

### PLANNING AND ZONING COMMISSION

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# MINUTES PLANNING & ZONING COMMISSION THURSDAY FEBRUARY 20, 2020 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

Commissioners Present: J. Lust, J. Chadwick, J. Vaiuso, F. Russo, C. Andres,

M. Palluzzi

Commissioners Absent: P. Higgins

Staff Present: H. Smith- Town Planner, M. Martin-Clerk

Chairperson Andres introduced the Commissioners and the Staff present. Secretary M. Palluzzi read the Public Hearing notice into the record. Chairperson Andres reviewed the Public Hearing process.

Chairperson Andres said Public Hearing #6 for 14, 21,22 Summit Place will be opened and continued to the 3/5/20 Planning & Zoning Meeting.

#### **PUBLIC HEARINGS:**

 JK Partners- Applicant & Owner 470-478 East Main Street (Branford Motel etc.) Special Exception- New Hotel (Hampton Inn) Application #19-12.2 A/R 12/5/19, PH set for 2/6/20, PH opened 2/6/20, continued to 2/20/20

Attorney James Perito represented the Applicant and spoke first noting that J. Patel and George Johannesen (Allied Engineering Assoc.Inc.) were also present. He explained that the project entails tearing down the existing buildings on the site and building a new 4 story hotel (Hampton Inn), as well as a stand-alone restaurant. He highlighted some details of the plan.

George Johannesen spoke next and gave a history of the site as well as the highlights of the project including: drainage, parking, utilities, signage, landscaping and lighting. The Commissioners asked some questions.

H. Smith then reviewed his Staff Report and the Town Engineer's comments.

#### PUBLIC INPUT:

Perry Maresca- (Chairman of the Economic Development Commission) said one of the most common requests from Branford Business owners is the need for decent, updated hotel space in town. He said the demand far exceeds the supply. He noted he Branford Planning & Zoning Comm. Minutes February 20, 2020 Page 2 of 13

has received only positive comments and much enthusiasm from businesses in town upon hearing that the current Branford Motel will be replaced with a Hampton Inn. He strongly recommends approval of this project.

#### **Chairperson Andres closed the Public Hearing.**

2. Dave D' Atri c/o Almr LLC-Applicant & Owner

4 Three Elms Road

Special Exception & CAM –Grading for a new Septic System

and minor renovations

**Application #19-12.10** 

A/R 1/9/20 & PH set for 2/6/20, PH opened 2/6/20, continued to 2/20/20

Commissioner J. Lust recused himself and Commissioner F. Russo will be seated for him.

Chairperson Andres noted there was a presentation for this application at the last meeting. There were a few items that were incomplete so it was continued to this meeting.

Chuck Mandel (Agent for the Applicant) spoke next and distributed revised plans to the Commission. He gave a brief history of the application. He then reviewed the items that were incomplete from the last meeting.

John Cunningham (TEC Landscape Design) distributed revised landscaping plans to the Commission and reviewed them.

- H. Smith reviewed his Staff Memo.
- A. Secondino & Son, Inc.,c/o Alfred Secondino –Applicant Bittersweet Partners LLC, & Alterra Holdings, LLC- Owners 779-803 East Main Street & 21 Sycamore Way Special Exception – Laboratory Office Application #19-12.1 A/R 12/5/19, PH set for 2/20/20

## Chairperson Andres opened the Public Hearing and continued to the 3/19/20 Meeting.

 Roger M. Boissonneault – Applicant Terri L. Boissonneault – Owner 27 Ferry Lane Special Exception & CAM – Access drive for a dock & driveway realignment Application #19-12.12 A/R 1/9/20, PH set for 2/20/20 Branford Planning & Zoning Comm. Minutes February 20, 2020 Page 3 of 13

Jim Pretti (Criscuolo Engineering) represented the Applicant explaining that the property owner needs access to the dock on his property in order to reconstruct it. He has a permit with the DEEP already to replace the dock. He highlighted the application.

