



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 2, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

The meeting started at 7 p.m.

Commissioners Present: J. Chadwick, J. Viauso, F. Russo, P. Higgins,
M. Palluzzi, C. Andres

Commissioners Absent: J. Lust, C. Kelly

Staff Present: H. Smith-Town Planner, R. Stoecker-Assistant Town Planner, M. Arbachouskas- Clerk

M. Palluzzi read the Public Hearing notice into the record.

Paul Higgins seated in place of John Lust.
Chairperson Andres introduced the Commission and the Staff.
Chairperson then reviewed the Public Hearing procedures.

PUBLIC HEARINGS:

1. Solar City Corp. (c/o Robinson & Cole LLP.
Attorney Kenneth Baldwin)-Applicant
Town of Branford-Owner
100 Tabor Drive
Special Exception & CAM – for Solar-based electrical generating
Facility to provide power to Town of Branford facilities
Application #16-10.1
A/R 10/6/16, PH opened 11/17/16, Time Extension
granted for continuing PH thru 2/16/17

This Public Hearing was continued to the February 16th meeting at the January 19th meeting.

2. 401 Main Street Realty Associates, LLC,
c/o Bruno Ciccone (Member)-Applicant & Owner
401 Main Street
Special Exception Modification-P&M Deli
Application #16-10.11
A/R on 11/3/16, PH opened 12/15/16, continued to 2/2/17, Time extension
granted for PH to be through 3/2/17 meeting

This Public Hearing was continued to the 2/16/17 meeting.

3. Premier Realty Holdings, LLC,
Robert Alvine, President –Applicant & Owner
155,165,175 North Main Street
Special Exception-New Auto Dealership
Application #16-12.3
A/R 12/15/16, PH set for 2/2/17

BRANFORD, CONNECTICUT
TOWN CLERK'S OFFICE

2017 FEB - 9 A 11: 21

RECEIVED

John Matthews (Project Architect) reviewed the application for a new auto dealership. The two buildings at 155 and 165 North Main Street will be demolished and will be replaced by a new building. They will also remove the existing billboard. He highlighted the proposed site plan for the Commission. He stated this project meets all the zoning regulations.

Mike Harkin (Harkin Engineering) then briefly reviewed the application. He noted that Harkin Engineering is the Civil Engineering firm for the project and the surveyor is Anderson Engineering & Surveying Associates. The Soil Scientist is Richard Snarsky of New England Environmental Services.

John Cunningham (Landscape Architect) reviewed the landscape plan in detail with colored drawings. He also said they are planning to remove the existing wood fence and replace it with a new one.

Mike Harkin stated they submitted a traffic study waiver request which he read into the record.

H. Smith reviewed the Staff Report. He noted that some of the information that was presented at the meeting was received in the office on February 1. He could include it in the Commissioners packets for the next meeting or pass it out then. He then reviewed the requested permitted uses that were listed on the application. He mentioned the zoning regulations do require a traffic study for projects over twenty five thousand square feet in size but he reviewed the application with the Town Engineer and she is not concerned if a traffic study is not done.

He then suggested to the Commission that the Public Hearing remain open so that staff could review the materials that were submitted yesterday (February 1).

PUBLIC INPUT:

No one spoke.

This Public Hearing was continued to the 2/16/17 meeting.

4. Planning & Zoning Commission- Applicant
Zoning Regulation Amendment
Moratorium- 2 & Multifamily Development
For an additional six months in R-1 District
Application #16-12.5
A/R 12/15/16, PH set for 2/2/17

H. Smith explained this Moratorium was originally put in place for a six-month period in August 2016 effective August 15, 2016. This precluded the submittal of applications for two family and multifamily uses in the R-1 zoning district while the Commission studied the question of modifying the regulations to address some concerns that have been raised regarding tear downs and knock downs of existing single family homes with the replacement of duplexes.

H. Smith then reviewed the staff report. He explained this application would extend the Moratorium for an additional six months from the effective date of February 14.

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

MINUTES: 01-19-17

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

CORRESPONDENCE:

There was none

RETURN TO TABLE:

1. Planning & Zoning Commission- Applicant
Zoning Regulation Amendment
Moratorium- 2 & Multifamily Development
For an additional six months in R-1 District
Application #16-12.5
A/R 12/15/16, PH set for 2/2/17

M.Palluzzi made a motion to extend the Moratorium for an additional six months with the finding that the Plan of Conservation and Development has been considered and that it is consistent with the Comprehensive Plan and as well as the goals and policies of the Coastal Management Act and with an effective date of February 14, 2017. P. Higgins seconded the motion which passed unanimously 5-0.

