



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY FEBRUARY 6, 2020 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

Commissioners Absent: D. Dyer, J. Lust

Staff Present: H. Smith –Town Planner, M. Martin- Clerk
Chairperson Andres reviewed the public hearing procedures.

Secretary M. Palluzzi read the public hearing notice into the record.

Chairman Andres said the Applicant for Item #9 (Hampton Inn) has requested that we open the Public Hearing and continue this until the next meeting on February 20. The Applicant will make a presentation then.

PUBLIC HEARINGS:

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, continued to 2/6/20

Larry Stout- (Owner of Pepe's Service Station) spoke, saying he has worked there over 40 years. He gave a brief history of the business, noting he wants to retire in a few years. He realizes that parking is the main issue. They talked to Richlin Hardware Store (across the street) regarding the parking issue. Richlin agreed that they could use 5 to 6 parking spaces but they will not provide anything in writing regarding that. He said Shelley's Garden Center also uses the lot but they don't have any written agreement either. He felt the parking spaces that are required is excessive.

Public input:

1. Mrs. Ivor-(61 Home Pl) spoke and said this site has been a problem for people in home place. Shelly's is also a problem with the parking. She thought the parking was supposed to be in the front of the garden center. People park anywhere. People don't look, and there have been lots of accidents. She said it's more than just parking issue. The gas station will add pumps and that will increase traffic.

Chairperson Andres closed the Public Hearing.

2. 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, continued to 2/6/20
3. 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, continued to 2/6/20
4. 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, continued to 2/6/20
5. 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, continued to 2/6/20
6. 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, continued to 2/6/20
7. 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, continued to 2/6/20
8. 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, continued to 2/6/20

J. Pretti (Criscuolo Engineering) spoke first. He noted at the last meeting they presented the plan for 15 lots. The concerns that were heard were mostly about the driveways. They revised the plan. Now, all the driveways are off Parish Farm Road. He reviewed the revised plan for the Commission.

There was a discussion and questions.

Bill Horne- (Pleasant Point Rd) briefly spoke of what the Regional Water Authority can do with the land (open Space) because there are restrictions on the land.

Susan Keyes-(66 Todds hill Rd) said the driveways have been moved, which is good but now the stop sign is gone. She explained there was previously one there and it has been removed. She said she is also concerned because she he also has a water issue.

George Adamo- (8 Avon Rd) He said the route down Parish Farm Rd is used to cut off intersection and cut off stop lights so there is a lot of thru traffic. He is also concerned with saving the wetlands and land that the fowl uses. He spoke about drainage saying the pond overflows and drains across the water company property and that is a concern. The drainage area needs to be improved, there is a clog. He offered a few suggestions to address the drainage problems and hopes the Commission will take these issues into consideration.

Mrs. Adamo spoke next saying they have lived there almost 35 years. They are not against growth. She agrees there's a lot of traffic. She asked if a traffic study could be done. She also noted there are lots of bus stops and kids. She felt sidewalks were needed and the cars cannot see the runners and walkers so it's dangerous.

Perry Maresca- Said he has been doing business with the Vigliotti farm for years and noted they are a reputable company and will be responsible.

Mrs. Vaughn-(74- Todds hill rd.)- She is concerned about stop signs. There used to be 3 stop signs. She spoke of how the town doesn't want to take on another road. She doesn't like the idea of a common driveway.

J. Pretti replied to some of the public comments.

Chairperson Andres closed the Public Hearing for Items 2 thru 8.

9. 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

This PH is opened and continued to the 2/20/20 meeting.

10. 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

Thomas Stevens-(Madison) - Engineer- represented the applicant. He highlighted the plan which he distributed to the Commission. The project is a total of 7 apartments with 11 bedrooms.

John Cunningham-(Landscape Architect) distributed photos the wetland area. He noted that the plan is not totally complete. He reviewed it for the Commission.

H. Smith read the DEEP letter into the record. He noted this project went before the Stony Creek Architectural Review Board and they were generally supportive of this application subject to the agreement that the applicant would return to the board for further review.

H.Smith said new information was received in the office this week and he didn't have time to fully review it. He briefly reviewed the plans and made a few suggestions. He noted more details need to be on the landscape plan.

The Commission had a brief discussion.

Public input:

Peter Kusterer- Spoke and said this property is across the street from this building. He approves of this plan, saying it enhances the neighborhood.

