



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION THURSDAY, APRIL 20, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

Commissioners Present: J. Lust, J. Viauso, J. Chadwick, F. Russo, P. Higgins, M. Palluzzi, C. Andres  
Staff Present: H. Smith- Town Planner, M. Martin- Clerk

### REGULAR MEETING 7:00 P.M.

Chairman Andres introduced the Commission and the Staff present.

Secretary Palluzzi read the Public Hearing Notice into the record.

Chairman Andres then reviewed the Public Hearing procedures.

### PUBLIC HEARINGS:

1. 26 Cherry Hill Road LLC-Applicant & Owner  
26 Cherry Hill Road  
Zoning Map Amendment/Master Plan Amendment-  
PDD Modification  
**Application #17-3.2**  
**A/R on 3/16/17, PH set for 4/20/17**

Attorney Bernard Pellegrino (Pellegrino Law Firm, New Haven, CT) represented the Applicant and spoke first. He noted that Matt Shea of Milone & McBroom and Tony Thompson of Plans Ahead were also present representing the applicant. He highlighted the application and explained it involves removing a portion of the property from the PDD to become a new lot containing the existing single family home. This would then be re zoned as R-1. This is a part of the Zoning Map Amendment application.

The Modification of the Planned Development District (PDD) Application would consist of four buildings containing a total of eight (8) residential units with associated parking. Two of the buildings will be side by side townhouse style and the other two buildings will be unit over unit with a three bedroom unit on the bottom floor and a two bedroom unit on the top floor. This plan differs from the prior application. He noted they have met with the Town Center Review Revitalization Board and received a few suggestions and a favorable recommendation from them.

Matt Shea (Milone & McBroom, Cheshire, CT) then reviewed the site plan, showing the parking, sidewalks, landscaping, drainage system as well as the lighting plan.

Tony Thompson (Plans Ahead, Branford, CT) then reviewed the plans for each of the buildings. He noted the 2 ground level units would be ADA compliant. He feels these types of buildings are appropriate for the area. He noted some details such as colors, etc. are still in the review stage.

H. Smith reviewed the Staff Report noting this is a two-step process, the first being the Master Plan approval. This application is an amendment to a prior Master Plan Approval and the second part will be a Site Plan approval. The process to do this current first part application is a zoning map amendment. He then referred the Commission to the applicant's drawing and explained where the boundaries were.

He noted his most significant comment is concerning the need for additional information. He said additional visualizations of what the development will look like from Main Street and Cherry Hill Road and other vantage points are needed. He's having difficulty visualizing the proposed development. He spoke of the difference in the grade and noted the units will be at different levels. He felt it would be helpful to have a cross section thru the top of the knoll, down thru the one unit and thru the parking areas so you can actually see what it will look like.

He noted the Town Center Revitalization Review Board was trying to understand how the group of units as a whole were going to fit in with the surrounding buildings. He would like to see more visualization of the project. He also said it would be important to know how much of the site is covered with slopes greater than 25%. He noted another major concern is how is the cut into the hillside going to look? He is also concerned about the proposed blasting and its effect on the Harrison House as well as other buildings around the site. He will get in touch with an architectural preservationist with the state of Ct and ask for her professional advice regarding the blasting.

He reviewed some items that should be added to or indicated more clearly on the Site Plan. He is also awaiting referrals from several departments and will keep the Commission notified when they are received. He passed out comments received from the Town Engineer. He also reviewed and accessed comments received from the Town Center Revitalization Review Board. He also noted relevant sections of the Plan of Conservation and Development the Commission should consider.

He mentioned Lot 2 which is proposed to be rezoned as R1 but noted that it could be a two family when the Moratorium expires. He discussed this with the Commission briefly.

Finally he questioned whether the 2 unit building highest and closest to the top of the 70 foot elevation knoll could be eliminated reducing the cut into the knoll. He said possibly an additional unit could be created on the north side near the house.

#### PUBLIC INPUT:

1. Jacycee Wyatt-She had a few questions. - She said maybe the design of the project could be tweaked again. Why can't one of the units be moved so you don't have to notch into the hill? Maybe designing an L shaped building? She also asked about the possibility of widening the road. Maybe down the road? Suggestion – why aren't we using the corner space behind the white building? She also asked why we are not respecting some of the history in this area. The project doesn't seem to fit there. She asked; if there are so many problems with this site, then why build there?
2. Attorney Robert Harrington- He is representing the Branford Historical Society. He gave a brief history of the site. He stated he sent a letter to Attorney Pellegrino and sent a copy to H. Smith on April 3, 2017 outlining the Historical Society's concerns with the project. They have since come to an agreement. So; the Historical Society is not going to object to this project. From their view, the Harrison House is not the only issue; it's the entire property that Harrison House sits on that they are concerned about. He submitted those documents into the record.
3. Attorney Chris Smith (Shipman & Goodwin) is representing Ann Trapasso of 10 Cherry Hill Road. Ms. Trapasso is concerned about the details of the site development. He noted that Ms. Trapasso has been working with the Applicant and they have come to an agreement on some of the issues. Attorney Smith had a number of questions concerning the proposal and he briefly reviewed them. The Applicant then responded to the questions.

