

**Town of East Haven  
PLANNING AND ZONING  
Public Hearings**

**Wednesday, January 6, at 7:00 p.m.  
at the East Haven Community Center, 91 Taylor Avenue  
East Haven, CT**

Chairman Ruocco called the public hearing to order at 7:00 p.m.  
Roll Call-4 Present (Ruocco, Murch, Vastola, and Giamattie, alternate)  
Absent – 2 (Raymond and Cappelloni)  
Staff Present-Zoning Official, David Anderson, Assistant Town Attorney,  
and Town Engineer, James Staunton, PE.

Chairman Ruocco called the Public Hearing to order at 7: 01 p.m.

Roll call – 4 Present (Ruocco, Vastola, Murch, and Giamattie)  
Staff Present – Town Engineer, James Staunton, PE, and David Anderson,  
Zoning Official

Public Hearing #1

Chair recognized Rick Raymond, Project Manager with Anthony Giordano, and Associates. Mr. Raymond stated that they are seeking a zone change from an LI-3 to LI-1 zone; the plan calls for a four story 69,000 square foot building. The Long Island Sound Program required soil testing be preformed because of the proximity to the tidal wetland and we complied with the measurements of the high tide dates. If we do not go forward with the storage facility, we are asking as part of the approval that if the project does not go forward the zone will revert back to LI-3 zone. We are not requesting a CB Zone because it restricts the height of the building and would result in us going before the Zoning Board of Appeals as we would then be creating our own hardship.

Mr. Anderson stated that this zone change would allow for bulk storage, freight, building material, and motor vehicle repair and sales, etc. An LI-1 zone would not be consistent with the plan of development.

Mr. Raymond further stated that this is a “state of the art” facility and at the current zoning we would have to get a variance for the height requirement. We still must go through the Flood and Erosion Commission.

Chairman Ruocco stated that the condition to revert back to the original zone is rare and something I’ve never heard before.

Mr. Anderson stated that the requested zone change is not suitable and that there are other zones that are much more appropriated and compatible.

Mr. Raymond stated that with the CB zone we would be creating our own hardship.

Commissioner Murch asked what’s the height of the proposed building.

Commissioner Giamattie stated that the LI-1 zone is better for the height you’re seeking.

Chairman Ruocco recognized Chris Peterson of the Farm River Estuary Real Development asked that in making this decision please consider the river and marsh. Any zone change will have an enormous affect on the marsh and tidal wetland. Any encroachment of the marsh land is considered by the professionals to cause the disappearance of the wild osprey.

Chairman Ruocco recognized Niki Whitehead, 9 Hilton Avenue East Haven who stated that the perspective of this site is at the estuary; 800 yards from where the site and the estuary is this vital resource for the wild osprey. They are very high in the food chain and any pollutant will adversely affect their survival. The storm water is an enormous issue because fresh water is a pollutant which somewhat compromises the tidal flow by decreasing the salinity, and effects growth of the phragmites. This industrial zone change would adversely affect the area.

Commissioner Murch asked why not change the zone to a CB-2 zone which would be much more compatible and contiguous with the surrounding zones.

Chairman Ruocco stated that he is more concerned with the depth of the building more than the height of the building.

Mr. Raymond repeated their intent and Mr. Anderson stated that once the building is built and the zone changes it does mean that it can't be knocked down and something else built on that site which falls into this broader zone. After all there was a building knock down recently on this very site.

Mr. Raymond stated that he will bring the commissions concerns to the developer for downsizing.

## **Public Hearing #2**

Commissioner Raymond is now seated on the commission and present.

Chairman Ruocco recognized Tom Flynn, Maxton Technology is part of site development and is seeking, on behalf of Clearwire Communications, approval for wireless internet communication located at 455 Coe Avenue. The intent is to locate an antenna on a tripod on the roof with a cabinet located in the middle of the building approximately the size of a refrigerator. We are limited to existing taller structures due to the proximity of the Airport and the FAA requirements. These antennas are microwave for wireless internet service.

Chairman Ruocco asked if there are users in East Haven.

Mr. Flynn stated that this is part of the launching of critical mass sites for fall of 2010.