Barbara Chessler- (8 Three Elms Rd) spoke saying she is happy with the landscaping plan. She wants to protect the elm tree. She spoke of the arborvitae that she planted, it's on his property. The previous neighbor approved it. She asked if it could stay. The Landscape Architect said he would meet with her to discuss it. She approves of this plan.

The public hearing will remain open and this item is continued to the 2/20/20 meeting.

11. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Resubdivision Modification
Application #20-1.1
A/R 1/9/20, PH set for 2/6/20

12. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception for a Common driveway
Application #20-1.2
A/R 1/9/20, PH set for 2/6/20

J. Pretti (Criscuolo Engineering) spoke first. This was previously approved as a 2 lot item. He briefly reviewed the application.

H. Smith noted that the agenda is not in correct order. He suggested the Commission review PZ# 20-1.2 Special Exception for a common driveway first. He noted there are no conditions on the approval for this application.

Public Input:

No one spoke.

Chairperson Andres closed the Public Hearing.

Return to table:

1. 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, continued to 2/6/20
2. 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, continued to 2/6/20
3. 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, continued to 2/6/20
4. Vigliotti Construction c/o Frank Vigliotti-Applicant
Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
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Special Exception (Lot 8 of a 15 Lot ReSubdivision)
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5. Vigliotti Construction c/o Frank Vigliotti-Applicant
Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
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Special Exception (Lot 9 of a 15 Lot ReSubdivision)
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Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
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A/R 1/9/20 & PH opened 1/9/20, continued to 2/6/20
7. 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, continued to 2/6/20

Comm. F. Russo is seated for Comm. J. Lust, who is absent.

The Commission discussed these applications and asked a few questions. Chairperson Andres suggested that the Commission view the site and discuss it at the next meeting. There will be no site walk, the Commissioners will go view the site at their convenience.

These items are Tabled until the 2/20/20 meeting.

8. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception for a Common driveway
Application #20-1.2
A/R 1/9/20, PH set for 2/6/20

J. Vaiuso made a motion to approve the application with no conditions.
J. Chadwick seconded the motion which passed unanimously.

9. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception- Interior (Rear) Lot (Lot 3 of a 3 Lot Resubdivision)
Application # 19-10.9
A/R 10/17/19, PH closed 1/9/20, Tabled to 2/6/20

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

FINDINGS:

1. The Commission finds that the pursuant to Section 9.6.C.2 of the Zoning Regulations that the informational requirements of Sections 6.9.E (1-5) for detailed drainage calculations are eliminated in view of an 1-9-2020 memorandum from the applicant's engineer, James Pretti, Jr. P.E., with which the Town Engineer, John Hoefflerle, P.E. concurred in an email dated 1-9-2020.
2. Compliance with Section 6.3 is waived per Section 6.3.L is found to be required since the Commission finds that the existing natural landscaping constitutes excellence in landscaping design.
3. The requirement of Section 6.3.D.3 for the preparation of Landscaping Plans by a licensed landscape architect is waived.

CONDITIONS:

- 1) Prior to the start of construction, the erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project.
- 2) Prior to the issuance of a zoning permit or the authorization for the issuance of a building permit, the following Site Plan revisions shall be addressed to the satisfaction of the Zoning Enforcement Officer or other staff of the Planning and Zoning Commission as may be indicated:

- a) Provide a Site Triangle at the intersection of Leetes Island Road and the Main Driveway.
 - b) Provide stormwater storage structures and/or grading revisions to the satisfaction of the Town Engineer to capture roof, driveway or yard drainage provided on the Site Development Plan.
 - c) Identify any significant trees left along the property line of the cleared lot and measures for their protection based on the recommendations of a Connecticut licensed arborist. Identify the trees that cannot be preserved and are proposed for removal.
 - d) Low Impact Development (LID) practices shall be considered. Roof leaders, footing drains and sump pumps (if utilized) shall be directed to the east away from septic systems and treated through LID methods to infiltrate and limit the impacts to the wetlands. The shared driveway runoff should also be treated using LID methods for water quality and to promote infiltration i.e. bioswales).
- 3) No lighting with a light source greater than 900 lumens shall be installed without staff or Commission approval as may be appropriate. 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 shall be no greater than 3000 degrees Kelvin.
 - 4) Dust control shall be undertaken as may be determined by the Zoning Enforcement Officer.
 - 5) This Special Exception approval shall become void if the associated re-subdivision is not recorded on the Town of Branford Land Records.

