



# PLANNING AND ZONING COMMISSION

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**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**THURSDAY APRIL 18, 2024**  
**REGULAR MEETING 7:00 PM**

This meeting was held remotely, solely via ZOOM.

Commissioners Present: F. Russo, J. Chadwick, J. Vaiuso, S. Huttner, M. Liguori, M. Palluzzi

Commissioners Absent: Chairperson C. Andres

Staff Present: H. Smith (Town Planner), E. Breining (Asst. Town Planner), M. Martin (clerk)

Meeting started at 7:02 pm

F. Russo is the acting Chairperson and is seated for C. Andres who is absent.

F. Russo introduced the commission and staff. He then reviewed the meeting procedures.

H. Smith stated that the Regal Cinema site applications were recently Withdrawn, so they will not be discussed.

## **PUBLIC HEARINGS:**

1. North Main Branford LLC, c/o Dan Iammuno-  
Applicant & Owner  
17 North Main Street  
Special Exception- Auto Body Repair  
**Application #24-2.1**  
**A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24**

J. Pretti (Criscuolo Engineering) represented the applicant and noted that additional information was requested by the Town Center Review Board which he reviewed. He displayed the landscaping plan and answered questions.

E. Breining reviewed the updated staff report and added 2 additional conditions.

## **PUBLIC INPUT:**

1. Perry Maresca- He wanted to point out that this is part of an existing business that is growing and that is something we like to encourage in town . The applicant fulfilled the requirements, and he hopes the commission will approve the application. ]
2. Maureen Gerkin- 43 Wilford Ave- she owns the property at 25 North Main. She has many concerns which she reviewed. She also has safety concerns as well . She asked that the town follow up on her concerns and make sure that the rules are followed. She noted that there is car detailing going on now at the site and that it's not allowed there.

J. Pretti said a special exception application for the detailing will be submitted to Planning & Zoning within a month. He is working with the property owner now.

H. Smith noted that some of Mrs. Gerkin 's concerns were occurring at 23 North Main Street , Not 17 No Main Street.

**F. Russo closed the public hearing.**

2. CP Branford LLC c/o John Knuff- Applicant  
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner  
329 East Main Street aka 325 East Main Street  
PDD Master Plan  
**Application #24-2.4**  
**A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24 – WITHDRAWN**
3. CP Branford LLC c/o John Knuff- Applicant  
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner  
329 East Main Street aka 325 East Main Street  
PDD Site Plan  
**Application #24-2.5**  
**A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24----WITHDRAWN**
4. CP Branford LLC c/o John Knuff- Applicant  
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner  
329 East Main Street aka 325 East Main Street  
Subdivision  
**Application #24-2.6**  
**A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24—WITHDRAWN**
5. CP Branford LLC c/o John Knuff- Applicant  
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner  
329 East Main Street aka 325 East Main Street  
Special Exception- Grading (Sec. 6.8)  
**Application #24-2.7**  
**A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24- WITHDRAWN**

**MINUTES:** 4/4/2024

**J. Chadwick made a motion to approve the meeting minutes.**  
**J. Vaiuso seconded the motion which passed unanimously.**

**CORRESPONDENCE:** None

**OLD BUSINESS:**

1. Branford Real Estate LLC  
c/o Arian Prevala-Applicant & Owner  
544 & 558 West Main Street  
Special Exception - Used Car Sales Dealership  
**Application #23-10.2**  
**A/R 11/2/23 & PH opened 1/4/24 & closed on 4/4/24, Tabled from 4/4/24**

E. Breining reviewed the conditions of approval.

**J. Vaiuso made a motion to approve the application with the findings and  
Conditions below:**

**FINDINGS:**

1. Subject to compliance with the conditions listed below, the Commission finds, based on the testimony and application materials presented, that the proposed use of the property is consistent with the Special Exception Criteria per Section 9.8.F.

2. Subject to compliance with the conditions listed below, the Commission finds that the applicant has demonstrated excellence in landscaping design per section 6.3.L(2)

