



PLANNING AND ZONING COMMISSION

1019 Main Street, PO Box 150, Branford, CT 06405
Tel: (203) 488 – 1255, Fax: (203) 315 – 2188

MINUTES PLANNING & ZONING COMMISSION THURSDAY APRIL 20, 2023 REGULAR MEETING 7:00 p.m.

This meeting was held remotely via Zoom.

Commissioners Present: J. Chadwick, J. Vaiuso, M. Liguori, S. Huttner, C. Andres

Commissioners Absent: M. Palluzzi, F. Russo

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

Chairperson Andres introduced the Commission and the staff. He noted that both alternates, S. Huttner and M. Liguori will be seated for the absent commissioners.

He then reviewed the public hearing procedures.

E. Breining reviewed the procedures to participate in the Public Hearing.

H. Smith read the public hearing notice into the record.

PUBLIC HEARINGS:

1. McDonalds Corp. c/o Brian Sheedy (Senior Counsel)-Applicant
RHC Associates c/o CRE Asset Management LLC c/o Stefan Cushman-Owner
424-436 West Main Street
Special Exception Modification- Drive-thru for a fast food restaurant
Application #23-1.6
A/R 1/5/23 & PH continued from 3/30/23

The applicant wishes to continue this item to the May 4 meeting. They offered a time extension which the commission accepted.

2. Vincent Federico-Applicant
Jennifer Federico- Owner
18-19 Etzel Road
Special Exception & Coastal Site Plan –Demolition of the Existing Home
and construction of a new home.
Application #23-3.2
A/R 3/16/23 & PH continued from 3/30/23

The DEEP comments were received late today which E. Breining will forward to the applicant.

The applicant is requesting this item be continued to the May 4 meeting.

J. Pretti (Criscuolo Engineering) offered a time extension which the commission accepted.

3. Sofias Bakery, LLC c/o Kostas Sousoulas-Applicant
8 North Branford Road
Zoning Map Amendment – Change from BL (Limited Business) to IG-2 (Industrial-2)
Application #23-2.4
A/R 3/16/23 & PH set for 4/20/23

J. Pretti (Criscuolo Engineering) represented the applicant and displayed a map of the property. It is currently in the BL zone. It is located behind the Parthenon Diner. The applicant wishes to change the zone to allow for more uses for this property.

H. Smith reviewed the staff report.

Public Input: No one spoke

Chairperson Andres closed the public hearing.

4. Planning & Zoning Commission-Applicant
Zoning Regulation Amendment- Outdoor Dining
Application #23-3.6
A/R 3/16/23 & PH set for 4/20/23

E. Breining reviewed the staff report.
The Commission asked some questions.

Public Input: No one spoke

Chairperson Andres closed the public hearing.

5. Edificio , LLC- Applicant
Kevin J. & Robin J. Dextrateur-Owners
40 Pent Road
Special Exception- Oversized Accessory Structure
Application #23-3.7
A/R 3/30/23 & PH set for 4/20/23

6. Edificio, LLC-Applicant
Kevin J. & Robin J. Dextrateur-Owners
40 Pent Road
Special Exception- Accessory Apartment
Application #23-3.8
A/R 3/30/23 & PH set 4/20/23

These 2 applications were heard together.
Paul Firotti represented the applicant and explained the application is for a 3 bay 2 car garage. It will be an accessory apartment above. He displayed a site plan and noted that the applicant received the necessary variances.

E. Breining reviewed the staff report.

Public Input: No one spoke.

MINUTES: 3/30/23

J. Vaiuso made a motion to approve the minutes.
S. Huttner seconded the motion which passed unanimously.

J. Chadwick abstained.

CORRESPONDENCE:

A notice from the Town of Guilford was received stating they are holding a public hearing May 17, 2023 since they are revising their zoning regulations.

RETURN TO TABLE;

1. Sofias Bakery, LLC c/o Kostas Sousoulas-Applicant
8 North Branford Road
Zoning Map Amendment – Change from BL (Limited Business) to IG-2 (Industrial-2)
Application #23-2.4
A/R 3/16/23 & PH set for 4/20/23

The commissioners discussed this and asked a few questions.

M. Liguori made a motion to approve the zoning map amendment from BL to IG2 for the property located at 8 North Branford Road with the finding that the change is in accordance with the comprehensive plan and is consistent with the most recent Plan of Conservation & Development with an effective date of May 12, 2023.

J. Vaiuso seconded the motion which passed unanimously.

2. Planning & Zoning Commission-Applicant
Zoning Regulation Amendment- Outdoor Dining
Application #23-3.6
A/R 3/16/23 & PH set for 4/20/23

The commission reviewed the wording of the amendment again.