H. Smith read the letter from DEEP into the record.

#### **PUBLIC INPUT:**

Bob (18 Spring Cove Rd.)- He said he was speaking for several of his neighbors. He knows the property that's being discussed, he is a former owner. He knows the bank goes from steep to very steep to vertical. He said when he first heard of the path being constructed, he was impressed with the challenges they were going to face. He then described the site as he saw it recently. He stated he has beach rights to that beach and he wants to protect the beach. His main concern is that he wants the beach to remain unchanged. He doesn't want erosion or rocks falling into it. He noted that there is erosion now. He noted that about 20 families have beach rights as well and they want the beach preserved. He then asked a few questions.

Tom Hayes (5 Pawson Trail) spoke next and said he is opposed to the project. Another neighbor told him there was a fresh water spring in the area and it's not noted on the plan. He stated the current property owner is not a good neighbor. He has an active construction site now with a pile of loom uncovered, mounds of debris and wood and a large rock pile. He noted that the applicant had previously done work without permits and there are now erosion control measures in place now.

Roger Boissonneault- (Property Owner) spoke and said he has lived there for 20 years and noted it's been a series of property acquisitions. He spoke of the natural spring and said it was gone. He had previously worked with Larry Fisher and Bob Criscuolo and now is working with Jim Pretti (Criscuolo Engineering), noting he hasn't been working alone, he has been directed. He said the natural spring is gone because a sewer has been installed in the road and when that happened, the eater flow was cut to the spring. He noted he is anxious to get the project completed and said he has been working on this in the winter so his neighbors won't be disturbed in the summer.

The Commissioners asked him a few questions and Jim Pretti replied to some of the neighbors comments.

 Omega NCM,LLC &335 Benham Nevcapman, LLC. c/o Justin Goldberg-Applicant & Owner 7-11 Mill Plain Road Subdivision (3 Lot) & CAM Application #20-1.10 A/R 2/6/20, PH set for 2/20/20

H. Smith noted this is not a Public Hearing item, it should be listed Under Old Business, Item # 11.

He also said there was an application for a Special Exception and a CAM that was received late and was not on this agenda. The address is 19-23 Buena Vista Road.

- J. Chadwick made a motion to move Item #5 under Public Hearing to Old Business as Item # 11 and to add 19-23 Bueva Vista Road application as Item # 2 under New Business.
- J. Vaiuso seconded the motion which passed unanimously.
- 6. SP Development, LLC- Applicant & Owner
  14, 21, & 22 Summit Place
  Special Exception IHOD/Multifamily Residential
  Application #20-1.9
  To be A/R and PH set for 2/20/20

Chairperson Andres stated this was mentioned at the beginning of the meeting.

The Public Hearing is opened and continued to the next Planning & Zoning Meeting of 3/5/20.

The Commission then took a 5 minute break and returned at 8:55 p.m.

#### **RETURN TO TABLE:**

 JK Partners- Applicant & Owner 470-478 East Main Street (Branford Motel etc.) Special Exception- New Hotel (Hampton Inn) Application #19-12.2 A/R 12/5/19, PH set for 2/6/20, PH opened 2/6/20, continued to 2/20/20

J. Lust made a motion to approve the application with the Finding and Conditions listed below:

#### Finding:

1. Subject to compliance with the adopted 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.

#### **Conditions:**

 All construction, site work, and architectural modifications to the existing buildings on the subject property is limited to and shall substantially follow that depicted on the most recently submitted revisions of the submitted plans and documents ("Approved Plans") except as they may be modified to conform to the requirements of this approval or be further modified by the Planning and Zoning Commission or be modified for, construction related, minor changes approved by the Town Planner per Section 9.6.B.5.

