

**Town of East Haven
PLANNING AND ZONING**

**Wednesday, May 5, at 7:30 p.m.
at the East Haven Community Center, 91 Taylor Avenue
East Haven, CT**

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

Roll Call – 5 Present (Murch, Vastola, Giamattie, Raymond, and Ruocco) 1

Alternate Present, not voting (Suppa)

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

1A: Accept / Approve minutes of April 7, 2010 Commission meeting.
Commissioner Raymond moved accept the minutes.
Commissioner Giamattie seconded the motion.
Roll call vote - All in favor. None Opposed. No abstentions.
APPROVED

2A: No Public Hearings.

3A: No Old Business.

4A: 103 Foxon Boulevard; Foxon Park Beverages, Inc.; Site Plan
Modification to construct a 1,504 sq. ft. addition to the south end of
the building.

Commissioner Raymond excused himself from the commission with
regard to this item and Commission Alternate Joe Suppa will be
voting.

Chairman Ruocco recognized Max Ruggiero, Giordano & Associates
who represents the applicant; he stated that this is a simple addition
to extent 3 ft. to the existing building, which a variance has already
been approved. We are providing stamped drawing for the retaining
wall.

Mr. Staunton stated that the drawings do not coincide with the site plan, it states 14 ft at the southeast and the plans show a 12 ft. wall height and it drops down to 8 ft. on the south side.

Chairman Ruocco asked Mr. Staunton if he is comfortable with the details on this plan that differs from the original even though these plans are not complete.

Mr. Anderson stated that the applicant is aware that the plans are incomplete but it was his desire to go forward and is comfortable with the decision the commission makes.

Chairman Ruocco stated that the commission does not typically accept incomplete plans. We can accept the concept pending proper drawings before any construction begins. The problem he has with the design is that we are talking about a 21 ft. wall at 1 to 1 much steeper than allowed. We need to know the slope treatment; this is a structure on the property line it's critical you engineer this wall and slope design to stand indefinitely.

Commissioner Giamattie asked if there will be any safety feature on the retaining walls.

Mr. Anderson, Zoning Official stated that both retaining walls will need fencing on top.

Commissioner Murch asked how long it would take to provide the engineer with proper drawings.

Mr. Anderson stated that maybe the commission should table this item due to the substantial changes to the plan.

Commissioner Murch moved to approve the site plan modification with the conditions that the plans should include detailed construction and meet all the requirements of the Zoning Official and the Town Engineer or they must return to the commission for further approval.

Commissioner Giamattie seconded the motion.

Roll call vote - All in favor. None Opposed. No abstentions (Mr. Suppa voted and Mr. Raymond was excused from the commission for this item).

4B: 683 Thompson Street; Valle View Subdivision: Subdivision Modification to an approved 9-lot subdivision.

Robert Criscuolo, PE and land surveyor represents the applicant for the Valle View Subdivision who is requesting modifications to the approved subdivision, which are as follows:

- Waive the installation of sidewalks and provide the funds to the town.
- Decrease the width of the road from 30 ft. to 26 ft.
- Eliminate the retaining wall at the entrance of the cul de sac and grade the slope and provide a geotechnical study.
- Eliminate the detention pond behind lots 2 and 3.
- Provide 4 easements for grading activities.

Decrease the size of the road for a subdivision that is less than 10 lots is recommended by the town's zoning regulations. In addition, it provides for lesser amount impervious surface. Eliminating the sidewalks provides the first lot less sidewalks to maintain and allows for a snow shelf. The cost of the sidewalks will be provided to the town for sidewalks in the amount of \$42,000 for disrepair elsewhere in town. Eliminating the drainage pipe will also eliminate the need to provide continued maintenance.

Chairman Ruocco would like to see these funds maintained by a fund to repair sidewalks in town where needed. The town engineer should create a mechanism with the town attorney to set aside the funds solely for sidewalk repair.

Commissioner Giamattie would like to see the road remain 30 ft. in width and sidewalks for kids. The bus needs to pick up kids safely.

Commissioner Murch believes that the decreasing the width of the road to 26' makes sense environmentally. But has concern with regard to eliminating the sidewalks especially if pedestrian traffic is generated by virtue of the development. There should be some provision to walk safely on the road.

Mr. Criscuolo stated that it's possible to place a sidewalk only on one side of the subdivision.

Mr. Anderson stated that this area is zoned R-5 because it is less dense and these sidewalks will remain sidewalks to nowhere, it makes sense.

Commissioner Murch asked if there will be street lights on this road.

Mr. Anderson indicated that there will not be street lights, it is not required it's not incorporated in the subdivision approval and the utilities are underground. Sidewalks to nowhere could possibly lead to a dangerous situation, this is a unique situation.

James Staunton, Town Engineer stated that most people take no responsibility to maintain sidewalks especially 300 ft. not in front of their homes, he does not encourage sidewalks.

Chairman Ruocco stated because there are only 9 house a 26 ft wide street is appropriate.

Commissioners Giamattie, Raymond and Murch would like to see sidewalks on one side of the subdivision and the developer will place \$21,000.00 into a fund to repair sidewalks elsewhere in town. Commissioner Giamattie would like the road to remain at 30 ft. wide.

Chairman Ruocco asked Mr. Staunton his opinion of the changes. Mr. Staunton stated that the changes are pretty straight forward, the slopes will be qualified by a licensed professional geotechnical engineer and the road meets regulations at 26 ft. wide.

Commissioner Raymond moved to approve the modifications of the retaining wall, changing the width of the road to 26 ft. wide, sidewalks on one side of the subdivision, and eliminate the drainage pipe; along with any requirements of the Town Engineer and Zoning Official.

Commissioner Vastola seconded the motion.

Roll Call – 4 In Favor (Ruocco, Vastola, and Raymond). 1 Opposed (Giamattie). No Abstentions.

APPROVED WITH CONDITIONS

- 4C: 491 B Main Street; Administrative Site Plan approval to occupy existing commercial space with a realty call center.

ADMINISTRATIVE APPROVAL

5A: Fee Schedule Increase

Mr. Anderson stated that due to the change in the State of Connecticut increasing the land use fees from \$30.00 to \$60.00 all municipalities are required to increase their fees.

Commissioner Giamattie moved to approve the fee increase.

Commissioner Raymond seconded the motion.

Roll call vote - All in favor. None Opposed. No abstentions.

APPROVED PER STATE DIRECTIVE

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk