



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY APRIL 4, 2024 REGULAR MEETING 7:00 PM

This meeting was held remotely, solely via ZOOM.

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

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

The meeting started at 7:03 p.m.

Chairperson Andres introduced the staff and commission. He then reviewed the public hearing procedures.

Secretary F. Russo read the public notice into the record.

E. Breining then reviewed how to participate in the public hearing.

Chairperson Andres stated that per the applicant's request, the Regal Cinema applications are continued to the April 18, 2024 meeting via zoom.

PUBLIC HEARINGS:

1. Branford Real Estate LLC
c/o Arian Prevalla-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 & continued from 3/7/24 with time extensions

David Nafis (Nafis & Young Engineers) responded to some of the Town Engineers comments and Displayed a site plan.

E. Breining reviewed the staff report. He asked the commission for direction regarding some outstanding aspects of the landscaping on the site plans that do not conform to the zoning regulations and that would need commission approval as modifications.

Ari Prevalla noted he hired a landscape architect to address the commission concerns. He repeated that the house on the parcel will be demolished soon. He answered a few questions from the commission.

Attorney Ben Connor noted that the two lots will be merged in response to a commissioner's question.

PUBLIC INPUT:

1. Robert Henninger-19 Bellview Rd.- He is directly behind these two parcels. He asked about a retaining wall and Dave Nafis replied. Robert said he is concerned about the dirt going in his yard. He sent photos to the office earlier today. He also talked of the giant trees right on the property line. He is concerned about them, since large branches fall into his yard now.

Ari Prevalla said he will maintain the tree at the back of the property and be a good neighbor. He

will bring a tree company in to trim them.

H. Smith spoke of significant trees and noted that the commission needs to approve the removal of them.

The commissioners added a few comments.

Chairperson Andres asked to verify if we have a signed plan from Larry Appleton (Landscape Architect).

Attorney Ben Connor replied that at a previous meeting, it was suggested that the applicant Consult a landscape architect which they did. Then Dave Nafis added his suggestions to the plan.

E. Breining reviewed the questions he had for the commission in order for him to compose the Resolution.

The commission discussed the fact that the plan was not signed by a landscape architect.

Attorney Ben Connor said they will ask Larry Appleton to sign the plan, even though they hired him as a consultant.

It was decided that if he doesn't sign the plan, they will waive the requirement that a signed and Stamped plan be submitted.

Also, the commission spoke of waiving the front and side yard landscape requirement and the rear and the green belt buffer requirement per E. Breining.

The Chairperson noted this is a difficult site and he spoke of the waiving of these requirements. The commission discussed this, and they agreed.

Chairperson Andres closed the public hearing and noted that E. Breining will prepare a resolution of approval for the next meeting.

2. 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

The applicant has requested this be continued to the 4/18/24 meeting. They have to go before the Town Center Review Board.

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 Master Plan
Application #24-2.4
A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24
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
PDD Site Plan
Application #24-2.5
A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24
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
Subdivision
Application #24-2.6
A/R 2/15/24 & PH opened 3/21/24 & continued to 4/4/24

6. 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

Public Hearing items 3,4,5 and 6 are continued to the 4/18/24 meeting per the applicants Request.

7. AJGG Realty LLC c/o Paul Minichino (Manager)-
Applicant & Owner
4 Liesl Lane
Special Exception- Car (Motor Vehicle) Rental
Application # 24-3.1
A/R 3/7/24 & PH set for 4/4/24 ----WITHDRAWN

MINUTES: 2/15/2024 & 3/21/2024

2/15/24 minutes- J. Chadwick asked for a revision to the wording that he volunteered to interject comments occasionally to the landscape committee to now read "he offered editorial assistance".

**F. Russo made a motion to approve the minutes with the revision discussed.
J. Chadwick seconded the motion which passed unanimously.**

3/21/24 minutes

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

CORRESPONDENCE: None

OLD BUSINESS:

1. 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 to be set

Staff will set the public hearing

2. 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 to be set

Staff will set the public hearing

NEW BUSINESS:

1. Attorney James J. Perito c/o Nuzzo Properties LLC-
Applicant
Zoning Regulation Amendment- Remove section 7.19B #6 to delete the 20 event limit.
Application #24-3.3
To be A/R & PH to be set

Staff will set the public hearing

2. Preston Handler-Applicant & Owner
342 Shore Drive
Special Exception- Accessory Apartment
Application #24-4.1
To be A/R & PH to be set

Staff will set the public hearing

OTHER BUSINESS:

1. Interpretation of Section 3.7.A.1.2 & 3-definition of Small Animals
Jane Ellis (Zoning Enforcement Officer) called into the meeting to ask the commission for their interpretation of small animals in the regulations. She explained that she sent a violation letter to a property in Branford that has two pygmy goats. She interpreted the animals as livestock per the zoning regulations, which she read to the commission. She noted this property has less than an acre and according to the livestock regulations, the minimum lot size for an animal is one and a half acres and an additional half acre for each additional animal. She said she went to the property and there is a fenced in area with a little structure inside they built for the goats who are 17 and 21 pounds each.
The people have hired an attorney and are appealing her decision. Their argument is that goats should be under the category of rabbits and similar small animals. She noted that the lot size is different for small animals. She is asking the commission for their definition. She also told them that goats are included in the definition of livestock.

E. Breining displayed the section in the regulations which they reviewed.
Chairman Andres gave a few comments and agreed with Jane's interpretation based on the categories in the regulations.
The commissioners had a discussion and made some comments.
Jane said she issued this violation letter because she received a complaint from their neighbor. She said the goats are kept outside and the neighbors can hear them. She also stated that with pygmy goats, you usually have two animals.

The consensus of the commission was that they supported the interpretation of the current regulations that the animals in question were livestock and not small animals. They also noted that perhaps the regulations should be revisited to clear up any future confusion.

2. Planner's Report

H. Smith said he has made some progress on the regulations issues that were discussed in December. He will try to bring a draft package to the next meeting.

He also said he would like to get the landscape committee launched and have their first meeting within the next few weeks.

S. Huttner said the Conservation & Environment Commission had a Natural Resource Inventory Presentation and it was very informative. The updated version has just been completed. The presentation will be posted to various websites and available for everyone to view. She encouraged everyone to view it if possible.

The meeting adjourned at 8:30 pm.