- All revisions to these Approved Plans shall be submitted as part of a complete set of all of the most current Approved Plans with all sheets stamped/sealed and signed by the professionals responsible for their preparation, three full-size paper copies of which shall be submitted for review.
- 3. No issuance of any Zoning Permit or the zoning authorization for the issuance of a Building Permit for construction of the second building noted on Sheet C-3 of the Approved Plans as "Proposed 3,000 sq. ft. commercial building restaurant use" shall be made until a modification of this approval, with a finding of conformance of the design of this building with Section 6.14 and including final approval of proposed building mounted lighting, is issued by the Commission.
- 4. Prior to the start of construction, the sedimentation and erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer.
- 5. Prior to the issuance of a Zoning Permit or the zoning authorization of a Building Permit the applicant shall submit for review and approval by the Zoning Enforcement Officer/Town Planner, etc. as may be specified below, modifications to the submitted Plans and Application Documents addressing the following:
- a) Show the details of the refuse recyclable/hotel storage area enclosures, including gates, consisting of materials acceptable to the Town Planner or the Planning and Zoning Commission.
- b) A note on Sheet ES-1 shall be added indicating that the contractor shall be responsible for conducting all grading and earth removal activities in compliance with Section 6.8 of the Town of Branford Zoning Regulations.
- c) Add a note on Sheet ES-2 stating that if sufficient suitable topsoil that can be stockpiled and reused is not present on the site, notations that such suitable top soil will be brought into the site used to a depth of four inches over the disturbed area.
- d) The sheets of the Approved Plans stating that there are no Significant Trees on the site shall be modified since sheet C-1 and C-5 indicate several trees with diameters larger than 12" which defines them as Significant Trees pre Section 6.3.C.2. Sheet C-5 shall be modified to indicate the removal of the individual Significant Trees shown that are proposed for removal.
- e) Changes to address the comments of the Town Engineer in an email to Town Planner Harry Smith dated as follows:
  - Size, material, and condition of existing outfall shall be determined and results reported to the Town Engineer for review and consideration of any needed maintenance or other improvements which shall be added to the Approved Plans and constructed.
  - ii. Given the existence of a designated bus stop along the project frontage with Route 1improvements and the improvements which are to be made within the Right-of-Way and the use of the development, the following improvements to the bus stop shall be added to the Approved Plans: creation of an extension of the proposed sidewalk to create an accessible route to the curb and the addition of an accessible alighting or boarding area (8'x5' w/detectable warning), meeting Public Right-of-Way Accessibility Guidelines (PROWAG) at

- the location of the Bus Stop as may be directed by the Town Engineer and the CT DOT.
- iii. Addition of crosswalk markings on the main driveway (at the traffic signal) between the portions of the proposed sidewalk along E. Main Street east and west of the main driveway.
- iv. Coordination with CT DOT to ensure (by the applicant or CT DOT) the repair of the pedestrian phase actuators at the traffic signal at the main entrance driveway and the south side of the intersection and addition of a crosswalk across E. Main Street (Route 1) on the eastern leg of the main driveway/E. Main Street (Route 1) intersection.
- f) The submittal of additional information and revisions to Sheet C-4 and C-4a to demonstrate compliance with Condition 6 below and specifically including shields and or diffusers to prevent glare from the direct exposure to LEDS by the public on E. Main Street /Route 1.
- g) The submittal and approval by the Town Planner of revisions to the Landscaping Plan to include the following:
  - addition of a low hedge or other plantings of a sufficient height to screen headlights of parked cars facing East Main Street/Route 1
  - ii. space out the London plane to 30'-35' on center (min) and reducing the proposed line of trees by a tree on each side.
  - iii. consider replacement of Honey Locust with Winter King Hawthorn
  - iv. consider replacement of Pear with apple serviceberry
  - v. consider planting red maple instead of oaks in the parking lot to reduce acorn litter followed by rodents retrieving them in a parking lot.
- 6. To reduce glare, all 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 pole and building mounted light fixtures shall to be provided including full size cut sheets with all model choices indicated and a photometric plan including a schedule providing information on the different types of fixture (maker & model number, mounting height, lumens generated, etc.).
- 7. No additional signage or new or replacement lighting shall be installed without 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.
- 8. 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.
- 9. 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.