Attorney Pellegrino then responded to Jaycee Wyatt's questions.  
The Commission had a brief discussion.

Chairperson Andres said this Public Hearing will be continued to the May 4 meeting at this same location and time.

#### **MINUTES: 04-06-17**

H. Smith noted there were two items that need to be corrected. One is on page 4 under Application#17-2.6 for 39 Goodsell Point Rd. The correct motion should read: J. Vaiuso made a motion to approve the application with the finding listed in the Staff Report and the condition should read: prior to the

construction of the deck, erosion control measures should be installed to the satisfaction of the Zoning Enforcement Officer.

The second item on page 5 is the motion for the 2 Spring Rock Road Application. The correct wording should be: M. Palluzzi made a motion to approve the application with the 2 findings and 4 conditions listed on the Staff Report modified to include a fifth condition which reads: Post Construction, any obstacle placed in the public access walkway to block access shall be considered a violation of this Coastal Site Plan. J. Chadwick seconded the motion which passed unanimously.

J. Lust made a motion to approve the minutes with the corrections stated by H. Smith. J. Viauso seconded the motion which passed unanimously

#### **CORRESPONDENCE:**

H. Smith said he received a letter and an attachment from an Attorney representing Mr. Scheer (2 Spring Rock Rd) commenting on the discussion that took place at the last Planning & Zoning meeting regarding the "public access" on the property.

Chairperson Andres reviewed the application and the letter for the Commission and his understanding of the Commission's action and the reasoning behind it.

H. Smith noted the attorney asked the Commission to write a letter stating that in granting the approval there was no intention to create any additional access rights or encumbrances to cross this property than existed already.

Chairperson Andres agreed.

H. Smith also stated the Attorney requested that the letter include a statement that the Commission is willing to work with Mr. Scheer on refining the language of the approval.

Chairperson Andres noted if the applicant would like a modification of the approval, he should submit an application and the Commission would review it.

#### **OLD BUSINESS:**

1. William C. Lyons-Applicant  
Barbara R. Lyons-Owner  
190 Damascus Road  
Special Exception-Interior Lot  
**Application #17-3.4**  
**A/R on 4/6/17, PH set for 5/4/17**
2. William C. Lyons-Applicant  
Barbara R. Lyons-Owner  
190 Damascus Road  
ReSubdivision-One (Interior) Lot  
**Application #17-3.3**  
**A/R on 4/6/17, PH set for 5/4/17**
3. Sachem Capital Partners, LLC.-  
c/o John Villano-Applicant & Owner  
698 Main Street  
Special Exception-Office & Service Establishment  
**Application #17-3.5**  
**A/R on 4/6/17, ZBA approved on 4/18/17, PH set for 5/4/17**
4. Dow Realty, c/o Jeffrey Dow- Applicant  
Six Twenty Two Associates-Owner  
618-622 Main Street  
Site Plan- Personal Training  
**Application #17-4.1**  
**A/R on 4/6/17, tabled from 4/6/17**

**H. Smith suggested this item be Tabled to the May 4 meeting due to lack of the required A-2 survey.**

**NEW BUSINESS:**

1. Christine Bonito-Applicant  
171 Stony Creek LLC.- Owner  
171 Stony Creek Road  
Special Exception (Grading Plan) & CAM  
**Application #17-4.2**  
**To be A/R, PH to be set**

**The Commission A/R and set the Public Hearing for May 18.**

2. Robert Lillis-Martinez-Applicant  
John D'Amato-Owner  
83 School Ground Rd, aka  
3 Research Drive (Unit 8)  
Special Exception - Indoor Recreational Use(Fitness Training)  
**Application #17-4.3**  
**To be A/R, PH to be set**

**J. Viausio made a motion to waive the Site Plan requirement. J. Chadwick seconded the motion. The Commission A/R and set the Public Hearing for May 18.**

3. Vincent Giordano-Applicant  
Queach Corp.- Owner  
434 East Main Street  
Special Exception- (Contractor's Yard)  
**Application #17-4.4**  
**To be A/R, PH to be set**

**The Commission A/R and set the Public Hearing for May 18.**

**OTHER BUSINESS:**

1. Planner's Report

H. Smith noted he met with the consultants for the TOD study. He asked if any of the Commission members would be interested in participating on the Steering Committee. M. Palluzzi, J. Chadwick and J. Lust volunteered. This committee will be a sounding board for the consultant before he attends public meetings and a place for them to gather further information. He will keep the Commission updated as things develop.

J. Lust mentioned he would like to discuss the R2 zone at some point in the near future. He noted that that zone was not designed to increase density. The R2 zone is principally along the water, with a little of it located in Stony Creek. He feels that the R-1 zone should be reviewed first, but this is a similar issue.

Motion to adjourn at 9:12 pm