



# 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 FEBRUARY 16, 2023 REGULAR MEETING 7:00 p.m.

This meeting was held remotely, solely via ZOOM.

Commissioners Present: C. Andres, J. Chadwick, M. Liguori, F. Russo, J. Vaiuso, M. Palluzzi  
S. Huttner  
Staff Present: E. Breining (Asst. Town Planner), M. Martin (Clerk)  
Absent: H. Smith (Town Planner)

Chairperson Andres introduced the staff and Commissioners.  
Secretary F. Russo read the Public Hearing notice into the record.  
Chairperson Andres reviewed the Public Hearing procedures and E. Breining then reviewed how to participate in the public hearing.

### PUBLIC HEARINGS:

1. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner  
175 Cherry Hill Road  
11 Lot Re-subdivision  
**Application #22-11.2**  
**A/R 11/17/22 & PH opened 2/2/23 and continued to 2/16/23**
2. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner  
175 Cherry Hill Road  
Special Exception- Interior (Rear) (Lot #5)  
**Application #22-11.3**  
**A/R 11/17/22 & PH opened 2/2/23 and continued to 2/16/23**
3. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner  
175 Cherry Hill Road  
Special Exception- Interior (Rear) (Lot #2)  
**Application #22-11.4**  
**A/R 11/17/23 & PH opened 2/2/23 and continued to 2/16/23**
4. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner  
175 Cherry Hill Road  
Special Exception- Grading (Section 6.8)  
**Application #23-1.5**  
**To be A/R & PH opened 2/2/23 and continued to 2/16/23**

**Public Hearings number 1 thru 4 are TABLED to the March 2 Meeting.**

5. Peter & Patricia Broughal-Applicant & Owners  
6 Old Pawson Road  
Special Exception- Accessory Apartment  
**Application #23-1.4**  
**A/R 1/5/23 & PH set for 2/16/23**

*TOWN OF BRANFORD PLANNING AND ZONING COMMISSION*

*Minutes February 16, 2023*

*Page 2 of 5*

6. Peter & Patricia Broughal-Applicants & Owners  
6 Old Pawson Road  
Special Exception-Oversized Accessory Structure  
**Application #23-1.7**  
**A/R 1/5/23 & PH set for 2/16/23**

**Public Hearing 5 & 6 are being heard together.**

J. Pretti (Criscuolo Engineering) represented the applicant and reviewed the site plan. The proposal is for the construction of a new garage with an apartment above it.

He then displayed letters of support from the neighbors.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.  
Chairperson closed the Public Hearing.

7. Silver Lining Development LLC, c/o Karl Muller-Applicant & Owner  
650 Main Street  
Special Exception-Two Family Residence  
**Application #22-12.7**  
**A/R 1/5/23 & PH set for 2/16/23**

**Chairperson Andres noted that the applicant still needs to submit additional information so the Public hearing is opened and continued to the March 2 meeting.**

**MINUTES: 2/02/23**

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

**RETURN TO TABLE:**

1. Peter & Patricia Broughal-Applicant & Owners  
6 Old Pawson Road  
Special Exception- Accessory Apartment  
**Application #23-1.4**  
**A/R 1/5/23 & PH set for 2/16/23**

**M. Palluzzi is recusing herself from Application #23-1.4 and #23-1.7.**  
**S. Huttner is seated for her.**

**S. Huttner made a motion to approve the application with the Finding 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 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 installed and maintained throughout construction.
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. Chadwick seconded the motion which passed unanimously.**

2. Peter & Patricia Broughal-Applicants & Owners  
6 Old Pawson Road  
Special Exception-Oversized Accessory Structure  
**Application #23-1.7**  
**A/R 1/5/23 & PH set for 2/16/23**

**F. Russo 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 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 installed and maintained throughout construction.

**S. Huttner seconded the motion which passed unanimously.**

**CORRESPONDENCE: None**

**OLD BUSINESS:**

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 set for 3/2/23**

**NEW BUSINESS:**

1. Branford Building Supplies c/o Vincent Giordano-Applicant & Owner  
211 Montowese Street  
Special Exception- Convert the Lower Level into Residential Use  
**Application #23-2.1**  
**To be A/R & PH to be set**

**The Public Hearing is set for March 16, 2023.**

2. Ceres Farm LLC, c/o Caius Mergy-Applicant & Owner  
101 & 115 North Branford Road  
Site Plan Modification- Installation of Additional Sidewalk  
Application #23-2.3s  
**To be A/R**

This is a staff approval.

3. 292 Leetes Island Road  
Modification to Approved Re-subdivision per Section 6.10  
of the Subdivision Regulations

E. Breining explained that Section 6.10 in the Subdivision regulations allows for the overall subdivision plan to be modified by the Planning & Zoning Commission without a public hearing. The first home to be built in this project grading has changed so a few of drainage features have changed as well. The driveway location was changed too. The applicant is now working to have the easements changed so that they are correct. He displayed the new plan for the commission and showed the changes. H. Smith felt the changes were minor and that he could do a staff approval.

The commission discussed this briefly and the consensus was that they were ok with it.

**F. Russo made a motion to approve the modification to the Resubdivision .**

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

**OTHER BUSINESS:**

1. Planner's Report

Chairperson Andres noted that previous longtime member of the Planning & Zoning Commission Phil Fisher had recently passed away. He had served on the commission for over 20 years. He wanted to let the commission members know.

Sharon Huttner wanted to update the commission on the Coastal Vulnerability Committee since she volunteered to be a liaison for the Planning & Zoning Commission. She noted that Peter Hentshel and Kurt Johnson drafted up language with questions that will be posted on the list serve site.

Chairperson Andres asked Evan to forward it along to the Commission.

M. Liguori asked a few questions about it. Chairperson Andres replied and noted that the group is talking with other towns along the shore to gather info and data as to how they are dealing with this issue since it encompasses more than just planning & zoning.