

**MINUTES FOR MEETING 1633
A REGULAR MEETING AND PUBLIC HEARING OF THE
NEW HAVEN CITY PLAN COMMISSION
Wednesday, July 19, 2023 at 6:00 PM
WEB-BASED MEETING HOSTED ON ZOOM**

To view meeting materials, and recording, visit:

<https://cityplancommission.newhavenct.gov/pages/july-19-2023-meeting>

I. ROLL CALL

Planner Rose-Wilen opened the meeting at 6:02pm.

Commissioners present: Commissioner Alder Adam Marchand, Commissioner Joy Gary, Commissioner Joshua Van Hoesen, Commissioner Carl Goldfield

City staff present: Assistant Director of Comprehensive Planning Anne Hartjen, Planner Esther Rose-Wilen, Attorney Michael Pinto, Assistant City Engineer Dawn Henning

Commissioner Joshua Van Hoesen nominated Commissioner Alder Adam Marchand to serve as Acting Chair. 4-0 in favor.

Commissioner Alder Marchand continued the meeting as Acting Chair.

II. SITE PLAN REVIEW

1632-05 222 SARGENT DRIVE.
MBLU: 228 1304 00800
Owner: New Haven Food Terminal, Inc; **Applicant:** INSA CT Retail II; **Agent:** Carolyn Kone

Site Plan Review

Change of use of >5,000 SF to convert a theater into a cannabis retailer, in the BE Zone.

Moved to the public hearing section of the meeting.

1633-02 770 CHAPEL STREET.
MBLU: 240 0236 01000
Owner: Julie Bernblum of 770 Chapel Street LLC; **Applicant/Agent:** A.M. Bhatt, District Arts and Education

Site Plan Review

Interior renovations on the fourth floor of an existing building for use as educational programming and office space, in a BD-1 zone.

Applicant A.M. Bhatt gave an overview of the project.

Commissioner Van Hoesen moved to approve item 1633-02 at 6:10pm. 4-0 in favor.

1633-03 **156, 174, 180, 192, 208, 216, 220, 224, 230, 236, 246, 258 & 270 WASHINGTON AVENUE; 266 CEDAR STREET; 655, 659 & 663 HOWARD AVENUE**
MBLUs: 277 0114 00100; 277 0114 02400; 277 0114 02200; 277 0114 02100; 277 0114 02000; 277 0114 01900; 277 0114 00601; 277 0114 01800; 277 0114 01700; 277 0114 01600; 277 0114 01500; 277 0114 01400; 277 0114 01300; 277 0114 00200; 277 0114 01000; 277 0114 01100; 277 0114 01200
Owner: Beta 14 LLC / Alpha 9 LLC (Note: 246 Washington Avenue is owned by Alpha 9 LLC. All other addresses are owned by Beta 14 LLC) **Applicant:** Yale University;
Agent: John Schaefer

Site Plan Review

Comprehensive renovation of an existing parking lot known as Lot 47 which is located within the Yale University School of Medicine campus, in the BA zone.

Attorney Joe Hammer introduced the project.
Engineer Brian Philips walked through the civil plans.

The Commissioners discussed:

- Bicycle parking
- The need to renovate the site
- Existing conditions
- Project timeframe
- Where cars will park while lot is under construction

Commissioner Van Hoesen moved to approve item 1633-03 at 6:21pm. 4-0 in favor.

1633-04 **10 YORK STREET and 1 PARK STREET**
MBLUs: 279 0150 00100, 279 0150 00200
Owner/Applicant: Yale New Haven Hospital; **Agents:** Amy E. Souchuns Esq. and John W. Knuff, Esq.

Site Plan Review

Construction of an emergency room building under an existing building at the Yale New Haven Hospital in the BD-2 zone.

Attorney Amy Souchuns introduced the item.
Engineer Kevin McCutchan presented the site plan.

The Commissioners discussed:

- Scope of work proposed
- Use of the space
- The additional condition of approval regarding the BOA certification on the MAOPP

Commissioner Van Hoesen moved to approve item 1633-04 at 6:35pm. 4-0 in favor.

