

**PLANNING AND ZONING
MINUTES**
Continuation of a Public Hearing

The East Haven Planning and Zoning Commission held the continuation of a Public Hearing Wednesday, March 4, 2009, at 7:00 p.m. at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT to consider the following:

Roll call – 5 Present (Cappelloni, Ruocco, Raymond, Murch, and Piccirillo)
Alternate present (not voting [Vastola])
Staff Present: David Anderson, Zoning Official, James Staunton, PE, Town Engineer and James Cirillo, Esq., Assistant Town Attorney.

Commission Clerk read a list of letter received in opposition.

Chairman Ruocco recognized Attorney Timothy Lee who represents the applicant Alex Vigliotti. Attorney Lee stated that he presented the bulk of his presentation when the public hearing opened last month. He is requesting a zone change for 219, 267 Bradley Street and 216 Laurel Street from an R-1, R-2 to a RA-1 for the completion of Tivoli Gardens. The applicant intention is to build two additional building with 35 units each. Mike Wilson of Milone and McBroom Engineers will be presenting a traffic study of how the size and scale of these buildings will impact the traffic in the area.

Stephen Dietzko, PE Milone and McBroom presented the plans for the new buildings. These plans show that the buildings would be slightly visible from the road and with the profile of the building. We have pushed the height to the backside of the hill with an evergreen hedge to block the view. There will be an egress and ingress going two ways for emergency use only on Bradley Street, which will be paved and chained off. At the owner's expense, there will be the extension of a high pressure water main, public sewers, and the storm water management will be taken to the back of the property and maintain on the property.

Mike Wilson, PE, stated that part of the study was to place the rubber hose across the road to monitor the traffic for 48 hours at the peak hours of 7:15 a.m. – 8:15 a.m. and 4:30 p.m. – 5:30 p.m. In addition to monitoring the traffic at peak hours we contacted the East Haven Police Department with regard to how many traffic accidents occurred in a 3 year period. We have determined that with the number of units proposed there will be an increase of 60 trips a day both ways and that in the

past 3 years there have been 8 minor accidents. Due to this being a 55+ facility not all the residents go to work, some are retired. The majority of the additional volume intersects at the highway ramp with an A to C level of service.

Chairman Ruocco asked, with the additional 96 units there is no significant change.

Mr. Wilson replied “No” the 60 vehicles are some going north and some going south.

Chairman Ruocco replied, based on 55+ facility.

Mr. Wilson stated, that there is a lot of data throughout the country regarding these types of studies.

Attorney Lee presented a petition from the residents of Tivoli Garden who are in favor of the expansion.

Commissioner Raymond asked, what was the determined speed, of the traffic, from your study.

Mr. Wilson stated that the average speed Monday – Wednesday going north 44 MPH, going south 45 MPH.

Commissioner Raymond stated well above the posted speed limit.

Chairman Ruocco stated then it is fair to say there is a speeding problem on Laurel Street.

Attorney Lee indicated his client is willing to install any signage to reduce the speed of the traffic although we have inherited this problem by virtue of this project.

Commissioner Murch asked, what’s the percentage of the increase in traffic.

Mr. Wilson indicated that Monday through Friday in the morning there are 380-400 trips, an additional 15%. In early evening there are 250 trips, an additional 12%.

Commissioner Murch stated that you have determined there is no significant delay or increase in the level of service.

Commissioner Raymond stated that the level of service is at a level “C” at what point.

Mr. Wilson stated that at the site it is a level A and B; at the bridge a level C.

James Staunton, PE, Town Engineer, asked if an evaluation for the need of a bypass lane into the site.

Mr. Wilson stated that the traffic northbound into the site is a level A, no need for a bypass lane.

Ross Antidel has lived on Laurel Street for many years and there is a definite traffic problem. Was this study done during a holiday, snow day from school, school vacation and which days of the week?

Mr. Wilson stated it was completed Tuesday through Thursday, December 2nd. through December 4th. and the weather was fair.

Councilman Parlato stated that there are two major problems with this project; the study was too narrow in scope. What happens when the Pearl Harbor Memorial Bridge is being repaired? It needs to be considered because Laurel Street will be used as a cut through back and forth to New Haven. Secondly, the Town does not structure normal growth through economic development and it has been going on for some time. We must ask Mr. Vigliotti when it get to the point where it overwhelms the area. These buildings will overshadow the neighborhood of these long time residents. Tivoli Gardens is kept nicely, but that does not mean we need to increase the owners profitability. It should remain as it stands now and he asked the commission to deny any further development.

Jim Reid stated that the size of the lot is 12.5 acres. He referenced the Plan of Community Development, under strategies which indicates that it is over the percentage with regard to density. In 2002, this area was considered light industrial and Attorney Alphonse Ipolitto argued it should be residential because of the traffic concerns and that light industrial does not fit the neighborhood, and is not consistent with previous rulings regarding Indian Springs. To further develop Tivoli Gardens would devalue the home in the area.

Attorney Tim Lee stated that he is not a real estate agent or an appraiser it is a question for the assessor.

Chairman Ruocco asked Mr. Reid if he the property looks better or worse than before.

Mr. Reid indicated that it looks out of place and would over shadow the residential homes.

Tim Henley 250 Laurel Street stated that the original development from March 1985 approved the project with the pond and the property owned by the UI to serve as a buffer zone to the homes. Now the owner of Tivoli Gardens has purchased this property from the UI that was deemed un-developable. There are currently 84 units with the approval for 29 additional units. If an in-depth study of the traffic were to be done then it should be through the hours 6:30 a.m. – 8:30 a.m. and from 4:30 p.m. – 6:30 p.m. this is a blue collar neighborhood these are the hours of travel and then determine the bottleneck at the bridge. One of the arguments for this project was that as a matter of right they can build single family homes and it would place financial demands on the Board of Education. The tax revenue from this project would not cover the amount of fire rescue, EMT, and other public services that continue to make demands on the town now. The side view of this unit is three stories high 38 ft. high and it can be seen. Mr. Vigliotti cleaned up an unsightly property that was in foreclosure but after 20 years of the residents living with the unfinished units. This is not an economic hardship and he has received fair use of the property.

Debbie Henley, 250 Laurel Street stated that she is happy that so many neighbors came tonight. She submitted 57 additional names to her petition opposing the zone change. The Plan of Conservation and Development states preserve the integrity of the older neighborhoods and conserve the natural resources. This commission is in the position to protect our neighborhood and the residents who live there.

Barbara Tucker, 258 Laurels Street stated that the traffic study should have been done earlier in the morning and later in the afternoon. The traffic is already hellacious up to High Street, this is one of the oldest neighborhoods and three story buildings don't belong there.

Andy Gambardella is opposed to this expansion because Laurel Street is a race track now and there are more problems at the lower portion. This building does not fit the neighborhood and the density is too high.

Dennis Amendola, 232 McLay Avenue stated that he is speaking on behalf of his father at 81 Laurel Street. The traffic is a real problem especially at 8:00 a.m. with the school buses. This rubber hose does not count how backed up the road is with traffic. Further, he is a real estate agent and the last house sold in that area for

much less than they owed on their mortgage. Three more buildings do not belong there; property values are down 18%-20% now.

Michael Oliveri, 188 Laurel Street who lives next to Tivoli Gardens looks at the cars and buildings, he can see them clearly. Not to mention the traffic that occurs on the site, visitors fill the visitor's lot every day, and at least three times weekly the emergency medical services are there.

Janet Rosa, 189 Laurel Street, is opposed she has to close all her shades because of the parking lot lights which are directed into her home.

Ron Raggazino, 48 South Strong Street, thanked the commission for their volunteerism and dedication to this commission. You all have a duty to preserve and protect the residents for the first time in a long time. The traffic is extremely heavy; he counted the cars within 6 minutes tonight and there were 76 vehicles, it is only a matter of time before someone dies.

Marty Lendroth, 156 Laurel Street is opposed due to the traffic. A more in-depth traffic study at the High Street Bridge is needed. The propose project is too large; this is not a reasonable development. They need to consider a more realistic development with the concerns of the residents in the area for future generations.

Megan Lendroth, 156 Laurel Street she does not want to wake up and see buildings, she wants to look at trees and animals. She does not want to get killed going to the mailbox.

A Resident asked Attorney Lee if a sewer study was done because the infrastructure is very dated.

Attorney Lee stated that we are at the point of the zone change only.

James Staunton, Town Engineer, stated that the GNWPCA is very strict about design and it will be part of the site plan.

Attorney Cirrillo stated that they will have to come before this commission again.

Chairman Ruocco closed the public hearing at 8:30 p.m. and called for a 5 min recess.

Respectfully submitted,

Roberta A. DeLuca Commission Clerk