- 10. Any modification to the building and use from that proposed in this application shall require approval by the Commission.
  - J. Chadwick seconded the motion which passed unanimously.
- Dave D' Atri c/o Almr LLC-Applicant & Owner
   4 Three Elms Road
   Special Exception & CAM –Grading for a new Septic System and minor renovations
   Application #19-12.10
   A/R 1/9/20 & PH set for 2/6/20,PH opened 2/6/20, continued to 2/20/20
  - M. Palluzzi made a motion to approve the application with the Findings and the conditions below:

#### Finding:

- 1. Subject to compliance with the adopted 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.
- 2. This application is found to be consistent with the goals and policies of the Coastal Area Management Act (CGS Section 22a-92) and incorporates conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.
- 3. Pursuant to the provisions of Section 6.3.L of the Zoning Regulations, the Commission finds the proposed landscaping to consist of excellence in landscape design with the caveat that the proposed Landscaping Plan be adjusted as provided in the Conditions below. Accordingly, full compliance with Sections 6.3.G and 6.3.H is not required beyond the degree demonstrated in the Landscaping Plan as it will be modified to address the Conditions below.

#### Conditions:

- 1. All construction, site work, and architectural modifications to the existing buildings on the subject property is limited to and shall substantially follow that depicted on the most recently submitted revisions of the submitted plans and documents ("Approved Plans") except as they may be modified to conform to the requirements of this approval or be further modified by the Planning and Zoning Commission or be modified for, construction related, minor changes approved by the Town Planner per Section 9.6.B.5.
- 2. All revisions to these Approved Plans shall be submitted as part of a complete set of all of the most current Approved Plans with all sheets stamped/sealed and signed by the professionals responsible for their preparation, three full-size paper copies of which shall be submitted for review.

- 3. Prior to the start of construction, the sedimentation and erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer.
- 4. To reduce glare, all 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 light fixtures shall to be provided including cut sheets with all model choices indicated and a photometric plan including a schedule providing information on the different types of fixture (maker & model number, mounting height, lumens generated, etc.).
- 5. Prior to the issuance of a Zoning Permit or the zoning authorization of a Building Permit the applicant shall submit modifications to the submitted Plans and Application Documents for review and approval by the Town Planner, addressing the following:
- a) Show a detail for the dumpster enclosure, including gate, consisting of materials acceptable to the Town Planner or the Planning and Zoning Commission.
- b) A note on the Site Plan shall be included indicating that the contractor shall be responsible for conducting all grading and earth removal activities in compliance with Section 6.8 of the Zoning Regulations.
- c) Also, if suitable topsoil that can be stockpiled and reused is not present on the site, notations that such suitable soil will be used to a depth of four inches over the disturbed area shall be added.
- d) A complete Erosion and Sedimentation Control Plan addressing all of the requirements of Section 6.8 and 6.10 of the Zoning Regulations and complying with all relevant conditions below.
- e) The submittal and approval by the Town Planner of revisions to the Landscaping Plan to include existing vegetation at the southwest corner of the property. Verification with the DEEP of the appropriateness of the plantings in the vegetated buffer area adjoining the tidal wetlands and tidal watercourse which should be expanded to include the area of any parking spaces to be removed. Plans and measures developed by a Licensed Connecticut Arborist sufficient to demonstrate compliance with the requirements of Section 6.3.C (2) for preservation of the Significant Trees indicated on the plans as to be preserved.
- f) The Erosion and Sedimentation Control Plan shall include provision for the placement of erosion control mats as may be directed by the Zoning Enforcement Officer if it is not seasonally appropriate to conduct the final topsoil placement and seeding at the completion of the septic work and fill placement.
- g) The proposal to add 1" stone to a depth of 10" along the line of boulders/remnant stone wall within the Town right-of-way and the corresponding annotation on the Landscape Plan shall be replaced by an alternative improvement to maintain the Three Elm roadway stormwater runoff within the right-of-way or appropriately direct, satisfactory to the Town Engineer.
- 6. Due to the presence of tidal wetlands the following additional measures regarding site and soil stabilization shall be undertaken during construction (time period between the

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issuance of a zoning/building permit and the issuance of the final Certificate of Compliance/Occupancy:

- a. The applicant shall provide monthly progress reports per Section 6.10.F.4 unless waives the requirement is waived by the Zoning Enforcement Officer, who may reinstitute it as s/he may determine necessary.
- 7. No additional signage or new or replacement lighting shall be installed without 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.
- 8. 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.
- 9. 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.
- 10. Any modification to the building and use from that approved in this approval shall require approval by the Commission.
- 11. The Section 6.8 Special Exception approval for the grading and earth movement shall expire one year from the date of this approval unless extended per Section 6.8.L.3.
  - F. Russo seconded the motion which passed unanimously.

