

**Town of East Haven
PLANNING AND ZONING
Public Hearings
Wednesday, February 3, at 7:00 p.m.
at the East Haven Community Center, 91 Taylor Avenue
East Haven, CT**

Chairman Ruocco called the hearing to order at 7:00 p.m.

Roll Call – 4 Present (Ruocco, Vastola, Murch, and Giamattie) and 1 Alternate sitting on the commission (Suppa) 1 Absent (Raymond), also present and not voting Alternate Pellegrino
Staff Present – James Staunton, PE, Town Engineer, David Anderson, Zoning Official, and Assistant Town Attorney, James Cirillo, Esq.

Public Hearing #1

The petition of Archie Tracy for a Zone Change: 495 Short Beach Road from an existing LI-3 Zoning District to a proposed CB-2 Zoning District.

Chairman Ruocco recognized Mr. Rick Raymond, Giordano and Associates, stated that they are now seeking to change to a CB-2 Zoning District which is more compatible with the plan of development and conservation.

Chairman Ruocco asked if this change is due to the commissions' request and DEP concerns.

Mr. Raymond stated that the DEP prefers the change to a CB-2 Zone.

Commissioner Giamattie asked if ZBA denies your request because the DEP comments which say that the tree-line remain undisturbed will the applicant reduce the size of the building.

Commissioner Murch asked if the CB-2 Zone would have any impact on the plans for the footprint of the building.

Mr. Raymond explained that 7 acres of the 12.93 acres is all tidal wetlands therefore unusable and dictates the size of the building and set backs.

Chairman Ruocco recognized Niki Whitehead, 9 Hilton Avenue, East Haven who wanted to restate what she had said at the previous public hearing. In addition, this zone offers more coverage and because of that she requested that after this goes before Flood and Erosion and Inland Wetland Commission that it come back to the Planning Commission for another public hearing to consider only the 2 acre parcel, to separate the front parcel and consider it based on the original assessor's maps.

Mr. Raymond indicated that due to the wetlands the constraints are already placed on this proposal by virtue of its composition.

Commissioner Murch asked what's the percentage of lot coverage.

Niki Whitehead indicated that it's 9.8% but it shouldn't be considered as one piece.

Commissioner Murch asked the Town Engineer if he had any problem with the proposed plan.

Mr. Staunton indicated he did not, this proposal still will have to go through Inland/Wetland and Flood and Erosion Commissions.

Ms. Whitehead indicated to the clerk that the correct name of the group that was present at the previous public hearing was Friends of the Farm River Estuary.

Chairman Ruocco closed the public hearing at 7:40 p.m.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk

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

Roll Call – 5 Present (Ruocco, Vastola, Murch, Raymond and Giamattie). Also present and not voting Alternates Suppa and Pellegrino

Staff Present – James Staunton, PE, Town Engineer, David Anderson, Zoning Official, and Assistant Town Attorney, James Cirillo, Esq.

Item #1 Accept and approved minutes of January 6, 2010 commission meeting.
Commissioner Raymond moved to accept the minutes of the last meeting.
Commissioner Murch seconded the motion.
Roll call vote - All in favor. None Opposed. No abstentions.
APPROVED

Commissioner Raymond nominated Gene Ruocco as Chairman.
Commissioner Vastola seconded the nomination.
Voice vote- all in favor. None opposed. No abstentions.

Chairman Ruocco nominated Rick Raymond as Vice Chairman.
Commissioner Giamattie seconded the nomination.
Voice vote- all in favor. None opposed. No abstentions.

Item #2 495 Short Beach Road; LI-3 Zoning District: Zone Change Application to a CB-2
Zoning District.
Commissioner Murch moved to approve.
Commissioner Giamattie seconded the motion.
Roll Call – 4 (Ruocco, Murch, Giamattie, and Vastola) In Favor. None Opposed.
1 Abstention (Raymond).
Motion carried.
APPROVED

Item #3 36 Thompson Street, CD Zoning District, Site Plan Application for demolition of
a single family home and construction of a two story commercial building.

Chairman Ruocco recognized Chris Gagnon of Godfrey Hoffman who stated that the town staff had indicated that the turn analysis was off the mark and he outlined the parking and handicap parking spaces more suitably to the parcel. In addition, he presented the traffic analysis, which is well within the required guidelines.

Commissioner Giamattie asked if the trash receptacle will be in an enclosure and will there be added lighting off of the building.

Mr. Anderson concerns are with the handicap parking space closest to the back of the building which forces the handicap person to cross through the parking lot and on coming traffic. State code states that the parking spaces need to be closest to the entrance.

Commissioner Murch noted that the handicap is closest to the door.

Mr. Anderson stated that it is suppose to be closest to the front entrance.

Mr. Staunton stated with one way in and one way out it would allow for a handicap space to meet the 16 ft. requirement. The tuning template is difficult for a delivery truck or a larger vehicle. To alleviate some of the space issues they could install an underground detention galley system, which decreases the setback. Then you can put the handicap spaces in the front of the building and the trash receptacle in the back or side.

Mr. Gagnon felt that wouldn't be a problem.

Mr. Anderson stated that the issue with the parking is driven by the size of the building. If you don't decrease the size of the building then a detention system can help you achieve the accurate handicap parking spaces.

Commissioner Raymond moved to table (awaiting new plans).

Commissioner Murch seconded the motion.

Roll Call – All In Favor. None Opposed. No Abstentions.

Motion carried unanimously.

TABLED

204 Hemingway Avenue; R-1 Zoning District Modified Site Plan Application to convert a residential dwelling unit into a limited business/professional office per Section 33.15 of the Zoning Regulations.

Commissioner Raymond moved to table.

Commissioner Giamattie seconded the motion.

Roll Call – All In Favor. None Opposed. No Abstentions.

Motion carried unanimously.

TABLED

Item #4

8-24 Referral related to the proposed abandonment and future sale of a paper street known as Cross Street.

Mr. Anderson stated that the town has no use for this paper road and intends to sell this property.

Commissioner Murch moved to approve a Favorable 8-24 Referral.

Commissioner Vastola seconded the motion.
Roll Call – All In Favor. None Opposed. No Abstentions.
FAVORABLE REFERRAL

683 Thompson Street; R-5 Zoning District, request for an extension of approval for a nine (9) lot residential subdivision pursuant to Section 8-26c(b) of the Connecticut General Statutes.

Attorney Timothy Lee stated that his client is seeking a 5 year extension to do the required site work, based on the state's regulation that he would have the right to do so.

Chairman Ruocco asked what the extent of the work is.
Attorney Lee indicated that the grades were different, off between 10-30 feet.
Commissioner Murch asked if new plans would be submitted.
Mr. Staunton indicated there would be modification of some technical issues and the bonding which has been submitted.

Commissioner Raymond moved to approve a 5 year extension.
Commissioner Vastola seconded the motion.
Roll Call – All In Favor. None Opposed. No Abstentions.
Motion carried unanimously.
APPROVED

Item #5 Site Plan Modification for 522, 524, 538 Main Street, and 45 County Walk Lane.

Chairman Ruocco recognized Chris Gagnon who stated that these four units were not designed with decks but due to a tough market we need to customize and enhance the units. The total square footage has not changed and there won't be any encroachment to the wetlands.
Commissioner Murch moved to approve the site plan modification.
Commissioner Raymond seconded the motion.
Roll Call – All In Favor. None Opposed. No Abstentions.
Motion carried unanimously.
APPROVED.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk