

Town of East Haven PLANNING AND ZONING

The East Haven Planning and Zoning Commission held its regularly scheduled meeting Wednesday, April 4, 2009, at 7:30 p.m. at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT in order to transact the following:

Chairman Ruocco called the meeting to order at 7:30 p.m.

Roll Call – 4 Present (Ruocco, Raymond, Murch, and Piccirillo) 1- Absent (Cappelloni)

Alternates – 2 Present (Giamattie and Vastola)

Commissioner Vastola sat as a voting member.

Staff Present – David Anderson, Zoning Official and Assistant Town Attorney, James Cirillo.

1A: Accept / Approve minutes of March 4, 2009 Commission meeting.
Commissioner Raymond moved to accept the minutes.
Commissioner Piccirillo seconded the motion.
Roll call – all in favor. None opposed. No abstentions.
Approved

2: No Old Business

3A: 33 Foxon Hill Road; R-4 Zoning District; this property was the subject of an application, which was denied for a 31 lot subdivision known as “Walnut Hills Estates.” Through the appeal process the court directed this return to Planning and Zoning for compliance of Zoning Subdivision Regulation § 7.3.10.

Attorney Cirillo stated that the applicant appealed the denial of the previous board of December 6, 2006. The court decision found the applicant was aggrieved and the issue with regard to the above noted Zoning Regulation § 7.3.10 regarding dead roads needs to be decided by this commission. This was brought up during the appeal process but at no time during the meeting of December 6, 2006, was it mentioned as a reason for denial, therefore, the court directed this

back to the commission for a decision on the issue of a temporary cul de sac only. This issue needs further research as to its impact.

Chairman Ruocco recognized Attorney Timothy Lee for the applicant. Attorney Lee stated that this was a 31 lot subdivision 6 lots on Thompson Street, 22 on the cul de sac and 3 at the top of the entry to the new road. After numerous meetings with the Town staff and neighbors it was determined to place a gate on Thompson Street for emergency vehicle use only and create a temporary cul de sac which would limit the number of lots to 20 and if that's the reason, then we would eliminate the gate and make it a through road.

Attorney Cirillo disagrees with Attorney Lee's opinion to simply remove the gate would resolve the issue. He believes it would raise bigger issues

Michael Giamattie recalls that the residents in the area did not want the road to come through to Thompson Street. If left as a temporary cul de sac the court decision would allow for 20 houses to be built.

Chairman Ruocco believes if the gate is removed it will cause unforeseen problems.

Commissioner Murch clarified that if the gate were removed this would become a through street.

David Anderson, Zoning Official stated "yes," but he believes if the gate is removed then a new application must be submitted. The traffic impact must be studied. If they go forward with the gate in place then they must reduce the number of lots to 20.

Commissioner Raymond inquired about the drainage because this parcel has a 100 ft. drop and is concerned with the runoff.

Attorney Cirillo stated those approvals are part of the previous submission. The only issue this commission will decide upon is the following regulation § 7.3.10. The appeal was won but the conformity to the regulation is the next step.

Commissioner Murch asked if this was adequate time to identify any adverse affects of the traffic study.

Commissioner Raymond moved to review and table this item.

Commissioner Murch seconded the motion.

Roll call vote – all in favor. None opposed. No abstentions.

Accepted for Review/Tabled

Commissioner Piccirillo moved to adjourn.

Commissioner Raymond seconded the motion.

Voice vote – all in favor. Meeting adjourned at 8: 17 p.m.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk