



# PLANNING AND ZONING COMMISSION

1019 Main Street, PO Box 150, Branford, CT 06405  
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## MINUTES PLANNING & ZONING COMMISSION THURSDAY APRIL 7, 2022 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN ST

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

Commissioners Absent: P. Higgins, S. Huttner  
Staff Present: H. Smith-Town Planner, E. Breining-Asst. Town Planner,  
M. Martin-(Clerk)

Chairperson Andres introduced the Commission and staff present.  
Secretary M. Palluzzi read the public hearing notice into the record.  
Chairperson Andres reviewed the public hearing procedures.

### DISCUSSION

1. Setting of a Public Hearing Date for the Draft Affordable Housing Plan

Glen Chalder (Planometrics) spoke and explained that he has been working with Staff and the Affordable Housing Committee for the past several months and they have prepared a draft of the Affordable Housing Plan. There was a public meeting on March 24 and public comments were received. He said the next step is to hold a public hearing in May since the plan needs to be in place by June 1, 2022.

J. Vaiuso made a motion to set the public hearing date for May 19, 2022.  
J. Chadwick seconded the motion which passed unanimously.

### PUBLIC HEARINGS:

2. Montowese Building Group, LLC-Applicant  
John & Anne Hines-Owners of 14 Buckley Road  
Branford Building Supplies Inc.-Owner of 0 & 16 Buckley Road  
14, 16 & 0 Buckley Road  
Special Exception- Grading (Section 6.8)  
**Application #22-1.4**  
**A/R 1/20/22 & PH set for 4/7/22**
3. Montowese Building Group, LLC-Applicant  
John & Anne Hines-Owners of 14 Buckley Road  
Branford Building Supplies Inc.-Owners of 0 & 16 Buckley Road  
14, 16 & 0 Buckley Road  
Special Exception/CAM-Open Space Residential Development (OSRD)  
**Application #22-1.5**  
**A/R 1/20/22 & PH set for 4/7/22**

Public hearing #22-1.4 and #22-1.5 were discussed together.  
Attorney Amy Souchuns (Hurwitz, Sagarin, Slossberg & Knuff in Milford, Ct)  
represented the applicant and spoke first.

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She reviewed the application that was submitted last year and said they ran out of time under the covid executive order and some of the issues that were raised were not fully addressed and they withdrew that application

She said the plans that were submitted with this application have not changed from the plans that were submitted last year.

Vinny Giordano (Managing member of the Montowese Development Group) spoke next giving a brief overview of the project. The proposal is for 12 single family detached houses from 1800 to 2200 sq. ft.

Dave Sacco (Civil Engineer w/ TPA Design Group) spoke next. He highlighted the site plan and the drainage plan.

Rob Sonnichsen, PE (Waldo & Associates, Guilford) spoke next and spoke about mean high water, drainage issues and flooding.

Amy Souchuns spoke of a few items from last year and she submitted them (fire dept. and police dept. comments). She also submitted a letter from last year talking of interior lots.

H. Smith gave some comments and referred to his staff memo. He spoke of mean high water line and open space.

Rob Sonnichsen replied to some of H. Smith's comments.

H. Smith noted he has some concerns. He listed all the modifications to the natural terrain that will be needed and the site layout concerns. He previously noted that an alternative layout should be proposed; duplexes, or a mix of duplexes and single family homes to tailor the development more sensitively to the terrain of the site as it exists right now. He stated it's up to the commission to determine if this is in compliance with the plan of conservation & development and the open space residential goals. He spoke briefly about the open space. He noted that more work needs to be done concerning landscaping and more info is need regarding lighting and blasting as well. He noted that the Town Engineer comments are also needed and the information from their prior application has not been brought forward to this application. He said the interior lot question is open to interpretation and is up to the commission whether they think it applies to this proposal.

### PUBLIC INPUT:

1. Claudio Richetelli-(23 Brightwood Lane)-He is concerned about open space/ He noted that the swails don't work. The area floods all the time. He asked, where will all the water go? He asked if the cul-de-sac will be opened up for access to Brightwood Lane. He asked what will happen to his property. He asked if the soil in that area was ever tested. He remembers as a kid, that area was a dumping ground. Is that soil contaminated? He feels this development will change the character of the neighborhood.
2. Neil Warner (19 Brightwood Lane) - He spoke of blasting behind his house and noted that it caused damage. He said he's learned to live with the flooding since water comes into his house all the time. He asked if inviting 12 houses to this area is as a good idea.
3. Barbara Lucas (23 Brightwood Lane) she is concerned, she believes there is an interior lot. She asked the commission to review and to make sure this project conforms to the Plan of Conservation & Development. She said she thinks this project is too much for this parcel of land. Also, there is too much earth moving and grading.

