

City of New Haven

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Meeting Minutes

Tuesday, July 9, 2019

6:00 PM

Aldermanic Chambers

Legislation Committee

(Board of Alders Notice New Haven) The Legislation Committee of the Board of Alders will meet on Tuesday, July 9, 2019 at 6:00 p.m. in the Board of Alders Chamber located at 165 Church Street, 2nd Floor; New Haven, CT to hear and act on the following items:

- 1) [LM-2019-0211](#) ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN AUTHORIZING THE AMENDMENT OF CHAPTER 17, LICENSES AND PERMITS, ARTICLE XIV, RESIDENTIAL RENTAL BUSINESS LICENSE REQUIREMENTS FOR RENTAL PROPERTY OWNERS TO ENSURE THAT THE OWNERS/AGENTS ARE COMPLYING WITH THE HEALTH AND WELFARE CHECKS ALLOWING FOR BETTER IMPLEMENTATION AND ENFORCEMENT OF THE ORDINANCE.
- 2) [OR-2019-0020](#) ZONING AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS CREATING A NEW SECTION 60.3 TO THE ZONING ORDINANCE, AMENDING AND RESTATING SECTIONS 27 AND 44 PERTAINING TO ON-PREMISES SIGNS IN ALL ZONING DISTRICTS, INCLUDING MINOR EDITS TO SECTION 44.1 OFF PREMISES SIGNS.
- 3) [OR-2019-0023](#) ZONING AMENDMENT OF THE NEW HAVEN BOARD ALDERS AMENDING AND RESTATING THE PROVISIONS OF SECTION 60.1 - EXTERIOR LIGHTING.
- 4) [OR-2019-0021](#) ZONING AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS CREATING A NEW SUBSECTION TO THE NEW SECTION 60.3 OF THE ZONING ORDINANCE PERTAINING TO DYNAMIC DISPLAY SIGNS.

Per Order: Hon. Rosa Ferraro Santana, Chair;

Attest: Hon. Michael Smart, City Clerk

These items are on file and available in the Office of the City Clerk, Room 202 at 200 Orange Street; New Haven, CT 06510.

For accessibility related accommodations, please call (203) 946 7833 (V) or (203) 946 8582 (TTY/TDD).

Minutes

Alder Rosa Ferraro Santana, Chair, called the public hearing to order at 6:05 p.m.

Present were Alders Rosa Ferraro Santana, Chair, Adam J. Marchand, Vice-Chair, Jeanette L. Morrison, Aaron Greenberg, Darryl Brackeen, Jr., and Richard Furlow.

Non-committee members in attendance were Alders Winter.

1. ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN AUTHORIZING THE AMENDMENT OF CHAPTER 17, LICENSES AND PERMITS, ARTICLE XIV, RESIDENTIAL RENTAL BUSINESS LICENSE REQUIREMENTS FOR RENTAL PROPERTY OWNERS TO ENSURE THAT THE OWNERS/AGENTS ARE COMPLYING WITH THE HEALTH AND WELFARE CHECKS ALLOWING FOR BETTER IMPLEMENTATION AND ENFORCEMENT OF THE ORDINANCE.

PUBLIC TESTIMONY

Serena Neal-Sanjurjo, Director Livable City Initiative (LCI) and Rafael Ramos, Deputy Director Livable City Initiative, 63 Donaldson Street, spoke in favor of these ordinance amendments. Director Neal-Sanjurjo reviewed Corporation Counsel reviewed and signed off on the final version.

In response to Chair Santana, Director Neal-Sanjurjo reviewed how out of compliant rental properties would be fined \$100 a day, and this ordinance would allow them to place a lien on the property. Reviewed how when the fines/liens were paid that the funds went into the City's general fund.

In response to Alder Winter, Deputy Director Ramos reviewed how that if the property owner is out of compliance with the Building Department (housing codes), there is a provision which would allow them to revoke the property owner's license.

In response to Alder Marchand, Director Neal-Sanjurjo reviewed how 90% of the changes were definitions and grammar. The substantive changes regarding the types of licenses. Confirmed they would need to amend the original submission by substitution to incorporate the changes from Corporation Counsel, as the final draft did change from what was originally submitted.

Deputy Director Ramos reviewed how more and more landlords are realizing they need a license to have a rental property in New Haven.

In response to Alder Winter, Director Neal-Sanjurjo advised fines would be incurred for continually missing appointments with LCI. A copy of the LCI Inspection Form is on file in the Office Legislative Services.

Director Neal-Sanjurjo and Deputy Director Ramos reviewed how they are still using paper because they need to leave copies with the property owners and tenants.

Robin Golden, 146 McKinley Avenue, a New Haven Legal Assistance Association consultant working with the Room for All Coalition, spoke in favor of these amendment changes. Recommended the following additional changes: (1) Including in the ordinance in §17-77(e) that the LCI Inspection Form be made available online; (2) Require property owners to post on their property which tier and when their next inspection is due; and (3) Through an online search, making available the business license status of properties, so the information would be available to prospective tenants and everyone. A copy of the statement outlining these recommended amendment changes is on file in the Office of Legislative Services.

