

MEETING MINUTES
PLANNING AND ZONING COMMISSION
JANUARY 23, 2019

The West Haven Planning & Zoning Commission held a Public Hearing and Regular Meeting on Wednesday, January 23, 2019, in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT at 7:00 P.M.

PRESENT: Commissioners Hendricks, Suggs, Biancur, Mullins, Milano, Johnson, ZEO Conniff, Assistant City Planner Killeen, Planning and Development Commissioner Messore and Corporation Counsel Tiernan. Absent was Commissioner Sullivan.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Biancur made a motion to approve the meeting minutes of November 27, 2018, seconded by Commissioner Mullins and passed.

Organizational Meeting

Commissioner Messore conducted the election of officers:

Election of Officers: Chairman – Commissioner Biancur made a motion to nominate Commissioner Hendricks, seconded by Commissioner Suggs.

Vice-Chairman – Commissioner Suggs nominated Commissioner Biancur for Vice Chairman, seconded by Commissioner Hendricks.

Secretary: Commissioner Mullins nominated Commissioner Suggs and seconded by Commissioner Biancur.

Secretary Suggs casted one vote for all positions. Above positions passed.

Public Hearing

Alternate Commissioner Johnson will sit in for Commissioner Sullivan for this evening' meeting.

1. **693 & 697 Forest Road.** Applications for Special Permit and Site Plan Review approval, including erosion and sediment controls and Resource Removal, Filling or Grading, to construct a 9,800 sq. ft. athletic facilities maintenance building with site improvements in a Public Facilities (PF) District, pursuant to Sections 38, 73, 74, 75 and 85 of the West Haven Zoning Regulations. Applicant/Owner: Yale University. File # SP 18-046 and SR 18-047.

Attorney Joseph Hammer, Jeremy Powers and Chuck Croce are in attendance tonight, representing the applicant. Affidavits of mailing have been submitted. In November, the Commission approved a change of zone from R1 to the PF District. Tonight's applications are for the proposed construction of an athletic maintenance public facility for Yale University. This will be a single story building located on 697 Forest Rd. Only utilities will be located on 693 Forest. There will be no access from Forest Rd. The building will contain office space and indoor storage of equipment. There will be an onsite fuel pump to

service the equipment that will be housed on site. A meeting was held with the neighbors and minor changes to the landscaping have been made according to their comments. There will be about 8 to 10 maintenance employees that will utilize this building but the majority of their time will be out in the fields doing maintenance. Jeremy Powers, project planner for Yale, gave an overview of the project layout, construction, floor plans, office locations, fuel storage tank location and exterior siding. Chuck Croce, engineer for Tighe and Bond, reviewed the access to the site, drainage on site and from wash pad, fuel tank and installed spillage and leakage protection, landscaping and lighting plans. There was also a soil and erosion plan which was explained to the commissioners. The property will be enclosed with a fence. J. P. Hernandez, Planning for Yale, explained a portion of the property that will have the fencing around it.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Tammy York, 705 Forest Rd., is in agreement with the new design and glad they took the neighbors comments into effect with regards to light and sound. She is concerned about the care of the landscaping in the future.

Commissioner Biancur made a motion to close the public hearing on File #SP 18-46 and #SR 18-047, seconded by Commissioner Suggs and passed.

Commissioner Milano will be sitting in for Commissioner Mullins on the next application:

2. **81 Farwell Street.** Applications for Special Permit and Site Plan Review approval to allow temporary interior storage of containerized medical waste in the Industrial Planned Development (IPD) District, pursuant to Table 39.2 and Sections 75 and 85 of the West Haven Zoning Regulations. Applicant: MedXwaste-NY LLC. Owner: JPSF Properties LLC. File # SP 18-050 and SR 18-051.

Sean Fredericks is presenting on behalf of MedXwaste. The building will be utilized as a temporary storage building for containerized medical wastes. The material will be brought into the building via truck and moved onsite by hand. Trained technicians will handle the medical waste as per EPA, OSHA, DEEP and HIPPA regulations. Normal business hours will be 8 a.m. to 6 p.m. Materials are not hazardous.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Mark Killion, owner of property, in favor.