1633-05 **701 & 709 TOWNSEND AVENUE AND RAYNHAM HILL DRIVE.**
MBLUs: 024 0920 02700; 024 0920 02800; 024 0920 03000
Owner/Applicant: East Shore Partners, LLC; **Agent:** Marjorie Shansky

Site Plan Review

Creation of an event facility through rehabilitation of a historic structure and site improvements, in the RS-3 zone.

Attorney Marjorie Shansky introduced the project.
Engineer Todd Ritchie walked through the site plan.

The Commissioners discussed:

- Historic preservation
- Bicycle parking
- The proposed permeable surface parking
- Lighting plan

Commissioner Van Hoesen moved to approve item 1633-05 at 6:58pm. 4-0 in favor.

1633-06 **873, 887 & 897 GRAND AVENUE.**
MBLUs: 209 0579 03701; 209 0579 03700; 209 0579 03900
Owner/Applicant: Moshe Feferkorn, JS Dorothy LLC; **Agent:** Ben Trachten

Site Plan Review

Demolition of existing buildings and construction of a 112-unit residential building with parking on the ground floor, in the BA and RM-2 zones.

Passed over.

1633-07 **45 CHURCH STREET**
MBLU: 240 2351 00100
Owner: David Kuperberg, 45 Cooper Associates, LLC; **Applicant:** Dharini Patel, Divine 1, LLC; **Agent:** Bernard Pellegrino, Esq., The Pellegrino Law Firm

Site Plan Review

Conversion of the ground floor of 45 Church Street into a Hybrid Cannabis Retailer in the BD-1 Zone.

Passed over.

III. PUBLIC HEARINGS (Begin at 7pm)

1632-11 **222 SARGENT DRIVE.**
MBLU: 228 1304 00800
Owner: New Haven Food Terminal, Inc; **Applicant:** INSA CT Retail II; **Agent:** Carolyn Kone

Special Permit

Permit a Cannabis Retailer in the BE Zone.

1632-05 **222 SARGENT DRIVE.**
MBLU: 228 1304 00800
Owner: New Haven Food Terminal, Inc; **Applicant:** INSA CT Retail II; **Agent:** Carolyn Kone

Site Plan Review

Change of use of >5,000 SF to convert a theater into a cannabis retailer, in the BE Zone.

Attorney Carolyn Kone, Applicant Sara Sullivan, Head of Security Brian ?? and Engineer Katy Gagnon presented the application.

The Acting Chair open the floor for public testimony at 7:35pm.

Planner Rose-Wilen stated that one item of written testimony was received, in support of the application.

Topics raised in public testimony included:

- Support for the application
- Historic status of the former Long Wharf theater
- Equity joint venture ownership structure
- Concerns about loitering and smoking on site

The Acting Chair closed the floor for public testimony at 8:11pm.

The Commissioners discussed:

- Concerns about the ownership of the establishment being non-local
- Compliance with the Special Permit criteria

Commissioner Van Hoesen moved to approve item 1632-11 at 8:16pm. 3-1 in favor.

Commissioner Van Hoesen moved to approve item 1632-05 at 8:16pm. 4-0 in favor.

1632-10 420 MIDDLETOWN AVENUE.

MBLU: 133 1048 07300

Owner: Stavros Karadimos; **Applicant:** Affinity Health and Wellness, LLC; **Agent:** Bernard Pellegrino

Special Permit

Permit a Cannabis Dispensary in the BA Zone and Coastal Management Area.

Attorney Bernard Pellegrino introduced the application.

Applicant Ray Pantalena provided additional information on the application.

Planner Rose-Wilen stated that the Commission had received four items of written testimony in opposition to the application and one in favor.