J. Chadwick made a motion to approve the zoning amendment as amended with the finding that it's consistent with the most recent Plan of Conservation & Development and it's in accordance with the Comprehensive Plan of Zoning with an effective date of May 1, 2023.

S. Huttner seconded the motion which passed unanimously.

3. Edificio , LLC- Applicant
Kevin J. & Robin J. Dextrateur-Owners
40 Pent Road
Special Exception- Oversized Accessory Structure
Application #23-3.7
A/R 3/30/23 & PH set for 4/20/23

J. Vaiuso made a motion to approve the application with the Finding that It's consistent with the Special Exception criteria.

M. Liguori seconded the motion which passed unanimously.

4. Edificio, LLC-Applicant
Kevin J. & Robin J. Dextrateur-Owners
40 Pent Road
Special Exception- Accessory Apartment
Application #23-3.8
A/R 3/30/23 & PH set 4/20/23

J. Chadwick made a motion to approve the application with the 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 of the zoning regulations.

CONDITIONS:

1. To reduce glare, any proposed lighting fixtures shall be demonstrated to meet the IES full cutoff definition unless they are emergency lights or very low level accent lights (less than 900 lumen output- less than an incandescent 100 watt bulb). Fixed, not adjustable, arm mounts shall be used for all fixtures. The correlated color temperature of the light source for all exterior fixtures, either building or pole mounted, shall be equal to or less than 3000 Kelvin (K). Information on all building mounted and other site lighting shall be provided as necessary to demonstrate compliance with Section 6.7 and the Lighting Appendix referenced in this Section of the Zoning Regulations.
2. Prior to the start of construction the following shall be completed the satisfaction of the Zoning Enforcement Officer and maintained throughout the project:
 - a. Erosion control measures shall be added to the site plan, installed and maintained throughout construction, if determined to be necessary by the Zoning Enforcement Officer.
3. The owner of the accessory apartment property must file a deed restriction on the land records requiring that the unit, if rented be rented at or below prices that would qualify the apartment as "affordable housing" as defined in CGS Section 8-30g. The deed restriction is to be reviewed by the Town Counsel or follow his approved format with evidence that the recording of executed deed is the deed restriction version approved by the Town Counsel or that follows his approved format.

J. Vaiuso seconded the motion which passed unanimously.

OLD BUSINESS:

NEW BUSINESS:

1. Kate Walbert & Rafael Pelli-Applicants & Owners
11 Rextile Road
Special Exception-Oversized Accessory Building & Major Home Occupation
Application #23-3.9
To be A/R & PH set for 5/4/23
2. Joseph Tammaro – Applicant and Owner
245 (formerly lot between 233 & 249) East Main Street
Special Exception Modification - Multi-Unit Residential Building
Application #23-4.4
To be A/R & PH to be set

Staff will set Public hearing date.

3. Shirley McCarthy & Peter Hentschel - Applicants
Zoning Regulation Amendment – Revise Section 6.3 Landscaping and add/re-designate Appendices
Application #23-4.5
To be A/R & PH to be set

Staff will set Public Hearing date.

4. John & Jennifer Sullo-Applicants & Owners
117 Flax Mill Road
Special Exception- Section 6.8 Grading for a pool
Application #23-4.7
To be A/R & PH to be set

Staff will set public hearing date.

5. Anthony Capasso-Applicant
Walter Maguire Jr. - Owner
66, 76-82 Totoket Rd. & 0 Tweed Road
4 Lot Resubdivision
Application #23-4.8
To be A/R & PH to be set

Staff will set public hearing date.

6. Adam Greenberg-Applicant
Kristen Peck Marottolli-Owner
6 Partridge Lane
Special Exception- Grading (Sec 6.8)
Application #23-4.9
To be A/R & PH to be set

Staff will set the public hearing date.

OTHER BUSINESS:

1. Bond Release- 471 East Main Street
J. Vaiuso made a motion to release the bond.
J. Chadwick seconded the motion which passed unanimously.
2. Bond Establishment – 31 Ferry Lane
S. Huttner made a motion to establish this bond.
J. Chadwick seconded the motion which passed unanimously
3. Planners Report

H. Smith sent an email regarding an upcoming training online class. He reminded the commission they need 4 hours of training per calendar year and one of the hours needs to be affordable housing. On April 26 4-5 pm, there will be an affordable housing seminar hosted by C. Andres.

H. Smith also noted that there was a press release regarding a project being proposed for property at bittersweet farm. They are proposing 5 pad sites for bio medical, health care. There is a lot of wetlands on the property so Inland Wetlands would be the first step in the approvals. They stated they may come to the Planning & Zoning Commission for a conceptual discussion.

S. Huttner made a motion to adjourn at 8:46 p.m.
J. Chadwick seconded the motion which passed unanimously.