

**MINUTES FOR MEETING 1609  
A SPECIAL MEETING OF THE  
NEW HAVEN CITY PLAN COMMISSION  
Wednesday, May 25, 2022 at 6:00 PM  
WEB-BASED MEETING HOSTED ON ZOOM**

**To view meeting materials, and meeting recording, visit:**

<https://cityplancommission.newhavenct.gov/pages/may-25-2022-meeting>

**I. ROLL CALL**

Commissioners Present:

Chair Leslie Radcliffe, Vice Chair Edward Mattison,  
Commissioner Joshua Van Hoesen, Commissioner Alder Adam  
Marchand, Commissioner Ernest Pagan, Ex-officio  
Commissioner City Engineer Giovanni Zinn

City Staff Present:

Director Laura Brown, Deputy Director of Zoning William  
Long, Planner Esther Rose-Wilen, Assistant City Engineer  
Dawn Henning, Attorney Roderick Williams

**II. DELIBERATIONS**

Deputy Director Long called the items.

Commissioner Van Hoesen stated for the record that he had reviewed all materials associated with the application and was prepared to engage in deliberations as an informed party.

Planner Rose-Wilen summarized updates to the staff reports since the May 5, 2022 meeting.

Chair Radcliffe initiated discussion on the Petition for Intervention.

Attorney Williams reviewed the steps for accepting or denying the Petition for Intervention.

The Commissioners discussed:

- How to identify/define “unreasonable” impact on the public trust
- Any scientific evidence and public testimony presented to support either the claims of the Applicant or Petitioner
- Whether to deliberate on the Petition for Intervention separately from deliberations on the Special Permit and Coastal Site Plan Review

The Commissioners moved into deliberations on all matters (Petition for Intervention, Special Permit, Coastal Site Plan Review).

Vice Chair Mattison read his own prepared written deliberations into the record (attached to these minutes).

The Commissioners discussed:

- Coastal access from the site’s waterfront portions

- Alternatives to current operations that would mitigate environmental impact that could be required of the applicant through conditions of approval
- Whether different city departments could make recommendations on appropriate conditions of approval
- Whether a condition of approval could be a requirement to attend CMT meetings
- Commissioners expressed the need for frequent enforcement of the site by City Officials
- A time limit shorter than 5 years for the Special Permit (2 years and 1 year proposed)
- 7:45 Alder Marchand made some suggestions on conditions
- Potential for periodic reporting requirements
- Generate a traffic and idling mitigation plan within 3 months and submit to City Plan and subsequently report 3 months thereafter
- Limit the holding time of incidental putrescible waste to prevent overnight and over the weekend storage on site and storage must be airtight while the waste is onsite
- Cleaning of trucks that drop off to MRR
- Generate a plan for further reducing the amount of time incidental putrescible waste remains on site, within 3 months and submit to City Plan and subsequently report 3 months thereafter (odor mitigation plan)
- Prevent MRR from receiving dry waste delivered in trucks that also haul wet waste
- The importance of the enforcement of the City's Noise Ordinance
- Mail staff reports to the abutters after a decision is made or disseminate in another way
- The City Plan Department offered to convene community members, technical experts from the city, and the applicant separate from and subsequent to this application process.

**Commissioner Alder Marchand moved that the intervenor's petition be denied at 8:45PM. 5-0 in favor.**

**Commissioner Alder Marchand moved to approve the Special Permit with conditions of approval as amended at 8:46PM. 5-0 in favor.**

**1602-06      19 WHEELER STREET aka 'FAIRMONT AV'**

MBLU: 082 0974 02001

**Owner:** Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:** Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

**Special Permit**

Renewal for an existing solid waste facility in the Coastal Management area in the IH Zone.

**1602-05      19 WHEELER STREET aka 'FAIRMONT AV'**

MBLU: 082 0974 02001

**Owner:** Airline Avenue Realty LLC; **Applicant:** Murphy Road Recycling LLC; **Agent:** Meghan Miles, Carmody Torrance Sandak & Hennessey LLP

**Site Plan Review and Coastal Site Plan Review**

Existing solid waste facility in the Coastal Management area in the IH Zone.

The Commissioners discussed:

- Whether Section 60.2 on Reflective Heat applies to the site
- Proposed site modifications
- The ELUR on the site that triggers the requirement for DEEP approval of the excavation associated with the stormwater management upgrades
- Vehicle traffic in the flood zone

**Commissioner Alder Marchand moved to approve the Coastal Site Plan at 8:59pm. 5-0 in favor.**

**III. MINUTES OF MEETINGS**

Meeting:

- Meeting #1608 (May 18, 2022)

**Commissioner Alder Marchand moved to approve 1608 minutes at 9:00PM. 5-0 in favor.**

Vice Chair Edward Mattison announced that he would be resigning the Commissioner for at least one year.

The Commissioners and Staff commended Vice Chair Mattison for his service, thoughtfulness, insight, commitment, dedication to the community and lives of New Haven residents, leadership and mentorship as a member of the Commission.

**Commissioner Alder Marchand moved to adjourn at 9:08PM. 5-0 in favor.**

**NOTE:**

Wednesday, June 15, 2022 at 6:00 PM (Submission deadline: May 19, 2022 by 12:00 PM)

**NOTE:**

The City Plan Commission agenda is available on the City website one week before the meeting date. Written testimony should be submitted to City Plan staff 24 hours in advance of each public meeting. Draft agendas will continue to be shared with the CPC distribution list via email and posted on this webpage and the City Plan Department website one week before each public meeting. Final agendas will be posted on the commission webpage and on the City Plan Department website 24 hours in advance of each public meeting. Updates will occur to the web agenda as necessary. Official agenda is filed with the City Clerk at least 48 hours before the meeting time.