OLD BUSINESS:

1. Pawson Point LLC ,Arsalan Altaf (member)-
c/o Attorney Kevin J. Curseaden -
Applicant & Owner
239 Pawson Road
Modification to CGS Section 8-30G denial -
Special Exception & Coastal Site Plan for Three
Residential Affordable Housing Units
Application #16-12.1
A/R 12/15/16, PH set for 1/19/17, PH closed 1/19/17, tabled from 1/19/17

H. Smith noted the Commissioners who will be voting on this application. They will be J. Chadwick, J. Vaiuso, F. Russo, P. Higgins and C. Andres. M. Palluzzi is recusing herself.

He also stated there is new information (Staff Comments in response to information and testimony presented at the January 19th Public Hearing) that were given to the Commissioners at this meeting. These are their comments to the new information that was presented at the Public Hearing. He suggested the Commission take a short break to review these documents. They decided to take this item up last, after the other remaining agenda items.

After returning to this item the Commission then took a break to review the Pawson Road materials that were given to them at the start of the meeting.

M. Palluzzi recused herself from this application.

The Commission then discussed the Application. In response to a question concerning the next step, the Chairperson suggested that the Commission direct staff to draw up denial.

The Commission's consensus was to direct the Town Staff to draft a resolution to deny this application.

2. Matthew Ginty, BNY Mellon N.A., Trustee
Clarence D. Fleming Jr.-Charitable Remainder Unitrust-
Applicant
Town of Branford (James B. Cosgrove)-Owner
2 Halstead Lane
Coastal Site Plan
Application #16-11.3
A/R on 11/17/16, Tabled to 2/16/17, Time extension granted

to table application thru 2/16/17.

This application had been previously tabled to the February 16th meeting.

3. Tricia Robinson-(Total Learning Group)-Applicant
Gary Dubin-Owner
80 East Main Street
Special Exception Modification-Professional Office
Application #16-11.6
A/R 12/15/16, Public Hearing Waived, tabled from 1/19/17.

H. Smith noted we received an offer of a time extension from the applicant.
The Commission accepted the time extension and tabled this item to the 2/16/17 meeting.

4. Tomasz Wycech-Applicant
JF Branford Properties, LLC-Owner
880 West Main Street
Special Exception Modification- Restaurant w/drive thru-(Burger King)
Application #16-12.8
A/R 1/5/17, Public Hearing waiver granted, Tabled from 1/19/17.

The Commission tabled this item to the 2/16/17 meeting.

5. David Silberkleit-Applicant
Tin Can LLC- Owner
59 North Harbor Street
Site Plan- Bulk Storage
Application #17-1.1
A/R 1/5/17, Tabled from 1/19/17

The Applicant was present at meeting.

R. Stoecker reviewed the history of the Application. This Application proposes to add a 2,880 s. f. addition to the existing "Quonset Hut" for storage of small automobiles. No manufacturing will be done at the site. The Town Center Revitalization Review Board has approved it.

R. Stoecker then reviewed the conditions listed in the Staff Report.

M. Palluzzi made a motion to approve the Application with the three conditions listed on the Staff Report. J. Chadwick seconded the motion which passed unanimously.

6. Justin Gargano, CEO
Thimble Island Brewery-Applicant
Charles E. Weber, Jr. (managing member),
16 Business Park LLC. - Owner
16 Business Park Drive
Special Exception Modification-Expansion of Retail Space
Application #17-1.2
A/R 1/19/17, PH set for 2/16/17

NEW BUSINESS:

1. JPS Management Group, LLC
c/o Charlie McClure-Applicant & Owner
174 Cedar Street
Special Exception- Site Modifications
Application #17-1.3
To be A/R, PH waiver requested

P. Higgins recused himself from this application.

Jim Pretti-(Criscuolo Engineering) represented the applicant. Also present was Charlie McClure (Applicant) and Jack Fast (Hallocks). J. Pretti highlighted the Application. They are requesting a waiver of the Public Hearing requirement. This Application is for site modifications: replacement of site lighting, restriping of the parking spaces as well as the loading dock expansion.

R. Stoecker highlighted the Staff Report.

Chris Zane (182 Cedar Street) spoke. He noted the same owner owns both 172 and 174 Cedar Street. When Criscuolo Engineering did the water calculations, they didn't take into account the Site Plan that was compiled over 30 years ago had been modified. They were not aware of the changes. The back side of the property has been built up, where the water used to run off. There were never any approvals for these changes to the site plan so; the water flow is different now. This is causing water runoff. He stated he was previously sued by the owner of these 2 properties. He is requesting the town to re assess both properties. There is no water management there. The property owners upstream made modifications and he contributed to the town so the homeowner downstream won't be flooded. The elevations have changed because Mr. McClure allowed his tenant to change the site. He also mentioned the school bus that stops daily.

H. Smith suggested the Applicants engineer review this and speak with the Town Engineer and report back to the Commission.

Charlie McClure (174 Cedar St.) noted there are three catch basins on 172 Cedar Street. He also noted that he also contributed money toward the water problem and it is his plan to repave the area in the Spring. He will address the drainage issues then.