Commissioner Biancur made a motion to close the public hearing on FP 18-050 and SR 18-051, seconded by Commissioner Suggs and passed.

3. **154 Spring Street.** Application for Special Permit approval of a Package Liquor Permit in the Neighborhood Business District, pursuant to Table 39.2 and Sections 45 and 85 of the West Haven Zoning Regulations. Applicant: 154 Spring Street, LLC. Owner: Mehmet, LLC. File # SP 18-052.

Attorney Vincent Falcone, West Haven, stated this has historically been a package store but due to the economy it has been closed for the last two years. It was poorly managed previously and the applicant feels that it will be a good business at this time. Attorney Falcone distributed exhibits to the commission. The property is located in a commercial

zone and was a store back to the 1926 according to tax cards. The previous liquor store in 2016 was foreclosed upon. This store will be owner operated. Applicant who is in contract to purchase the property is in agreement to add landscape pots to beautify the front of the store where two parking spaces would be removed. Commissioners discussed whether there should be a handicap space in the front. Alternate Johnson stated there have been parking problems there before because they probably did not want to park in the rear.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Frank Andriulli, Anderson Ave., West Haven, stated there are 17 package stores and multiple bars. He would like to see other types of businesses in West Haven to revive the city.

Attorney Falcone stated this application is in compliance with Sections 45 and 85 of the regulations.

Commissioner Mullins made a motion to close the public hearing on File #SP 18-052, seconded by Commissioner Biancur and passed.

Regular Meeting

1. Deliberation and Action on Public Hearing Items:

- a. 693 & 697 Forest Road.** Applications for Special Permit and Site Plan Review approval to construct an athletic facilities maintenance building in a PF District. Applicant/Owner: Yale University. File # SP 18-046 and SR 18-047.

Commissioner Biancur made a motion to approve file #SP 18-046 and SR 18-047 seconded by Commissioner Mullins.

Commissioner Biancur discussed whether a performance bond should be a condition with an applicant who is well known to the city.

1. A performance bond in an amount that is sufficient to cover erosion and sediment controls, the preparation of an As-Built Survey upon completion of this development to the satisfaction of the Engineering Department, and as a guarantee that all proposed landscape materials will survive for a minimum of one full year.

File #SP 18-046 and SR 18-47 approved with condition 5 – 0

- b. 81 Farwell Street.** Applications for Special Permit and Site Plan Review approval to allow temporary interior storage of containerized medical waste in the IPD District. Applicant: MedXwaste-NY LLC. Owner: JPSF Properties LLC. File # SP 18-050 and SR 18-051.

Commissioner Suggs made a motion to approve File #SP 18-050 and SR 18-051, seconded by Commissioner Biancur and passed 5 – 0.

- c. 154 Spring Street.** Application for Special Permit approval of a Package Liquor Permit in the NB District. Applicant: 154 Spring Street, LLC. Owner: Mehmet, LLC. File # SP 18-052.

Commissioner Biancur made a motion to approve File #SP 18-052 with the following conditions

1. The two parking spaces provided in the front of this building are substandard and should be eliminated. The current building area will require only six (6) parking spaces in the rear of the building, however, applicant needs to address handicap parking requirements.
2. Staff approval of potted vegetation in front of building in the existing parking spaces in the front of the building .

Seconded by Commissioner Suggs approved with conditions 5 – 0.

2. **Discussion of Priorities for Implementation of the Updated Plan of Conservation and Development (POCD)**

Since there was not a quorum at tonight's Special Meeting, there was no report for this evening's Planning and Zoning meeting.

3. **Staff Reports**

- a. Update Report on Airbnbs – Attorney Tiernan will meet with staff to discuss and get feedback regarding Airbnbs regulations.

4. **Other Business** - Abandonment of Cellini Place – will be on the February 12, 2019 meeting. There are no application, therefore, no meeting on February 26, 2019
Chairman Hendricks asked for volunteers for a committee to review the bylaws. Commissioner Suggs and Mullins have volunteered. Alternate Debra Johnson will also serve on this special committee.

5. **Adjournment:** 8:59 p.m.

Commissioner Suggs made a motion to adjourn, seconded by Commissioner Biancur and passed.