

**Planning and Zoning Commission
Public Hearing
Wednesday, June 1, 2011 at 7:00pm
East Haven Community Center; 91 Taylor Avenue**

Chairman Ruocco called the hearing to order.

Clerk-Roll Call – 5 Present: Raymond, Giamattie, Murch, Vastola, and Ruocco
Staff Present – James Staunton, PE, Town Engineer, David Anderson, Zoning Official, and Assistant Town Attorney, James Cirillo, Esq.

Chairman Ruocco stated that the Planning and Zoning Commission is in receipt of a letter from Attorney Leonard Fasano withdrawing the application for a Zone Change Application for 155 Short Beach Road to rezone the property from an existing R-3, Residential Zoning District to a proposed townhouse style residential dwelling units.

This application will be withdrawn without prejudice. The Chairman thanked everyone, the commission appreciated their input and the public hearing will be closed.

Ann DellaCamera asked to make a comment as to why no one was notified during the first approval, it was approved without a public hearing and will we be notified in the future for the a public hearing to extend the approval.

Chairman Ruocco stated that as long as the public agrees and this is the only question the commission will allow. There will be no new public hearing but the law dictates that the applicant would have to go before Inland/Wetland Commission with uncharted wetlands. We will accept for review and deal with it at that time.

Chairman Ruocco closed the public hearing.

Planning and Zoning Commission
Wednesday, June 1, 2011 immediately followed the public hearing.
East Haven Community Center; 91 Taylor Avenue

Chairman Ruocco called the hearing to order.

Clerk-Roll Call – 5 Present: Raymond, Giamattie, Murch, Vastola, and Ruocco
Staff Present – James Staunton, PE, Town Engineer, David Anderson, Zoning
Official, and Assistant Town Attorney, James Cirillo, Esq.

1A: Accept / Approve minutes of May 4, 2011 Commission meeting.

Commissioner Vastola moved to accept the minutes.

Commissioner Raymond seconded the motion.

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

APPROVED

2A: 155 Short Beach Road; The continuation of a public hearing regarding the petition of RT Enterprises of East Haven, LLC for a Zone Change Application for 155 Short Beach Road to rezone the property from an existing R-3, Residential Zoning District to a proposed Planned Elderly Facilities District (PEFD) for development of 51 age-restricted townhouse style residential dwelling units.

APPLICATION WITHDRAWN

3A: No Old Business.

4A: 155 Short Beach Road / Three Stone Pillars Road; Request for an extension of approval for an 11-lot subdivision originally approved on July 6, 2005.

Chairman Ruocco stated that this was received by the Zoning Official this will be reviewed and there won't be a Public Hearing.

Commissioner Raymond moved to accept for review.

Commissioner Murch seconded the motion.

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

ACCEPTED FOR REVIEW

4B: 460 Main Street; Site Plan Application for a proposed 1,360 square foot pre-engineered steel building in the rear of the property to be utilized under permitted use line # 58 (painting, sheet metal, woodworking, black-smith, welding, tire recapping and machine shops).

Chairman Ruocco recognized John Paolillo the applicant who stated that his intent is to erect a similar building as he previously intended; he has change the site plan with a smaller building and he has a few potential tenants.

Chairman Ruocco stated his concerns that the applicant no longer requires a variance is this use restricted by the regulations.

Zoning Official, David Anderson stated that the applicant has made it very clear that he knows the permitted hours of use and its permitted use line is #58.

Chairman Ruocco stated that with this zoning you are limited.

Commissioner Raymond asked the height of the building.

Mr. Paolillo stated under 20 ft., 16 ft. to the eave and no more than 18 ft.

Commissioner Murch asked if he had a potential tenant.

Mr. Paolillo stated a sheet metal company. When he receives approval he will provide actual drawings of the engineered metal building which will be tan or green, definitely an Earth tone.

Commissioner Vastola asked if the building will have windows.

Mr. Paolillo stated that it will not have window just an overhead door.

Chairman Ruocco stated that the mechanicals must be permitted.

Mr. Paolillo stated that he will be bringing power underground to the building.

Commissioner Raymond asked if the manufacturer of the building didn't provide architectural drawing of the building. Also, the landscaping will it provide 4 ft. white pines.

Mr. Paolillo stated yes, once I get the approval I will place a deposit and then receive the drawings. He indicated that he will be landscaping with some type of pine every 5 to 6 ft.

Chairman Ruocco stated that 6-8 ft. would be more appropriate.

Commissioner Murch stated that the intent is to screen from the residential properties completely.

Chairman Ruocco asked about silt fencing during construction and will there be a security fence.

Mr. Paolillo stated that it is on the print and no there will not be a security fence.

David Anderson, Zoning Official stated some of the conditions of approval are as follows: submit architectural and utility plans, trees to buffer the residential properties 6-8 ft. apart and taller than 4 ft. in height, reconfigure the handicap parking in order to extend the buffer area, and provide lighting plan.

Commissioner Giamattie asked the location of the driveway lights.
Mr. Paolillo stated that the poles can not be set yet.

Commissioner Murch moved to approve with conditions.
Commissioner Raymond seconded the motion.
Roll call vote - All in favor. None Opposed. No abstentions.
APPROVED WITH CONDITIONS

4C: 35 Foxon Boulevard; Site Plan Application for a proposed professional office building.