Chairman Ruocco asked what the distance is between antennas.

Mr. Flynn stated the antennas are about a mile apart and will work on a microwave relay system which is a much faster system.

Commissioner Vastola asked if this system would interfere with other signals and if there are any harmful frequencies.

Mr. Flynn stated that it will not interfere because it is an extremely high frequency which meets with FCC standard at .01% of maximum exposure.

James Staunton, Town Engineer asked if they have any mapping from Tweed New Haven Airport.

Mr. Flynn stated that it works on a computer data base.

Mr. Anderson stated that he supports the special exception; it is non-intrusive with no major impact to the site.

Chairman Ruocco closed the public hearing at 8:05 p.m.

Respectfully submitted,

Roberta A. DeLuca  
Commission Clerk

**Town of East Haven  
PLANNING AND ZONING  
Minutes/Regular Meeting**

**Wednesday, January 6, 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 8:10 p.m.

Roll Call- 4 Present (Ruocco, Murch, Vastola, and 1 alternate (Giamattie)

Absent 1 (Cappelloni)

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

1A: Accept / Approve minutes of December 2, 2009 Commission meeting.

Commissioner Raymond moved to accept the minutes of December 2, 2009.

Commissioner Murch seconded the motion.

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

APPROVED

2A: 495 Short Beach Road; LI-3 Zoning District; Zone Change Application from LI-3 to LI-1.

Commissioner Murch moved to table this item to allow the applicant to request a change to a CB-2 Zoning District.

Commissioner Giamattie seconded the motion.

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

TABLED

2B: 441 Coe Avenue; RA-1 Zoning District; Special Exception Application for the location of a wireless telecommunications site.

Commissioner Raymond moved to approve.

Commissioner Vastola seconded the motion.

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

APPROVED

3A: No Old Business.

- 4A: 8-24 Referral related to the State of Connecticut's proposed acquisition of a traffic easement from the Town of East Haven for the project Main Street Signal Improvements.  
Mr. Anderson explained that this is simply to install a walk light on the site and he recommended a favorable referral.

Mr. Staunton stated that this is part of the traffic signalization project with the State of Connecticut.

Commissioner Vastola moved to provide a favorable 8-24 Referral.  
Commissioner Raymond seconded the motion.  
Roll Call – All In Favor. None Opposed. No Abstentions.  
FAVORABLE REFERRAL

- 4B: 36 Thompson Street; CD Zoning District; Site Plan Application for the demolition of a single family home and construction of a two story commercial building with a first floor retail space and a second floor office space.  
Chairman Ruocco recognized Chris Gagnon, Civil Engineer with MEI Construction. He stated that this is a simple conversion of a residential home into a commercial office. They are in compliance with the set backs, storm water management, lighting on site and seven parking spaces.

Commissioner Giamattie stated his concern with the amount of parking space.

Chairman Ruocco asked if a traffic study was done.

Mr. Gagnon indicated that they analyzed the sight line and the result is that they exceed the sight line requirements.

Mr. Staunton believes this site will not impact the traffic on the road way.

Commissioner Giamattie asked what type of business would be at this site.

Mr. Anderson stated that the use of the space would be approved at a later date.

Commissioner Raymond would like the lighting, fencing, traffic study, and plantings as part of the conditions of approval.

Commissioner Raymond moved to accept for review and table.

Commissioner Vastola seconded the motion.

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

TABLED

5A: Bond Release Request, Thompson Hills Estates.

Mr. Staunton stated that all requirements were satisfied.

Commissioner Murch moved to release the bond.

Commissioner Vastola seconded the motion.

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

APPROVED

5B: 204 Hemingway Avenue site plan modification for a professional office.

Chairman Ruocco recognized Anthony Scalia applicant who explained that he intends to create a modest professional office with two handicap parking spaces. The parking lot has ease of access from Tyler Street.

Chairman Ruocco and Commissioner Murch were concerned with the number of parking spaces.

Commissioner Murch moved to accept for review.

Commissioner Raymond seconded the motion.

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

ACCEPTED FOR REVIEW

Respectfully submitted,

Roberta A. DeLuca  
Commission Clerk