MINUTES: 2/06/2020

- J. Vaiuso made a motion to approve the 2/6/20 meeting minutes as written.
- J. Chadwick seconded the motion which passed unanimously.

#### **CORRESPONDENCE:**

- 1. Notice of non-compliance for storage of a float at 148 Highland Avenue.
- 2. Letter from Attorney James Perito regarding an interpretation question. This will be discussed at the next meeting on 3/5/20.

#### **OLD BUSINESS:**

 1. 165-195 Main Street Branford LLC c/o Kevin Curry –Applicant & Owner 165 & 195 Main Street Special Exception-Convenience Store

#### Application#19-10.10 A/R 11/7/19, PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

H. Smith noted a few Commissioners missed one or more meetings and will have to view the tape of the meeting.

Chairperson Andres reviewed the history of the application and the Commission discussed it. There were a few issues with the application but parking seemed to be the biggest problem.

## This item is TABLED to the 3/5/20 meeting so the Commissioners can all be up to date with viewing the meetings.

 Vigliotti Construction c/o Frank Vigliotti-Applicant Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner 99 Todds Hill Road Special Exception (Lot 4 of a 15 Lot ReSubdivision)

Application #19-12.4

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

 Vigliotti Construction c/o Frank Vigliotti-Applicant Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner 99 Todds Hill Road Special Exception (Lot 5 of a 15 Lot ReSubdivision)

Application #19-12.5

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

 Vigliotti Construction c/o Frank Vigliotti-Applicant Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner 99 Todds Hill Road Special Exception (Lot 6 of a 15 Lot ReSubdivision)

Application #19-12.6

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

 Vigliotti Construction c/o Frank Vigliotti-Applicant Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner 99 Todds Hill Road Special Exception (Lot 8 of a 15 Lot ReSubdivision) Application #19-12.7

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

Vigliotti Construction c/o Frank Vigliotti-Applicant
 Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
 99 Todds Hill Road
 Special Exception (Lot 9 of a 15 Lot ReSubdivision)

Application #19-12.8

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

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> Vigliotti Construction c/o Frank Vigliotti-Applicant Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner 99 Todds Hill Road Special Exception (Lot 13 of a 15 Lot ReSubdivision)

Application #19-12.9

A/R 1/9/20 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

Vigliotti Construction c/o Frank Vigliotti-Applicant
 Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
 99 Todds Hill Road
 ReSubdivision (15 lot)

Application #19-11.1

A/R 11/7/19 & PH opened 1/9/20, closed on 2/6/20, Tabled to 2/20/20

Chairperson reviewed Applications # 2 thru 8 together. He noted there was a prior discussion about these and he suggested that the Commissioners go and view the site separately and they would discuss it further.

The Commission discussed these a bit and decided to re-open the Public Hearing and re advertise the item in the paper to allow the applicant to address some of the issues that were raised.

- M. Palluzzi made a motion to rescind the closing of the Public Hearing and re open the Public Hearing at the next Planning & Zoning Meeting.
- J. Chadwick seconded the motion which pass unanimously.
- RCR Enterprises, LLC, c/o Christopher Russo-Applicant & Owner
   East Industrial Road Special Exception- Warehouse/Wholesale Business Application #20-1.4 A/R 1/23/20 and PH set for 3/5/20
- 10. David Rimm-Applicant & Owner

113 Sunset Beach Road Special Exception- Accessory Structure (Accessory Apartment)

Application #20-1.8

A/R 1/23/20 and PH set for 3/5/20

11. Omega NCM,LLC &335 Benham Nevcapman, LLC.

c/o Justin Goldberg-Applicant & Owner

7-11 Mill Plain Road

Subdivision (3 Lot) & CAM

Application #20-1.10

A/R 2/6/20, PH set for 2/20/20

J. Pretti (Criscuolo Engineering) represented the applicant. He presented this

application at the last meeting and briefly reviewed it for the Commission.

H. Smith reviewed the Staff Report.

## M. Palluzzi made a motion to approve the application with the Findings and the Conditions below:

#### Finding:

- The Coastal Site Plan is consistent with the goals and policies of the Coastal Area Management Act (CGS Section 22a-92) and incorporates conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.
- 2. The use of a fee-in-lieu of the provision of open space is found to the preferable option for this subdivision to comply with Section 3.04.

#### Conditions:

- 1. Prior to the start of construction, any erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project.
- 2. The following items shall be addressed and/or added to the Record Subdivision Map prior to the signature of the Chairperson and recording of the Record Subdivision Map:
  - a) A signature block as required per Section 6.02.B stating "Final Approval/No Financial Guarantee Provided."
  - b) Show all lot markers required by Section 6.08.B of the Branford Subdivision regulations.
  - c) The Zoning Data Table (Zoning Standards Schedule) shall be updated to reflect the receipt of variances to create nonconforming lots, approved in October, 2019 and filed on November 20, 2018.
  - d) Any Significant Trees present on the property and if any will be impacted by the construction of the sidewalk, measures proposed for their protection per Section 3.02.C.
  - e) Planting of street trees as required by Section 3.08, possibly outside the r-o-w (as may be required to prevent interference with overhead utility lines) and, if necessary, with the development of an easement to the Town of Branford regarding the ownership of the tree and the obligation of the property owner to not prune/ remove/replace the tree without the permission of the Town and the approval of the Planning and Zoning Commission.
  - f) Completion of the procedure for the determination of a fee-in-lieu of the provision of open space per Section 3.04.M of the Subdivision Regulations including the recording of a lien for the amount of the fee-in-lieu of open space per Section 3.04.M.7.
  - g) Evidence of application to CTDOT for sidewalk encroachment permit.
  - h) A note indicating that consideration has been given in the development of this plan to the use of passive solar energy techniques as required by C.G.S. Sec. 25 (b).
  - i) An increase in the width of the proposed sidewalk to 5' and the addition of soil and erosion controls as may be determined by the Zoning Enforcement Officer to be necessary.

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- j) Add a detail or note stating that the sidewalks proposed along the East Main Street frontage shall be constructed according to DOT standards.
- k) Given the existence of a designated bus stop along the project frontage with Route 1 improvements and the improvements which are to be made within the Right-of-Way and the use of the development, the following improvements to the bus stop shall be added to the Approved Plans: creation of an extension of the proposed sidewalk to create an accessible route to the curb and the addition of an accessible alighting or boarding area (8' x5' w/detectable warning), meeting Public Right-of-Way Accessibility Guidelines (PROWAG) at the location of the Bust Stop as may be directed by the Town Engineer and the CT DOT.
  - J. Chadwick seconded the motion which passed unanimously.

#### **NEW BUSINESS:**

- Thimble Island Brewing Company c/o Justin Gargano-Applicant 16 Business Park LLC c/o Charles Weber- Owner 16 Business Park Drive Site Plan-Food preparation Application #20-2.1 To be A/R
  - J. Pretti (Criscuolo Engineering) reviewed the application explaining that because of the recent text change amendment, this required an updated Site Plan. He talked of the parking and the islands on the property. The Commission discussed this briefly.

The Commission A/R and Tabled this to the 3/5/20 meeting.

#### OTHER BUSINESS:

- 1. Time Extension Request for PZ#14-10.3 (Special Exception) for 6 Business Park Drive
  - H. Smith said the person requesting this extension has asked it to be **Tabled** to the 3/5/20 meeting.
- 2. Planner's Report

Nothing to report.

The meeting adjourned at 10:40 p.m.