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## Planning and Zoning Minutes

The East Haven Planning and Zoning Commission held a regular meeting on Wednesday, November 4, 2020 at 7:00 PM at the East Haven Senior/Community Center at 91 Taylor Avenue, East Haven and via videoconference and conference call as noted above to conduct the following:

Chairman DeMayo called the meeting to order at 7:04 p.m.

I. Roll Call  
5 Members-Quorum Present

II. Administrative Actions  
Approve of Minutes from the October 7, 2020 meeting.  
Commissioner DiSilvestro moved to accept the minutes.  
Commissioner Tarducci second the motion.  
Voice Vote-All in favor. None opposed. No abstentions.  
Approved

III. Public Hearings

1. Public Hearing # 1: Amendments to Zoning Regulation Changes – (Adoption of entire Zoning Regulations).  
Assistant Town Attorney Coppola indicated that the commission chooses to wait until the public can participate in person, therefore this remains tabled due to new restraints as it relates to the Covid-19.  
Tabled

IV. Site Plans

1. Site Plan #1: 20-11-S: 912 Foxon Road: Application for Modified Site Plan. Request for food preparation and take-out business for salads and sandwiches and juice bar. Owner: 912 Foxon, LLC; Applicant: Racquel Bryan.

Chairman DeMayo recognized Racquel Bryan, 1141 Kossuth Street, Bridgeport, CT. Ms. Bryan indicated that her application is for a Juice Bar and Salads for takeout only; the hours of operation are M-F 8:00 a.m.-8:00 p.m., Sat. 10:00 a.m.-10:00 p.m., some meal preparation will take place, and confirmed shared parking per the landlord. Deliveries will be twice a week at 5:00 a.m.

Chairman DeMayo asked what is the total square footage and how much for preparation?

Ms. Bryant indicated approximately 1,300 and a section of the kitchen near the front counter for salad preparation. There are a few chairs to sit and wait for food. No tables 4 stools to wait at the counter.

Commissioner Asid stated the additional information submitted indicates you have 7 parking spaces plus it is shared parking and take out only.

Ms. Bryan indicated that it is all shared parking.

Chairman DeMayo asked the length of the lease agreement.

Ms. Bryan indicated a 5 year lease.

Attorney Coppola indicated that we have some new exhibits. The new narrative will be exhibit #1, a letter from the landlord indicating that it is shared parking exhibit #2, and a photograph of the parking lot taken by the Assistant Zoning Officer Ellen Pellegrino exhibit #3, and a copy of the commercial lease agreement exhibit #4.

2. Site Plan #2: 20-13-S: 365 Hemingway Avenue: Application for Modified Site Plan. Request for medical facility on the first floor Priority Urgent Care. Owner: Karen Noccioletti; Applicant: Daksh Rampal, M.D.

Chairman DeMayo recognized Architect Daniel LaMontagne, Southington, CT who represents the applicant. Dr. Rampal and his wife own two additional urgent care facilities in Connecticut. The site is an approved use for an urgent care facility with 2600+ sq. ft. on the first floor and 1900 sq. ft. on the second floor, which will not be in use for this facility. The first floor will include 5 exam rooms, X-ray room, waiting room, small lab, staff room, and the doctor's office. The site allows for 32 spaces. The lease with the nail salon is with the current owner not an issue for the future owner. If at any time they would like to utilize the second floor space they could certainly lease some spaces from Wells Fargo Bank.

Chairman DeMayo asked how many employees do you anticipate.

Mr. LaMontagne indicated 6.

Commissioner Tarducci asked what the hours would be in the short term.

Mr. LaMontagne stated M-F 8-8:00 p.m., weekends 9-5:00 p.m.

Chairman DeMayo asked if there will be any work to the facade.

Mr. LaMontagne indicated possibly repointing and sealing of the windows. We had a structural engineer inspect the building and we are awaiting the condition of the roof before moving forward with the purchase.

3. Site Plan #3: 20-14-S: 1270 North High Street: Application for Modified Site Plan. Request for additional ADA compliant parking stalls, upgrades and renovations to all floors to improve the site and/or comply with ADA recommendations. Owner: Woodview Associates; Applicant: Melissa Cox.

Commissioner DiSilvestro moved to set a public hearing date for 12/2/2020

Commissioner Shaul second the motion.

Voice vote-All in favor. None opposed. No abstentions.

**Public Hearing set for 12/2/2020**

V. Zone/Text Change

3. Zone/Text Change # 2: 20-02-Z: 49, 57 & 63 Coe Avenue: Application for a Zone Change: – (R-1 to PDD). Request to create a Planned Development District in accordance with the requirements of Section: 26.2.4.4. Owner/Applicant AG&L Properties, LLC.

Commissioner Asid moved to set a public hearing date for 12/2/2020

Commissioner DiSilvestro second the motion.

Voice vote-All in favor. None opposed. No abstentions.

**Public Hearing set for 12/2/2020**

V. Deliberation Session

**Application #20-11-S: 912 Foxon Road**

Commissioner Asid stated she was satisfied with the presentation.

Chairman DeMayo feels that he now has a better understanding of what the applicant is doing.

Commissioner Tarducci stated her commitment to a 5 year lease shows her dedication.

Commissioner DiSilvestro moved to approve.

Commissioner Asid second the motion.

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

**Approved**

**Application #20-13-S: 365 Hemingway Avenue**

Chairman DeMayo this is a large building with enough parking and the possibility for leasing additional spaces.

Commissioner DiSilvestro believes the applicant has quite a commitment to this project to spend all this money just to check out the viability of the building. He also asked the applicant if he has a purchase and sale agreement.

Mr. LaMontagne stated it is pending the inspection of the roof.

Commissioner DiSilvestro moved to approve.

Commissioner Tarducci second the motion.

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

**Approved**

VI. Administrative Approval by Zoning Enforcement Officer

**None.**

VIII. Discussion

- A. Discussion of potential wellness center use in a PDD at 100 South Shore Drive.
- B. Discussion of zoning status of 218 Foxon Road.

C. Discussion of zoning status and proposed use of 301 Foxon Road.

IX. December 2020 and January Through December 2021 Meeting Schedule.

Commissioner DiSilvestro moved to approved the schedule.

Commissioner Shaul second the motion.

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

**Approved**

X. Executive Session

Commissioner DiSivestro moved to convene into executive session to include the Assistant Town Attorney Coppola and the Town Attorney Michael Luzzi for the following items A and B.

A. Discuss the status of the pending litigation of The Bluffs, LLC v. Town of East Haven Planning and Zoning Commission (Docket Nos. NNH-CV18-6079780-S and HHB-CV20-6121108-S), and possible action relating to same.

B. Consider whether to convene in executive session to discuss the status of the pending litigation of The Bluffs, LLC v. Town of East Haven Planning and Zoning Commission (Docket Nos. NNH-CV18-6079780-S and HHB-CV20-6121108-S).

Commissioner Tarducci second the motion.

Voice vote-All in favor. None opposed. No abstentions.

Approved

Commission entered into executive session at 8:28 p.m.

Commissioner DiSilvestro moved to come out of executive session at 9:58 p.m.

Commissioner Shaul second the motion.

Voice vote-All in favor. None opposed. No abstentions.

Commissioner DiSilvestro moved to adjourn.

Commissioner Tarducci second the motion.

Voice vote-All in favor. None opposed. No abstentions.

Meeting adjourned at 9:59 p.m.

Respectfully submitted,

Roberta A. DeLuca

Commission Clerk