Topics raised in public testimony included:

- Opposition to the application
- Concerns about quality-of-life impacts on residents in the surrounding area
- Parking and traffic concerns
- Proximity to school bus stops
- Proximity to a 21-apartment residential development and other residences
- Proximity to the daycare campus proposed for 25 Flint Street
- Proximity to Betsy Ross school and Bishop Woods school
- Ownership status of the building
- Nuisances created by customers who consume cannabis on the site or close to the site
- Support for the application
- High standard of security at the dispensary
- Distance >500 feet from elementary and secondary schools
- Existing crime in the area and existing problematic businesses in the area
- Concern about non-local owners operating cannabis businesses in New Haven

Planner Rose-Wilen read the distance from elementary and secondary schools requirement directly from the cannabis ordinance.

Attorney Pellegrino and Applicant Pantalena responded to questions and comments raised in public testimony.

The Acting Chair closed the floor for public testimony at 9:19pm.

The Commissioners discussed:

- Concerns about proximity to sensitive receptors
- Concerns about security and enforcement around no smoking on the premises
- Neighborhood opposition

Commissioner Joy Gary moved to deny item 1632-10 due to close proximity to sensitive receptors including an early childhood center at 9:30pm. 2-2. Motion to deny failed.

Commissioner Goldfield moved to table item 1632-10 at 9:45pm. 4-0 in favor. Item tabled, expected to be taken up at the July 26, 2023 Special Meeting.

1632-09 109 COURT STREET.
MBLU: 224 0258 02000
Owner/Applicant: 109-113 Court Street Associates, LLC; **Agent:** Bernard Pellegrino

Special Permit

Permit residential use on the ground floor in the BD-1 Zone.

Attorney Pellegrino presented the item.

Acting Chair Marchand opened the floor for public testimony at 9:58pm.

No one from the public wished to speak.

Acting Chair Marchand closed the floor for public testimony at 10:00pm.

The Commissioners discussed:

- Low foot traffic for businesses on the street
- Need for housing in the city

Commissioner Van Hoesen moved to approve item 1632-09 at 10:02pm. 4-0 in favor.

1633-08 63 AMITY ROAD.
MBLU: 429 1173 01200
Owner: Mastro Investments, LLC; **Applicant:** Nautilus Botanicals EJV2 LLC; **Agent:** Joseph Williams, Shipman and Goodwin, LLP

Special Permit

Permit a Hybrid Cannabis Retailer in the BA Zone.

Attorney Joseph Williams introduced the application.

Applicant Luis Vega introduced the business.
Applicant Connie DeBoever discussed floor plans and security.
Applicant Colin Kelley discussed security and operations.

The Commissioners asked some clarifying questions.

Acting Chair Marchand opened the floor for public testimony at 10:23pm.

Planner Rose-Wilen stated that one item of written testimony had been received in support of the application and one in opposition.

Topics raised in public testimony included:

- Support for the application
- Small manageable size of the business
- Local ownership
- Lack of proximity to sensitive receptors
- Employment opportunities for New Haveners
- Community engagement conducted by the applicant
- Convenient highway access

Acting Chair Marchand closed the public hearing portion at 10:34pm.

The Commissioners discussed:

- Support for the application
- Aldermanic support
- Local ownership
- Compliance with Special Permit criteria
- Thorough traffic study
- Proximity to 1351 Whalley Avenue cannabis retailer
- High concentration of smoke shops in areas near cannabis retailers

Commissioner Van Hoesen moved to approve item 1633-08 at 10:30pm. 4-0 in favor.

1633-09 45 CHURCH STREET.
MBLU: 240 2351 00100
Owner: David Kuperberg, 45 Cooper Associates, LLC; **Applicant:** Dharini Patel, Divine 1, LLC; **Agent:** Bernard Pellegrino

Special Permit

Permit a Hybrid Cannabis Retailer, in the BD-1 zone.

Passed over.

1633-10 1041 STATE STREET, STATE STREET, AND MILL RIVER STREET.
MBLUs: 182 0804 01400; 182 0804 01400; 182 0804 01500
Owner: New Haven Apartment Partners LLC; **Applicant:** David Salinas, Let's Grow Hartford LLC; **Agent:** Benjamin Trachten

Special Permit

Permit a Cannabis Retailer in the IL Zone and Coastal Management Area.

