



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION THURSDAY DECEMBER 12, 2019 SPECIAL MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

The meeting started at 7:00 p.m.

### OLD BUSINESS:

1. 339 West Main St. LLC, c/o Jeffrey Brandfon- Applicant & Owner  
339 West Main Street  
Special Exception-Installation of a parking lot  
**Application #19-9.4**  
**A/R & PH closed 12/5/19**

H. Smith said that at the end of the public hearing, the the applicants engineer submitted a draft easement agreement for the file which could cover the rights to pass and re pass across the corner property at 339 West Main Street, as well as the rights to drain from 339 West Main across to 233 West Main Street. The Town Counsel has not yet reviewed this document but he has a condition listed which will provide for that.

H. Smith reviewed the findings and conditions listed on the Staff Report.

The Commissioners asked a few questions.

### **J. Chadwick made a motion to approve the application with the findings and conditions listed below:**

#### Findings:

1. Subject to compliance with the adopted Conditions listed below, the Commission finds, per Section 6.5.K.2 the use is a low traffic generator and that acceptable maintenance provisions regarding the alternative parking surface treatment will be developed.
2. Subject to compliance with the adopted Conditions listed below, the Commission finds, based on the testimony and application materials presented, that the proposed improvements and use of the property are consistent with the Special Exception Criteria in its issuance of Special Exceptions under Sections 4.8.1.7 and 6.8.

Conditions:

1. Prior to the start of construction the following shall be addressed to the satisfaction of the Zoning Enforcement Officer:
  - a. Revise the Site Plan to show a Limit of Disturbance line and the installation of orange construction fencing along it during construction. An additional note stating that "The contractor shall be responsible for following the provisions of Section 6.8 of the Town of Branford Zoning Regulations regarding all site work" shall be added to the Site Plan.
  - b. Evidence of the filing by the owner of 333 West Main Street (333 West Main Street LLC or their heirs and successors) on the Town Clerk's Land Records of an Easement Agreement, of form and content acceptable to the Town Counsel, in favor of the owner of 339 West Main Street (339 West Main Street LLC or their heirs or successors) granting to the owner of 339 West Main Street rights to pass and repass across 333 West Main Street and to drain stormwater onto 333 West Main Street as depicted on the most recent plans submitted into the file of this application.
  - c. Installation of the sedimentation and erosion control measures.
  - d. Installation of orange construction fencing along the Limit of Disturbance line.
  - e. The development of a Maintenance Plan for the processed stone parking lot surface that will include a monthly inspection requirement of the surface of the parking lot for oil stained soils/surface material and the removal, appropriate disposal, and replacement of any such stained surface area materials.
2. As stated during the Public Hearing, vehicles to be stored on-site will be brought on-site and removed off-site individually and not on auto/motor vehicle carriers.
3. No additional signage or new or replacement lighting shall be installed without the review and approval of the Planning or Zoning Commission approval or that of its staff, whichever may be appropriate, for compliance of the proposed signage or lighting with the Zoning Regulations.
4. As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.
5. 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.
6. Per Section 6.8.L the Special Exception approval for work controlled by Section shall expire one year from the date of this approval.
7. Per Section 6.8.I, construction hours shall be limited to 7 am to 5 pm Monday through Friday, 7 am to 5 pm on Saturdays. No construction shall take place on Sundays.

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

**The meeting adjourned at 7:10 p.m.**