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4. Dennis Flanagan-(14 Brightwood Ln) He is also an RTM member/ He asked; is 12 houses too much for this area? He asked about the emergency access.

Amy Souchuns and Dave Socco responded to some of the comments.  
The Commission asked a few questions.

Chairperson Andres announced these two items will be continued to the next planning and zoning meeting on April 21 in person at 7pm at Branford Fire Headquarters.

4. Nitenday Associates, LLC c/o Ken Ginsberg-  
Applicant & Owner  
221 West Main St. (Unit 7)  
Special Exception- Indoor Recreation  
**Application #22-2.4**  
**A/R 3/3/22 & PH set for 4/7/22**

Jeremy Goun (Tenant of unit 7) spoke and explained he is opening a fencing school. There will be no changes to the exterior of the building or the interior. He gave his qualifications as a fencing instructor.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

5. Stephen & Rita Prota-Applicants & Owners  
36 Greenfield Avenue  
Special Exception- Attached two car Garage  
**Application #22-3.1**  
**A/R 3/3/22 & PH set for 4/7/22**

Stephen Prota (Applicant) spoke and explained the application is for a 2 car garage. He received Inland Wetlands approval.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

**MINUTES: 3/17/22 & 3/24/22**

**F. Russo made a motion to approve the 3/17/22 minutes.**

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

**F. Russo made a motion to approve the 3/24/22 minutes.**

**M. Palluzzi seconded the motion which passed unanimously.**

**CORRESPONDENCE: None**

**RETURN TO TABLE:**

6. Nitenday Associates, LLC c/o Ken Ginsberg-  
Applicant & Owner  
221 West Main St. (Unit 7)  
Special Exception- Indoor Recreation  
**Application #22-2.4**  
**A/R 3/3/22 & PH set for 4/7/22**

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M. Palluzzi 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.

**CONDITIONS:**

1. Prior to the issuance of a Certificate of Zoning Compliance or the zoning issuance of Certificate of Occupancy, the following should be addressed to the satisfaction of the Town Planner or his designee.
  - a. Confirmation in writing that no changes to the existing exterior lighting (parking lot/site lighting as well as building mounted) is proposed as part of the work associated with this approval.
2. 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.
3. All conditions of the previous approvals shall remain in full force and effect as they may still apply.

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

7. Stephen & Rita Prota-Applicants & Owners  
36 Greenfield Avenue  
Special Exception- Attached two car Garage  
**Application #22-3.1**  
**A/R 3/3/22 & PH set for 4/7/22**

**F. Russo made a motion to approve the application with the Findings and Conditions below:**

**FINDING:**

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 Sections 6.8 and 9.8.

**CONDITIONS:**

- 1) Prior to the issuance of a Zoning Permit or the authorization for the issuance of a Building Permit, the following shall be addressed to the satisfaction of the Town Planner or his designee.
  - a. A stockpile shall be added to the site plan if deemed necessary by the Zoning Enforcement Officer.
- 2) Prior to the start of construction erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project.
- 3) The Special Exception approval under Section 6.8 granted with the approval of this application shall expire one-year from the date of decision on this application unless renewed by the Commission pursuant to Section 6.8.L.

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**M. Palluzzi seconded the motion which passed unanimously.**

**OLD BUSINESS:**

1. FSI Acquisitions LLC c/o John Knuff-Applicant  
Hamilton Branford LLC-owner of 81-111 Commercial Pkwy  
49 Commercial Pkwy LLC-owner of 49 Commercial Pkwy, 81-111 Commercial Pkwy  
& 49 Commercial Pkwy  
Special Exception- Grading (Section 6.8)  
**Application #21-11.9**  
**A/R 11/18/21 & PH opened 2/17/22 & closed 3/17/22.**

2. FSI Acquisitions LLC c/o John Knuff-Applicant  
Hamilton Branford LLC-owner of 81-111 Commercial Pkwy  
49 Commercial Pkwy LLC-owner of 49 Commercial Pkwy, 81-111 Commercial Pkwy  
& 49 Commercial Pkwy  
Special Exception- Warehouse Distribution, E-commerce &  
Fulfillment Centers  
**Application #21-11.10**  
**A/R 11/18/21 & PH opened 2/17/21 & closed 3/17/22.**

Application #21-11.9 and #21-11.10 were discussed together.  
The five regular commission members discussed the two applications.  
They will vote on these two applications at the next planning & zoning meeting.  
The commission advised staff on conditions they want included in the resolution.