Commissioner Raymond moved to accept for review.
Commissioner Giamattie seconded the motion.
Roll call vote - All in favor. None Opposed. No abstentions.
ACCEPTED FOR REVIEW

4D: 8-24 Referral for proposed improvements (including two bollards, fencing, and an informational kiosk) at the trailhead parking area located at Mansfield Grove Road and Hoop Pole Lane for the Shoreline Greenway Trail.

David Anderson, Zoning Official stated that this recommendation to the town council is to remove the boulder that was place there by the Boy Scouts during a Eagle Scout project and place bollards with a kiosk which will provide maps for the Greenway Trail along with some fencing it will improve the site.

Commissioner Murch stated that he has seen the work done by the Boy Scouts on Short Beach Road and commends the Scouts on a nice job.
He accepted for review and a positive referral.
Commissioner Giamattie seconded the motion.
Roll call vote - All in favor. None Opposed. No abstentions.
FAVORABLE REFERRAL

4E: 8-24 Referral for a proposed 24-foot by 30-foot proposed addition to the Hagan Memorial Library to be utilized as a handicapped-accessible community room.

Mr. Anderson stated that the Library Director, Karen Jensen indicated this addition would make the library much more accessible to those that are handicapped and she would be able to hold more events. This project would be funded by gifts to the library.

Commissioner Murch moved to accept for review and offer a positive referral.

Commissioner Giamattie seconded the motion.

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

FAVORABLE REFERRAL

4F: 8-24 Referral for a proposed additional portable classroom at Ferrara School. Accept for Review, Discussion, Possible Referral.

Chairman Ruocco indicated that currently there are two similar portable classrooms at this school and this is to place a third at this site to allow for all day kindergarten. It will provide more space paid for by a grant and capital improvement.

Commissioner Vastola moved to accept for review and provide a positive referral.

Commissioner Giamattie seconded the motion.

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

FAVORABLE REFERRAL

4G: 8-24 Referral for proposed portable classrooms at Overbrook School.

Chairman Ruocco stated that this is for all day kindergarten and this process moving forward will depend on the principal. The Mayor and Mr. Mauro have funds from capital improvement of \$500,000, they have located refurbish portable classrooms from Newton, CT, and we have made an offer of \$200,000, from \$1 million and now the purchase will lie in the hands of the School Building Committee.

Commissioner Murch asked is it the goal to get these in operation for September.

Chairman Ruocco stated their hope is to get it completed as soon as possible.

Commissioner Giamattie move to accept for review and provide a positive referral.

Commissioner Murch seconded the motion.

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

FAVORABLE REFERRAL

- 4H: 495 Short Beach Road; Request for a traffic analysis waiver for the proposed self-storage facility conditionally approved by the Planning & Zoning Commission on July 7, 2010. Request for a six-month extension of the conditional approval to allow the applicant additional time to get final site plan approval and ultimately zoning permit approval in accordance with Section 33.6.2 of the Zoning Regulations.

Commissioner Rick Raymond excused himself from the commission and Alternate Joseph Suppa took his place.

Mr. Raymond addressed the commission, he stated that he represents Anthony Giordano and Associates who have been representing the applicant. He further stated that the DOT District 3 engineer has provided a trip generation calculation, this project will have little to no impact, therefore we are seeking a traffic study waiver and a 6 month extension to meet the drainage requirements.

David Anderson, Zoning Official stated that he is not comfortable with approving a waiver regarding the traffic study, this is a state highway. This site needs to have all state regulation applied for turning, movement and additional stripping for larger vehicles.

Chairman Ruocco asked if we could place conditions.

Mr. Anderson stated that he is not comfortable with a broad list of conditions as part of the submittal.

Commissioner Murch he doesn't believe the commission should set a precedent in lieu of a complete traffic study.

Mr. Anderson stated that he does not doubt the numbers.

Chairman Ruocco stated all do respect to the staff there are others that should have the opportunity to see the study in hand.

James Staunton, Town Engineer stated that he has some concerns with the ingress/egress turn heading westbound especially during construction. He believes there should be a turning lane because it will cut off the traffic on the road way and proper site lines need to be established. Also, there are drainage deficiencies directly in front of the property and it's not a simple answer.

Mr. Raymond stated that everything drains to the wetlands.

Mr. Staunton stated that the drainage problem in front of the site is your problem that can be managed.

Commissioner Murch stated that there isn't catch basin on the plan.

Mr. Raymond stated that this is not the final set of plans.

Mr. Staunton stated there is still a need for a retention basin in the back of the site.

Mr. Anderson stated a traffic report is required.

Chairman Ruocco asked if a conditional approval for 6 months would be allowed.

Attorney Cirillo stated that it is possible as long as all the issues are addressed at the end of the 6 months.

Commissioner Murch stated that he does not feel comfortable deviating from the regulations.

Mr. Anderson asked if there is a likelihood of this moving forward.

Mr. Raymond stated that his client is not funding this, he has the piece up for sale, and I'm trying to finish what I started.

Mr. Anderson stated with all due respect, putting a project on the shelf with no incentive concerns me as the towns planner.

Attorney Cirillo recommends that this item be tabled.

Commissioner Vastola moved to table.

Commissioner Giamattie seconded the motion.

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

Commissioner Murch moved to adjourn.
Commissioner Vastola seconded the motion.
Voice vote- all in favor. None opposed. No abstentions.
Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Roberta A. DeLuca
Commission Clerk