Jack Fast-(Hallocks) explained they have to vacate their current location in West Haven since the building he is located in is being torn down. He is asking for permission to move into the building and finish the handicapped ramp and the loading dock and leave the drainage problem to be resolved later.

H. Smith told him he could move into the building as far as zoning is concerned due to the Special Exception Application that had been previously submitted and approved by the Commission. However, that approval did not include approval for any not site work.

After discussion among the Commission members, H. Smith suggested revisions to condition four on the Staff Report to address the drainage issue impact and previous changes to the drainage at #172 Cedar St. The applicant stated they were agreeable to the revisions.

R. Stoecker suggested adding an additional condition to the approval to address the travel storage trailer located on the site.

J. Vaiuso made a motion to waive the Public Hearing and approve the Application with seven conditions and the revision to condition number 4 as stated by the Town Planner. J. Chadwick seconded the motion which passed unanimously.

2. Graydog, LLC
c/o Debbie Tobin-Applicant & Owner
57 Sound View Heights
Coastal Site Plan
Application #17-1.4
To be A/R

Jim Pretti-(Criscuolo Engineering) represented the Applicant. He highlighted the Application. This Application is the demolition of the existing house and garage and construction of a 3,690 s.f. single family house. The house meets all the zoning setbacks.

R. Stoecker reviewed the staff report.

M. Palluzzi approved the Application with the finding and condition listed on the Staff Report.
P. Higgins seconded the motion which passed unanimously.

3. Alex Vigliotti c/o
Vigliotti Construction-Applicant
Daniel P. Cosgrove-Owner
19 Parish Farm Road
ReSubdivion
Application #17-1.5
To be A/R, PH to be set

H. Smith explained this ReSubdivion was previously approved but the Mylar was not filed on the land records on time. So, the Applicant has to re-apply.

The Commission set a Public Hearing for 2/16/17.

4. James B. Cosgrove(First Selectman)-Applicant
Town of Branford-Owner
48-86 Tabor Drive
Site Plan & Coastal Site Plan -Recreational Trail-Municipal Facility
Application #17-1.6
To be A/R

The Commission accepted the application for review and tabled it to the 2/16/17 meeting.

5. Kurt Uihlein-Applicant
Lisa Uihlein-Owner
130 Riverview Avenue
Coastal Site Plan
Application# 17-1.7
To be A/R

The Commission accepted the application for review and tabled it to the 2/16/17 meeting.

6. H. Smith noted there is an item has been received by staff that the Commission may want to add to the agenda. It was a letter and request from First Selectman James Cosgrove for a CGS Section 8-24 referral which he read into the record. This is for the acquisition of property located at 26 and 28 Church Street.

J. Chadwick made a motion to add the CGS Section 8-24 referral to the agenda. M. Palluzzi seconded the motion which passed unanimously.

First Selectman Jaime Cosgrove explained that 26 and 28 Church Street are owned by the same person. The landowner approached the town to ask if they were interested in purchasing the parcels. First Selectman Cosgrove felt it would be valuable land for the town to own. For long term planning, he said it would be a wise purchase.

M. Palluzzi made a motion to send a positive report regarding this CGS 8-24 referral. J. Chadwick seconded the motion which passed unanimously.

TOWN OF BRANFORD PLANNING AND ZONING COMMISSION

Minutes - February 2, 2017

Page 7 of 7

1. Cash bond acceptance for incomplete site work and driveway apron at 17 Sound View Heights.

F. Russo made a motion to establish a bond for \$3,717.00 for incomplete site work and a driveway apron located at 17 Sound View Heights. P. Higgins seconded the motion which passed unanimously.

2. Cash bond acceptance for lawn work and driveway apron at 48 Harding Court.

F. Russo made a motion to establish a bond for \$1,800.00 for lawn work and a driveway apron located at 48 Harding Court. P. Higgins seconded the motion which passed unanimously.

3. Cash bond acceptance for Lots 1, 3 & 5 Cornfield Estates.

See discussion under Item #4 below.

4. Cash bond acceptance for 135,141 & 145 Cherry Hill Road.

H. Smith noted that Item number three and number four actually refers to the same properties since #'s 135, 141 and 145 Cherry Hill Road are Lots 1,3 & 5 of Cornfield Estates.

J. Viauso made a motion to establish a bond for \$14,800.00 for street trees and driveway aprons located at 135,141 & 145 Cherry Hill Road. J. Chadwick seconded the motion which passed unanimously.

5. Planner's Report

H. Smith reminded the Commission of the upcoming Land Use Seminar held at Wesleyan University March. He said that if Commission members register and attend he would reimburse the registration fee. He highly recommended attending.

H. Smith also noted that there were four responses from consultants to the Request for Proposal (RFP) for work on the update to the Plan of Conservation and Development. He said there were six responses to the RFP for the Transit Orient Development Study. Interviews will be held by the Consultant Selection Committee on February 15 and hopefully recommendations on which firm(s) to contract with made shortly thereafter.

Motion adjourned at 10:26 p.m.