Attorney Ben Trachten introduced the application.
Applicants Janice Flemming-Butler and David Salinas presented on the business.

Acting Chair Marchand opened the floor for public testimony at 10:59pm.

Planner Rose-Wilen stated that ten letters of support for the application had been received.
Topics raised in public testimony include:

- Support for the application
- Support for adaptive reuse of the building
- Positive impact of the project on the community
- Social impact mission of the business
- Appropriateness of the use for the upper State Street commercial corridor

The Acting Chair closed the floor for public testimony at 11:12pm.

The Commissioners discussed:

- Proximity to the ice-skating rink
- Community support for the application
- Compliance with the Special Permit criteria

Commissioner Van Hoesen moved to approve item 1633-10 at 11:19pm. 3-0 in favor.

IV. BOARD OF ALDERS REFERRALS

1633-11 RESOLUTION OF THE NEW HAVEN BOARD OF ALDERS authorizing the City to apply for and accept a grant from the Us Department ff Energy for the Buildings Upgrade Prize (Building Up) in the amount of \$400,000, to partner with Earth Forward Group, LLC to support the design and the implementation of the Decarbonize Fair Haven Program, and to increase energy efficiency improvements for residents located in the Fair Haven neighborhood

Submitted by: Michael Piscitelli, Economic Development Administrator

Economic Development Administrator Michael Piscitelli presented the item.

Commissioner Van Hoesen moved to recommend approval of item 1633-11 to the Board of Alders at 11:24pm. 3-0 in favor.

1633-12 RESOLUTION OF THE NEW HAVEN BOARD OF ALDERS authorizing the City to apply for, act as pass through for, and accept a grant from the Connecticut Department of Economic and Community Development not to exceed \$10,000,000 to support the improvement and economic development of the Whalley Commercial Gateway District.

Submitted by: Michael Piscitelli, Economic Development Administrator

Economic Development Administrator Michael Piscitelli presented the item.

The Commissioners discussed:

- Support for the proposal
- The importance of the St Luke's development project
- The importance of creating affordable housing units

Commissioner Van Hoesen moved to recommend approval of item 1633-12 to the Board of Alders at 11:26pm. 3-0 in favor.

V. BOARD OF ZONING APPEALS

All Board of Zoning Appeals items were passed over, to be taken up at the July 26 CPC Special Meeting.

- 1632-21 71 WELTON STREET.**
MBLU: 152 0842 00700
Owner: AJM CT Realty LLC. **Applicant:** Tom Knapp
- Variations to permit a rear yard setback of 5ft where 12.67ft is permitted, a side yard setback of 5ft where 9.5ft is required, and Coastal Site Plan review for the construction of a new maintenance building. Zone: IH. **23-44-V, 23-45-CAM.**
- 1632-22 410 FERRY STREET.**
MBLU: 167 0770 01400
Owner: RBM LLC. **Applicant:** Esquipulas Bakery LLC.
- Special Exception to allow for a neighborhood convenience use (bakery/café) within a residential zone. Zone: RM-2. **23-47-S.**
- 1632-23 669 DIXWELL AVENUE.**
MBLU: 290 0478 00600
Owner: Abdessamad Bendki. **Applicant:** Benjamin Trachten.
- Special Exception to allow for a neighborhood convenience use (convenience store/bakery) within a residential zone. Zone: RM-2. **23-49-S.**
- 1632-24 45 HAVEN STREET.**
MBLU: 174 0737 01100
Owner: CT 45 Haven LLC. **Applicant:** Benjamin Trachten.
- Variance to permit 888sf of gross floor area per dwelling unit where 1,000sf is required. Coastal Site Plan review to allow for an additional dwelling unit within an existing two-family structure. Zone: RM-2. **23-53-V, 23-54-CAM.**
- 1632-25 29 NICOLL STREET.**
MBLU: 198 0401 00500
Owner: Taraz, Manouchehr Graham & Sean. **Applicant:** Benjamin Trachten.
- Special Exception to allow 0 off-street parking spaces where 1 is required to allow for an additional dwelling unit within an existing three-family structure. Zone: RM-2. **23-56-S.**
- 1633-13 69 GRAND AVENUE, 19 CLINTON AVENUE & PERKINS STREET.**

MBLUs: 160 0761 02100; 160 0761 02200; 160 0761 02101
Owner: City of New Haven. **Applicant:** Pennrose, LLC.