**CONDITIONS:**

1. Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a building permit the following shall be addressed to the satisfaction of the Town Planner or his designee:
  - a. The applicant shall amend all sheets to show the extension of the "Proposed Screening Fence (Opaque Vinyl)" along the entirety of the proposed retaining wall, specifically the portion running north to south adjacent to the car storage area.
2. Prior to the start of construction the following shall be completed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project:
  - a. erosion control measures shall be installed and maintained throughout construction
3. As may be directed by the Zoning Enforcement Officer, Town Planner or his designee, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented and any additional measures to control soil and erosion determined to be necessary to address conditions during construction.
4. The Residential District Green Belt Buffer shall not be used for storage of materials or parking of vehicles.
5. Prior to the issuance of any Certificate of Zoning Compliance or the zoning authorization for the issuance of any Certificate of Occupancy the following shall be completed to the satisfaction of the Town Planner or his designee:
  - a. An "as-built" survey to document compliance of the final site grading and installed stormwater drainage management measures with the approved plans shall be submitted prior to the issuance of any Certificate of Zoning Compliance or the zoning authorization of the issuance of a Certificate of Occupancy.
  - b. Evidence of the legal merger of the two properties subject to this application (a.k.a. 544 & 558 West Main Street) to the satisfaction of the Town Planner or his designee.
6. To ensure continued compliance with the Zoning Regulations (Section 6.3) all landscaping must be maintained as an on-going requirement of this approval to ensure survival of the landscaping. Any landscaping element that does not survive or that becomes significantly damaged must be replaced in-kind.
7. The manufacturer's recommended requirements and schedule for cleaning and maintenance of the elements of the Stormwater Management System as well as an additional list of maintenance measures and schedule for their execution as approved by the Town Engineer for the elements of the Stormwater Management System without any manufacturers' s recommended requirements for maintenance shall be followed and regular monitoring of catch basins sumps, and establishment of and compliance with a cleaning schedule such that the frequency of routine cleaning will ensure that no catch basin sump at any time will be more than fifty (50) percent full

(e.g. contents within the sump exceed one half of the distance between the bottom interior of the catch basin to the invert of the deepest outlet of the catch basin) performed by the applicant, owner, and/or successor in title to the Property, and reports documenting this shall be submitted to the Town Engineer every two years following the issuance of a final Certificate of Zoning Compliance or the zoning authorization of the issuance of a Certificate of Occupancy.

**J. Chadwick seconded the motion which passed unanimously.**

2. 35-37 Harrison House LLC c/o Rachel Kelly-  
Applicant & Owner  
35-37 Harrison Avenue  
Special Exception- Proposed residential building with three dwelling units (Sec.7.18)  
**Application #24-2.9**  
**A/R 3/21/24 & PH set for 5/2/24**
3. 35-37 Harrison House LLC c/o Rachel Kelly-  
Applicant & Owner  
35-37 Harrison Avenue  
Special Exception- Grading (Sec. 6.8)  
**Application #24-2.10**  
**A/R 3/21/24 & PH set for 5/2/24**
4. Attorney James J. Perito c/o Nuzzo Properties LLC-  
Applicant  
Zoning Regulation Amendment- Remove Section 7.19.B.6 to delete the 20 event limit for the "Non-Agricultural Farm Events" Accessory Use in the Industrial Zones (IG-1 & IG-2)  
**Application #24-3.3**  
**A/R 4/18/24 & PH set 5/2/24**
5. Preston Handler-Applicant & Owner  
342 Shore Drive  
Special Exception- Accessory Apartment  
**Application #24-4.1**  
**A/R 4/4/24 & PH set for 5/2/24**

**NEW BUSINESS:**

1. Sue & Steffen Lunde-Applicants & Owners  
32 Wood Road  
Special Exception & CAM- single Family residence within 100 feet of a coastal resource & grading (Sec. 6.8)  
**Application #24-4.3**  
**To be A/R & PH to be set**
2. Lisa Vita Williams-Applicant & Owner  
16 Wellsweep Road  
Special Exception- Accessory Apartment  
**Application #24-4.4**  
**To be A/R & PH to be set**
3. 4 Three Elms LLC-Applicant & Owner  
4 Three Elm Road  
Special Exception Modification & Coastal Site Plan-- Multifamily Residential (4 units)  
**Application #24-4.5**  
**To be A/R & PH to be set**

4. 4 Three Elms LLC-Applicant & Owner  
4 Three Elm Road  
Special Exception Oversize Accessory Structure (Garage) over 15 feet in height  
**Application #24-4.6**  
**To be A/R & PH to be set**
5. 4 Three Elms LLC-Applicant & Owner  
4 Three Elm Road  
Special Exception Modification- Grading (Sec. 6.8)  
**Application #24-4.7**  
**To be A/R & PH to be set**
6. Paula Murphy-Applicant & Owner  
35 East Main Street  
Special Exception- Accessory Apartment  
**Application #24-4.8**  
**To be A/R & PH to be set**

**OTHER BUSINESS:**

1. Planner's Report  
H. Smith said he included in the packet draft zoning regulation changes for the Commissioners to review . This is the result of the conversation that was in December with the exception of two new items he highlighted in yellow. He told the commissioners to contact him with any questions.

He told the commissioners that a new two-year period for their commissioner training started in January of this year. He will keep them up to date of any new training sessions he learns about.

The meeting adjourned at 7:40 pm.