

PUBLIC HEARING

June 24, 2013

230 Beaver Street
David Pantalone/Quillinan Views LLC

Special Permit

Present: Bart Flaherty, Chairman
Michael Bettini
Jared Heon
Jeff Lawlor

Absent: Andrew Mark
James Martin
Ken Moffat

Others in attendance: Jim Tanner, Zoning Enforcement Officer
Oswald Inglese, P&Z Consultant
Thomas Welch, P&Z Attorney

The Public Hearing of the Ansonia Planning and Zoning Commission to hear the petition by David Pantalone/Quillinan Views, LLC to allow an office in the building located at 230 Beaver Street where there was previous approval for a Day Care Center for forty-five (45) children was called to order by Chairman Flaherty at 7:05 p.m.

All present rose and Pledged Allegiance to the Flag.

There was a quorum present.

Chairman Flaherty expressed his apology for beginning the public hearing later than what was scheduled. He said that he received word that there were trucks parked on the property at 230 Beaver Street and he drove there before the start of this meeting. He said the Commission was also waiting for a member who was on an ambulance call. He thanked the applicants and the public for their patience.

The Chairman read the call of the meeting as follows:

PUBLIC HEARING NOTICE

June 24, 2013

PZPH230BeaverSt

Special Exception
230 Beaver St. and 5 & 19 Pershing Dr. and 79 Division St.

The Planning and Zoning Commission of the City of Ansonia, Connecticut will hold a public hearing on Monday, June 24, 2013 beginning 6:30 p.m. in Ansonia City Hall, 253 Main Street, Ansonia to hear the following petitions for Special Exception site plan:

1. Quillinan Views LLC request for special exception site plan approval for 230 Beaver St for change in use to an office billing center.
2. Cumberland Farms Inc. request for special exception approval for excavation to prepare the properties 5 & 19 Pershing Dr. and 79 Division St. for expansion and renovations to existing building.

At said hearing all parties will be given an opportunity to be heard. A copy of the file is on file in the office of the Town & City Clerk, 253 Main Street, Ansonia, Ct. 06401.

Dated at Ansonia, Connecticut this 13th day of June, 2013.

ANSONIA PLANNING & ZONING COMMISSION
Bartholomew R. Flaherty III, Chairman

Publish 2 times:
Thursday, June 13, 2013
Thursday, June 20, 2013

Mr. Heon made a motion to accept the call of the meeting as read. Mr. Bettini seconded. All in favor, so carried.

Attorney John Bennett and David Pantalone were present.

Attorney Bennett said his client made application for 230 Beaver Street which is located on a parcel known as 228 Beaver Street (house) and 230 Beaver Street (brick building). The site was previously approved for a Child Day Care Center with 228 Beaver Street in operation as a day care center. 230 Beaver Street remained vacant and there is nothing in the building at this time. 230 Beaver Street was previously approved for 45 children as a Day Care Center. Prior to the Day Care approvals the site was occupied by Birmingham Utilities. He said that they are applying for office space in the brick building known as 230 Beaver Street. EMMS has stated They would occupy this building for their billing offices. They will employ seven (7) employees and will be open 7:00 a.m. to 7:00 p.m. The building will be used for an office center. There will be less traffic than the Day Care Center with 45 Children.

Chairman Flaherty asked if there were any questions on the application.

PZPH230BeaverSt

Mr. Inglese stated that he is requesting his Memo become part of the record for the public hearing.

Mr. Inglese's memo is attached.

Chairman Flaherty asked if there were any questions or comments from the Commission members.

There were none.

Chairman Flaherty asked if there were any questions or comments from the public.

Maryann Groves
18 Tibbits Road
Seymour, CT

Ms. Groves asked the reason for a zone change.

Chairman Flaherty explained this is not a request for zone change it is a request for a special permit – a change of use. The site was approved for a Child Day Care Center and they want to use it for office space.

Ms. Groves asked if there will be ambulances.

Chairman Flaherty said no they will be doing just the billing in the offices.

Ms. Groves asked if there will be any additional traffic to the road and neighborhood. She is concerned with the traffic and the speeding on Beaver Street.

Chairman Flaherty said that speeding and traffic violations are taken care of with the Police Department. He suggested she attend the Board of Police Commissioners meeting to let them know about the speeding.

Phil Tripp, 2nd Ward Alderman
57 Eagle Street
Ansonia, CT 06401

Alderman Tripp said the Board of Police Commissioners meet the first Wednesday of the month. They have the authority to enforce the speed limit.

Alderman Tripp said that with regard to 228 – 230 Beaver Street, correctly the President of Planning & Zoning stated at the last meeting there shall be no trucks, no construction equipment were to be on the property. The neighbors complained to me about the trucks being there. My understanding was that all trucks were to be moved and were to be cleared out and now there is a large dump truck there on the property.

PZPH230BeaverSt

Chairman Flaherty asked three (3) times if there is anyone from the public who wishes to address the commission on 230 Beaver Street.

There being no one he closed the public session.

Chairman Flaherty said for the record, I was told this evening that there was a dump truck there on the property and I went up there before the meeting. There is a dump truck there. We were trying to be gentlemen about this, we were working with the applicant. Who is not hearing the Commission and being defiant? The Commissioners have been gentlemen. What is going to happen in three (3) weeks if the commission grants an approval? Before I came to the meeting I drove up there.

Attorney Bennett said we understand your dismay. He said he had a conversation with the gentleman who owns the truck and he never heard anything further. He said he arrived at the meeting at 6:20 p.m. this evening and Mr. Pantalone spoke to Alderman Tripp and Mr. Pantalone left and went up there. The fellow said he went back to get some wood. He was told specifically to stay off the property. We are not trying to do anything. The Board has been very cooperative to us. He said he apologizes on Behalf of his client. His action was contrary to our instructions to stay off the property and he goes back to the property on the night of the public hearing.

Chairman Flaherty said that any communications written or verbal received for this application will be part of the record.

Chairman Flaherty asked three (3) times if there was anyone from the public who wished to address the commission or if any commission member had any questions for the applicant.

There being none he entertained a motion to close the public hearing.

Mr. Heon made a motion to close the public hearing for David Pantalone/Quillinan Views LLC on 230 Beaver Street Special Exception at 7:17 p.m. Mr. Bettini seconded. All in favor, so carried.

The Public Hearing Closed at 7:17 p.m.

Respectfully submitted,

Jo-Lynn Flaherty
Secretary