3. 61 Burban Associates LLC, c/o Joseph Iamunno (Manager)-  
Applicant & Owner  
61 Burban Drive  
PDD/Master Plan-Multi-Family Residential Development  
**Application #21-11.4**  
**A/R 11/18/21 & PH opened 1/20/22 & closed 3/17/22.**

4. 61 Burban Associates LLC, c/o Joseph Iamunno (Manager)-  
Applicant & Owner  
61 Burban Drive  
PDD Site Plan/Cam – Multi-Family Residential Development  
**Application #21-11.5**  
**A/R 11/18/21 & PH opened 1/20/22 & closed 3/17/22.**

The commission discussed Application #21-11.4 & #21-11.5 together.  
H. Smith reviewed the staff comments.  
The commission will vote on these two applications at the next meeting (4/21/22).  
The commissioners advised staff on the conditions they wanted to be included in  
the resolution.

5. RHC Associates-Applicant & Owner  
424-436 West Main Street  
Special Exception Modification-Restaurant  
**Application #22-2.3**  
**A/R 2/17/22 & PH opened 3/3/22 & closed 3/17/22.**

The commission discussed the application. This item was Tabled until the next  
meeting.

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6. Matthew & Stephanie Milano-Applicants & Owners  
125 Thimble Islands Road  
2 Lot Subdivision & Coastal Site Plan  
**Application #22-2.5**  
**A/R 3/3/22**

The applicant requested that this item be Tabled until the next meeting on 4/21/22. There is a Wetlands issue they are working on.

7. Daniel Rabin-Applicant  
Zoning Regulation Amendment-  
Addition of Solar Regulations  
**Application #22-3.3**  
**A/R 3/3/22 & PH set for 4/21/22**
8. 9 Elm Street LLC, c/o Kevin O'Neill-Applicant  
33 Elm Street  
Zoning Map Change-R1 to IG1  
**Application #22-3.4**  
**A/R 3/17/22 & PH set for 4/21/22**
9. Joseph Grise c/o HPoint LLC-Applicant & Owner  
45 West Haycock Pt. Rd.  
Special Exception & Coastal Site Plan-Single Family Home  
**Application #22-3.5**  
**A/R 3/17/22 & PH set for 4/21/22**
10. Justin Gargano-Applicant  
Charles Weber Jr. c/o 16 Business Park LLC-Owner  
16 Business Park Drive  
Site Plan Modification- Add patio & landscaping to Brewery  
**Application # 22-3.6**  
**To be A/R**

**This item was Tabled to the 4/21/22 meeting.**

**NEW BUSINESS:**

1. Ron & Marie Cervero-Applicants & Owners  
44 Flat Rock Road  
Special Exception- Two Car Garage  
**Application #22-3.7**  
**To be A/R & PH to be set**
2. Robert & Elena McLean-Applicants & Owners  
26 Old New England Road  
Special Exception- Single Family Home  
**Application #22-3.8**  
**To be A/R & PH to be set**
3. Dream Machines LLC & Cavu Holdings LLC c/o  
Gerald Beaton-Applicant & Owner  
226 North Main Street  
Special Exception- Automotive Repairs  
**Application #22-3.9**  
**To be A/R & PH to be set**

**This item is withdrawn.**

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4. Dream Machines LLC & Cavu Holdings LLC c/o  
Gerald Beaton-Applicant & Owner  
226 North Main Street  
Special Exception- Automotive Sales  
**Application #22-3.10**  
**To be A/R & PH to be set**

**Staff will set the public hearing.**

5. Sunrise Cove Association Inc. (Sunrise Cove Camp) c/o  
Robert Caldarella- Applicant  
Zoning Regulation Amendment-Amend Section 3.3A and add new  
Section 3.5 (Pre-existing summer cottage/camp site).  
**Application #22-4.1**  
**To be A/R & PH to be set**

**Staff will set the public hearing.**

6. Robert Mangino-Applicant  
Shrestha Management CCC-Owner  
230 East Main Street  
Site Plan-  
Site Plan-Restaurant/Convenience Store  
**Application #22-4.2**  
**To be A/R**

**Staff will set the public hearing.**

**OTHER BUSINESS:**

1. Bond Establishment for 75 Todds Hill Rd  
**J. Chadwick made a motion to establish the bond.**  
**M. Palluzzi seconded the motion which passed unanimously.**

2. Planners Report

1. Time Extension for the Days Inn development on East Main Street.  
H. Smith noted there was a PDD Master Plan approved by the commission and a Special Exception for grading and earth removal and a PDD Site Plan.

The Special Exception and the PDD Site Plan should have been stated on the record that they were effective one day after the date for the PDD Master Plan. The PDD Master Plan goes into effect first. So, he would like to state on the record that yes that is the sequence of dates for the approvals. The commission agreed that was their consensus as well.

2. H. Smith noted there is a bill in the legislature to allow hybrid meetings and remote meetings to continue indefinitely or to the possible date on the bill. He asked the commission if they wanted to keep the meetings "zoom" or go back in person. Or they could alternate one in person and one meeting by zoom. He stated they don't have to make a decision now. They will discuss this further at a future date.

The meeting adjourned at 10:55 p.m.