COMMITTEE ACTION

Alder Marchand moved item # 1, seconded by Alder Brackeen. Alder Marchand moved to amend by substitution the ordinance amendments with the final version submitted by LCI, seconded by Alder Furlow. Alder Winter made a friendly amendment to change classes to the tiers from 1, 2, 3 to A, B, C, which was not accepted. All of the Alders spoke in favor of adopting the substituted amendment. The motion was unanimously approved. Alder Winter made an amendment to the substituted amendment to change the classes to the tiers from 1, 2, 3 to A, B, C, which failed because it was not seconded. All of the Alders spoke in favor of the item. The motion was unanimously approved, and the item passed as amended.

2. ZONING AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS CREATING A NEW SECTION 60.3 TO THE ZONING ORDINANCE, AMENDING AND RESTATING SECTIONS 27 AND 44 PERTAINING TO ON PREMISES SIGNS IN ALL ZONING DISTRICTS, INCLUDING MINOR EDITS TO SECTION 44.1 OFF PREMISES SIGNS.

PUBLIC TESTIMONY

Jenna Montesano, Deputy Director of Zoning, presented the detailed thought that went into amending the ordinances regarding the off premises signs, exterior lighting, and dynamic display signs. Reviewed how they increased the allowed light pollution, as the previous ordinance requirement of zero was unrealistic. A copy of the presentation is on file in the Office of Legislative Services.

Reviewed how they added more defined type of signs and outlined a table demonstrating which zones allow which signs, including which signs require special permission.

With the clearer amendments, the Ordinance will be easier to enforce and administer by city staff.

In response to Alder Marchand, Deputy Director Montesano confirmed that temporary signs can be up for forty (40) days. Anything that changes the characteristics of the sign may cause it to come back under review. The only time it will be a sign renovation will be when it is substantial similar replacement. If any other physical attributes are changed, it would require them to

resubmit. Reviewed how both the Building Department and City Engineer have the equipment to test the brightness of the signs. Reviewed how the best place for the special permits to be reviewed was the City Plan Commission, as signage plays into the overall plan for the city.

Deputy Director Montesano recommended four additional changes: (1) Removing the asterisks and accompanying line explaining the asterisks from table and bottom of the table in §60.3.5 Permitted Sign Types by Zoning District; (2) Adding the line: "These uses fronting on two or more streets are entitled to a sign on each street" to §60.3.6(E) at the end; (3) §60.3.10(B) add "1200 square feet" to the end; and (4) §60.3.10(D) add "animation prohibitions" in between "Lighting Curfew" and "and other lighting reduction requirements."

Laura Cahn, 54 Cleveland Road, and Kathy Fay, 61 Springside Avenue, Members of the Environmental Advisory Council, spoke in favor of these amendments and against light pollution. Read a statement on behalf of the Environmental Advisory Council. A copy of the statement is on file in the Office of Legislative Services. A copy of the statement is on file in the Office of Legislative Services.

Ms. Fay spoke about how the dynamic display signs are unattractive, a nuisance, and distraction. Also, she reviewed how they pollute and cause issues for the environment, especially regarding birds.

Dick Lyons, 71 Canter Street, spoke about his concerns off premises signs and the changes to §44.1.

COMMITTEE ACTION

Alder Marchand moved item # 2, seconded by Alder Winter. Alder Marchand moved to amend this item to remove asterisks from table under §60.3.5 and sentence explaining asterisks at the bottom of the table and add the following sentence to §60.3.6: "These uses fronting on two or more streets are entitled to a sign on each street," seconded by Alder Winter. All of the Alders spoke in favor of the amendments. The motion was unanimously approved. All of the Alders spoke in favor of the item. The motion was unanimously approved, and the item passed.

3. ZONING AMENDMENT OF THE NEW HAVEN BOARD ALDERS AMENDING AND RESTATING THE PROVISIONS OF SECTION 60.1 EXTERIOR LIGHTING.

PUBLIC TESTIMONY

Please see item # 2 for testimony on this topic.

COMMITTEE ACTION

Alder Marchand moved item # 3, seconded by Alder Furlow. Alder Marchand moved to amend this item as suggested by Deputy Director Jenna Montesano during the meeting, seconded by Alder Furlow. All of the Alders spoke in favor of the amendments. The motion was unanimously

approved. All of the Alders spoke in favor of the item. The motion was unanimously approved, and the item passed.

Note: There were no suggested amendments from Deputy Director Jenna Montesano to this section.

4. ZONING AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS CREATING A NEW SUBSECTION TO THE NEW SECTION 60.3 OF THE ZONING ORDINANCE PERTAINING TO DYNAMIC DISPLAY SIGNS.

PUBLIC TESTIMONY

Please see item # 2 for testimony on this topic.

COMMITTEE ACTION

Alder Marchand moved item # 4, seconded by Alder Furlow. Alder Marchand moved to amend this item: §60.3.10(B) add "1200 square feet" and §60.3.10(D) add "animation prohibitions" between Lighting Curfew and other lighting reduction requirements, seconded by Alder Furlow. All of the Alders spoke in favor of the amendments. The motion was unanimously approved. All of the Alders spoke in favor of the item. The motion was unanimously approved, and the item passed.

Alder Marchand moved to close the public hearing, seconded by Alder Winter. The motion was unanimously approved at 7:41 p.m.

Alder Marchand moved to adjourn, seconded by Alder Winter. The motion was unanimously approved.
Adjourn: 8:17 p.m.

An audio recording of this meeting is on file in the Office of Legislative Services.

Respectfully submitted,
Misty Maza, J.D., Legislative Aide II