correct it is up to them. The Town is only interpreting data, they don't want to get in the process of saying to someone that you aren't in the flood plain and then something happens. They can't get in the process of saying they used to be in a floodplain and now they are not; that is not what their job is.
- Councilman Santino asks if they gave a map showing.
- Mr. White says yes he has a map.
- Councilman Palladino asks if they can publish something in the local paper just saying there has been a change in the flood areas, please call your insurance company and ask them if you are affected by this change.
- Chairman Parlato says he will check with Frank Gentilesco tomorrow and see if there is something they can do with the website or some way of notifying people.
- Councilman Santino says it is saving people money they should know about it.
- Chairman Parlato says he thinks their responsibility is to alert the people that it has been revised and they may or may not fall under the revision but it is up to them to look into. He knows a lot of people are on social media and they can be notified.

Item #5

Adjournment of Public Hearing #2.

Councilman Santino makes a motion.

Councilman Palladino second the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Item #6

Hearing Committee report to the full Town Council and recommendation of action on Public Hearings #1 and #2.

Councilman Santino makes a motion.

Councilman Palladino seconds the motion.

Roll call vote: 9 in favor- 1 oppose (Hennessey)- none abstain. Motion carries.

Item #7

Adjournment of Hearing Committee.

Councilman Santino makes a motion.

Councilman Parente seconds the motion.

Voice vote: all in favor-none oppose-none abstain. Motion carries.

Meeting is adjourned at 7:37PM.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Danelle Feeley". The signature is written in dark ink and is positioned above the printed name.

Danelle Feeley, Clerk, East Haven Legislative Town Council