**NOTE:**

Since the meeting is remote, participation by a quorum of members is expressly prohibited at the physical location will not be present however any member of the public may request, in writing, a physical location and “any electronic equipment necessary” to attend the meeting in real time no later than twenty-four (24) hours prior to the meeting. Said individual shall have the “same opportunities to provide comment or otherwise participate” in the meeting as would be afforded if the meeting

was held in person with the following exception: Under law, if such person loses the ability to participate because of an interruption, failure or degradation of such person's connection to the meeting by electronic equipment the committee is not required to adjourn or postpone the meeting.

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**From:** [Edward Mattison](#)  
**To:** [Esther Rose-Wilen](#); [CPC](#); ["leslie.radcliffe@sbcglobal.net"](#); [Adam Marchand](#); [adammarchand25@gmail.com](#); ["Ernest Pagan"](#); ["Ernest Pagan"](#); [Giovanni Zinn](#); ["edwinmartinez96@gmail.com"](#); ["cq@meneogoldfield.com"](#); [ackman.jvanh1@gmail.com](#)  
**Cc:** [William Long](#); [Laura E. Brown](#); [Michael Piscitelli](#); [Anne Hartjen](#); [Nathaniel Hougrand](#); [Roderick Williams](#)  
**Subject:** RE: City Plan Commission May 25 Special Meeting  
**Date:** Wednesday, May 25, 2022 5:29:55 PM

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To: My colleagues at the City Plan Commission  
From: Edward Mattison, Deputy Chair  
Re: 19 Wheeler St.

I have been writing something to help me clarify my own thinking about the Wheeler St. case that we will be voting on soon. I am not sure that this is my final position, but I hope that it might be of use to you also in making your decision. I expect that hearing what you think will change my thinking as mine may show you something you had overlooked.

I am now sure that we should not try to close down the dry garbage enterprise that the applicant has been running for many years. It employs a number of people and performs a valuable service in moving dry waste out of our city. For me, however, that is not the end of the story. The valuable service this company provides is clearly accompanied by several unintended consequences that are doing serious harm to the neighborhood.

My working life involved social services programs that were set up in low-income neighborhoods to try to improve the lives of the inhabitants. We knew that despite our good faith efforts, it was likely that some of our clients might act in a way that would make people who lived in the area uncomfortable. One program was a warming shelter that offered a place to spend the night when the temperature was below freezing and people had no indoor place to stay. Although it put out several trash barrels, the staff saw that some of the clients were dropping trash on the sidewalks and streets in the area. They strongly asked them to use the trash barrels, but some didn't. So, every morning, the program sent out a crew to police the area and make sure that it was as clean as they could make it. Staff knew that not all the trash was from their clients, but they wanted to be good neighbors, so they cleaned the whole block.

I think we need to think about how we can create a situation in which all the interested parties have a similar interest in solving the problems that clearly exist at the transfer station, even if not every problem was completely created by employees of the applicant. One problem with trying to work the issues through, is that the rigid form of the Commission's hearings makes it hard to have a meaningful discussion. My thought is that we might pass a resolution approving the continuing operation of the transfer station for a year or two, but require the operator to work with Commission staff and neighbors in seeking a real resolution

of the issues.

In my mind, there are two sets of problems that really need solutions, and with work, I am sure that solutions can be found. The first set of issues involve the trucks that come every workday beginning early in the morning and race up to dump their loads. Each driver runs the engine continuously to try and jockey to get out in front. Because being first can allow a driver to deliver more than one load in the course of the day, it is worth significant money. Under these circumstances, no sign telling drivers to shut off their motors will have much effect.

Because of this race, the trucks are very loud and emit vast amounts of diesel fumes that are dangerous to everyone, especially children. Maybe, we need a plan that requires that drivers sign up when they arrive, and receive a number which shows the driver his place in line, so that there will be no advantage to racing. I am sure that we are not alone with this problem and others have worked out ways of avoiding a race every day.

The other is somewhat more complicated. Many neighbors of the applicant's business claim that it is the cause of an infestation of noxious odors and rats in their homes. The business owners says if there is such an infestation, it is not caused by his collection and disposal of dry garbage, such as construction debris. The neighbors say that the source of the problem is that the owner actually runs two businesses on the site, and that the other, using the same land, same staff, and same trucks, handles wet and putrescent garbage. They are asking that the Commission forbid him from using the site for anything other than dry refuse.

Although this request presents significant legal and factual issues, I think we owe it to the neighbors, to find a way to find out if their factual claims are true, and if they are, whether we have the power to order the owner to make the changes needed to fix the problem.

We have a lot to talk about and I look forward to tonight's discussion

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**From:** [Esther Rose-Wilen](#)

**Sent:** Wednesday, May 25, 2022 3:57 PM

**To:** [CPC](#); [Edward Mattison](#); '[leslie.radcliffe@sbcglobal.net](mailto:leslie.radcliffe@sbcglobal.net)'; [Adam Marchand](#); [adammarchand25@gmail.com](mailto:adammarchand25@gmail.com); '[Ernest Pagan](#)'; '[Ernest Pagan](#)'; [Giovanni Zinn](#); '[edwinmartinez96@gmail.com](mailto:edwinmartinez96@gmail.com)'; '[cg@meneogoldfield.com](mailto:cg@meneogoldfield.com)'; [ackman.jvanh1@gmail.com](mailto:ackman.jvanh1@gmail.com)

**Cc:** [William Long](#); [Laura E. Brown](#); [Michael Piscitelli](#); [Anne Hartjen](#); [Nathaniel Hougrand](#); [Roderick Williams](#)

**Subject:** RE: City Plan Commission May 25 Special Meeting

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