Special Exceptions to permit parking for 19 off-street parking spaces where 59 are required and one loading space where three are required and Coastal Site Plan Review. Zone: BA-1. **23-57-V, 23-58-S, 23-71-CAM.**

1633-14 203 ALDEN AVENUE AND 197 ALDEN AVENUE (REAR).
MBLUs: 385 1102 01900; 385 1102 01800
Owner: 203 Alden, LLC. **Applicant:** Benjamin Trachten

Special Exception to allow for a neighborhood convenience use (bakery and prepared foods) within a residential zone. Zone: RM-1. **23-61-V, 23-62-S**

1633-15 521 COLUMBUS AVENUE.
MBLU: 310 0092 01900
Owner: James Stephens. **Applicant:** Benjamin Trachten.

Special Exception to allow for 0 off-street parking spaces where 1 is required for an additional dwelling unit in an existing structure. Zone: RM-2. **23-64-V, 23-65-S**

VI. ADMINISTRATIVE ITEMS

All administrative items noted as approved by Acting Chair Marchand.

1548-01A1 16 MILLER STREET.
MBLU: 340 0165 01500
Owner: City of New Haven; **Applicant:** Micah Hunter, The NHP Foundation; **Agent:** Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP

Administrative Site Plan Review

Minor modifications to the approved site plan for construction of 10 multi-family townhouses and 56 residential dwelling units in a RM-1 and RM-2 zone.

1623-04A1 TWEED-NEW HAVEN AIRPORT WEST TERMINAL PARKING EXPANSION.
155 BURR STREET, 251 BURR STREET, 10 URIAH STREET, 221 BURR STREET,
391 BURR STREET.
MBLUs: 013 0853 00400, 014 0853 02700, 014 0853 02800, 014 0853 02900, 015 0875
00100, 019 0900 00100, 019 0900 00200, 020 0900 00100, 020 0900 00200, 028 0900
00100
Owner: The City of New Haven; **Applicant:** Meade Hopkins of Avports LLC; **Agent:** Dov Feinmesser, Newman Architects

Administrative Site Plan Review

Minor modifications to a site plan to relocate two parking spaces, in the Airport Zone.

1633-01A 24 HILLHOUSE AVENUE.
MBLU: 244 0332 00300
Owner/Applicant: Yale University; **Agent:** Tara Leibenhaut, Yale University

Administrative Site Plan Review

Administrative site plan review for accessibility improvements to an existing building within PDU 14 in the RH-2 Zone.

1567-05A1 500 WATERFRONT STREET.

MBLU: 081 0954 00200

Agent: Stephen Benben of Triton Environmental, Inc.; **Owner/Applicant:** Steve Carten for Gulf Oil, LP

Administrative Site Plan Review

Minor modification to the approved plans for improvements to the Gulf Oil facility's existing secondary containment system and the elevation of the existing earthen and concrete berms in an IH zone.

VII. MINUTES OF MEETINGS

Meeting:

- Meeting #1632, June 21, 2023

Passed over.

Commissioner Van Hoesen moved to adjourn at 11:31pm

NOTE:

Next Special Meeting of the City Plan Commission:
Wednesday, July 26, 2023 at 6:00 PM

Next Regular Meeting of the City Plan Commission:
Wednesday, September 20, 2023 at 6:00 PM (Submission deadline: August 17, 2023 by 12:00 PM)

NOTE:

The City Plan Commission will take an August recess per the approved annual calendar, therefore there is no July application deadline. Applications received between June 23rd and August 17th at 12pm will be reviewed in preparation for the September 20th CPC meeting.