J. Chadwick seconded the motion which passed unanimously.

10. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Resubdivision Modification
Application #20-1.1
A/R 1/9/20, PH set for 2/6/20

J. Chadwick made a motion to approve the application with the Finding and Condition below:

FINDING:

1.The Commission finds that the pursuant to Section 1.07.B of the Subdivision Regulations that the informational requirements of Sections 4.06.B.5-8 for detailed drainage calculations are eliminated in view of an 1-9-2020 memorandum from the applicant's engineer, James Pretti, Jr. P.E., with which the Town Engineer, John Hoefflerle, P.E. concurred in an email dated 1-9-2020.

CONDITIONS:

1. All Conditions of the approval of application #19-10.6 as they may apply are incorporated into the approval of this application.
2. The following items shall be addressed to the satisfaction of the Town Planner prior to approval for the Chairperson's signature:
 - a. A signature block as required per Section 6.02.B stating "Final Approval/ No Financial Guarantee Provided."
 - b. All lot markers required by Section 6.08.B of the Branford Subdivision regulations including all lot corners of the proposed Open Space.
 - c. 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).
 - d. Designation of a 25-foot site triangle for the driveway intersection with Leetes Island Rd.
 - e. Note stating that the Branford Land Trust shall have a deeded right to pass through each of the three residential lots for the purposes of monitoring and maintenance.
 - f. The 100-foot wetland upland review area shall be labeled a no-disturbance zone.
 - g. Any required easements for drainage, access, utility or other purposes in a form acceptable to the Town and ready for execution.
 - h. For this application to be in compliance with Section 3.03.A which requires compliance of each proposed lot with the requirements of the Zoning Regulations and specifically including Section 6.12.F of the Zoning Regulations, evidence of the recording of all easements (of form and content acceptable to the Town Counsel and the Town Planner and fully addressing the requirements of Section 6.12.F of the Zoning Regulations) related to the common driveway on the land records of the Town Clerk.
 - i. Evidence of the recording of a deed transferring ownership of the proposed Open Space to the Branford Land Trust, of form and content acceptable to the Town Counsel and the Town Planner, ensuring its permanent protection as open space and meeting all other requirements of Section 3.04 of the Subdivision Regulations, on the Land Records of the Town Clerk.
3. The storm drainage system shall be determined at the time of the final house design and shall address the comments of the Town Engineer.
4. The Final Erosion and Sedimentation Plans are to be approved by the Zoning Enforcement Officer.
5. Underground utilities are required.
6. The Special Exception approvals for the Rear/Interior Lots are filed on the Land Records of the Branford Town Clerk.

M. Palluzzi seconded the motion which passed unanimously.

MINUTES: 1/23/2020

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

CORRESPONDENCE:

H. Smith said he received a letter of concern from a resident (Kate Galombus) regarding the site on 250 North Main Street. He will check with the Zoning Officer and give more details at the 2/20/20 meeting.

Also, a DEEP license for a new dock on Treasure Island was received.

OLD BUSINESS:

1. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception- Interior (Rear) Lot (Lot 3 of a 3 Lot Resubdivision)
Application # 19-10.9
A/R 10/17/19, PH closed 1/9/20, Tabled to 2/6/20

This was addressed with the other 2 applications for 292 Leetes Island Road.

2. 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 (Time Extension offered & accepted)
3. 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

H. Smith reported that the consulting company has submitted a report for this but it hasn't been fully reviewed by him yet.

J. Pretti (Criscuolo Engineering) reviewed this application.

This item was Tabled to the 2/20/20 meeting

4. 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

5. RCR Enterprises, LLC, c/o Christopher Russo-
Applicant & Owner
61 East Industrial Road
Special Exception- Warehouse/Wholesale Business
Application #20-1.4
A/R 1/23/20 and PH set for 3/5/20
6. 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

NEW BUSINESS:

1. 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

OTHER BUSINESS:

1. Time Extension Request for 17-21 North Branford Rd.

H. Smith reviewed the history of this for the Commission. No action by the Commission is needed.
H. Smith will send a letter to the property owner.

2. Planner's Report

H. Smith said he will review the minor approvals he has processed so far at the 2/20/20 meeting.

The meeting adjourned at 9:45 p.m.