



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION THURSDAY, JANUARY 17, 2019 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

Commissioners Absent: D. Dyer

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

Chairperson Andres introduced the Commission and the Staff.  
Secretary M. Palluzzi read the Public Hearing notice into the record.

### **PUBLIC HEARINGS:**

1. Public Hearing regarding Draft 2019 Plan of Conservation & Development proposed for adoption and on file in the Town Clerk's office.

**PH set for 1/17/19**

Glenn Chalder presented a PowerPoint overview of the Draft Plan of Conservation & Development (POCD), noting that this is the culmination of 15 months of work. He then briefly reviewed the key points.

Chairperson Andres thanked the members of the POCD Steering Committee for all their hard work.

H. Smith spoke and said one of the required referrals is to the Dept. of Energy & Environmental Protection. If they respond with comments, then they must be read into the record per state law, which he did.

### PUBLIC INPUT:

Pam Roy-(60 Featherbed Ln.)- She asked about the letter H. Smith read into the Record and the comment in the letter recommended the incorporation of several recommendations from the 2016 Coastal Resiliency despite its finding that the proposed POCD was consistent with the policies and standards of the Coastal Management Act. H. Smith explained that the 2016 Coastal Resiliency Plan and the 2017 Transit Orient Study were included as part of POCD by reference. She was concerned that the two documents would get lost.

H. Smith would look at ways to emphasize these plans in POCD posting on website, etc.

Tracy Everson- (Secretary of the Thimble Islands Association) thanked all the people involved for their hard work .She spoke of Sea Level rise and Climate Change and their effects. She would like to see expanded neighbor participation alongside the Town officials involved.

She spoke of some of the problems they are experiencing in the Stony Creek neighborhood and of possible solutions. Another suggestion is to offer septic pump out services to islanders. She then noted that more wayfinding signage is needed in Branford.

Glenn briefly responded to her comments and suggested the Town work with the neighborhoods that are having issues and help to resolve them.

Chairperson Andres closed the Public Hearing.

2. Jamie Brecciaroli-Applicant  
John Damato Jr.-Owner  
83 School Ground Road (Units 4 & 5)  
Special Exception-Automotive Repair  
Application #18-12.3  
A/R 12/6/18 & PH set for 1/17/19

Jamie Brecciaroli (Applicant) spoke and said they are waiting for an updated Site Plan. He will have more information at the next meeting (February 7, 2019).

**THE PUBLIC HEARING WAS CONTINUED TO THE 2/7/19 MEETING.**

MINUTES: 1-03-19

**J. Vaiuso made a motion to approve the 1/3/19 minutes as written.  
J. Chadwick seconded the motion which passed unanimously.**

CORRESPONDENCE:

1. Notices from the Ct. Siting Council regarding Cell Tower equipment upgrades at 723 Leetes Island Road, 850 East Main St. and 60 Hosley Avenue.
2. Notification from the Town of North Branford regarding two proposed medical office buildings located at 28 Branford Rd (Rt 139).
3. Notification from the Town of East Haven regarding a ZBA application at 60 Brown Road for an enlargement of a non-conforming use (porch enclosure).

**RETURN TO TABLE:**

1. Public Hearing regarding Draft 2019 Plan of Conservation & Development proposed for adoption and on file in the Town Clerk's office.  
**PH set for 1/17/19**

**M. Palluzzi made a motion stating whereas a Public Hearing was held on January 17, 2019 and all procedural and substantive requirements contained within the Connecticut General Statutes regarding the adoption and content of Plans of Conservation and Development followed and satisfied, I move to "adopt the**

**proposed 2019 Plan of Conservation & Development (Proposed POCD Scheduled for Public Hearing on January 17, 2019) to be effective on February 1, 2019”.**

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

The Commission then took a five minute recess.

**OLD BUSINESS:**

1. 26 Cherry Hill Road LLC.-Applicant & Owner  
26 Cherry Hill Road  
PDD Site Plan/Special Exception (Section 6.8; Grading & Earth Removal Activities) -  
Multi-Family Residential  
**Application #18-8.5**  
**A/R 9/6/18, PH opened 10/18/18 & Closed 12/6/18,**  
**Tabled from 1/3/19**

H. Smith reviewed the draft resolution and the small edits he made since the explanation provided at the last meeting.

The Commission had a brief discussion.

**J. Chadwick made a motion to approve the proposed resolution (attached) with the changes that were discussed.**

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

2. Zhi Lin Chen- Applicant  
1064 Main St. LLC, c/o Frank Vigliotti-Owner  
1064 Main Street  
Site Plan-Take out Restaurant  
**Application #18-12.6**  
**To be A/R**

Joy Dong spoke. She is assisting her uncle who doesn't speak English. She explained the application is for a Chinese take-out restaurant. There will be no dining room. They are going to renovate the space with new equipment.

H. Smith reviewed the parking requirements and had an aerial photo. He noted the Town Center Revitalization Review Board were concerned about the modification of the exhaust pipe and fan tower to be mounted on the rear wall and roof of the building. He explained it to the Commission.

**J. Chadwick made a motion to approve the application with the following conditions:**

1. The additional plan sheets showing the exterior wall and roof placement of the kitchen hood exhaust vent shall be submitted and modified to show the relocation of the roof mounted kitchen hood exhaust fan tower to be at least four feet (4') away from the parapet wall along the Hillside Ave. side (and other sides) of the roof unless this will need to be adjusted to comply with Building & Fire codes.

2. Exterior signage shall be reviewed and approved by the Commission as a modification to this approval with referral to the TCRRB as required once formulated by the applicant prior to the issuance of a Zoning Permit for it and its installation.
3. No 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 lighting with the Zoning Regulations.

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

**NEW BUSINESS:**

1. GSK/ViiV Healthcare, c/o Thomas Beebe- Applicant  
Albany Road-Branford I LLC, c/o Dennis O'Donnell-Owner  
30-38 East Industrial Road  
Site Plan Modification- Addition of impervious surface (concrete pad) for installation of Nitrogen Tanks  
**Application # 19-1.2**  
**To be A/R**

Thomas Beebe- (Project Manager) spoke first explaining that the project is the installation of nitrogen storage tanks that will be replacing the present ones. It also entails removing the present concrete pad that the tanks rest on and installing a larger pad (12 feet by 26). There will also be fencing around the tanks and security cameras. No trees or landscaping will be displaced.

H. Smith showed the location of the site and highlighted the Staff Report.

**J. Lust made a motion to approve the application with the following conditions:**

1. Prior to the issuance of a Zoning Permit or the zoning authorization of a Building Permit a revised Site Plan shall be submitted for the review and approval of the Zoning Enforcement Officer showing where impervious coverage could be reduced by approximately 380 sq. ft. without reducing compliance with off-street parking required by the Zoning Regulations.
2. All previous approvals shall remain in full force and affect as they may still apply.

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

**OTHER BUSINESS:**

1. Bond Establishment for 906-930 West Main Street.

H. Smith said there is a bond acceptance that needs to be added to the agenda. It is for lighting, landscaping and reconfiguration of a parking lot located at 906-930 West Main Street.

Staff recommends the bond amount be \$8,258.50.

The Commission voted to add this item to the agenda unanimously.

**J. Lust made a motion to accept the bond. J. Chadwick seconded the motion which passed unanimously.**

2. Bond release for 175 Pine Orchard Rd.

H. Smith said this bond is for 2 driveways at \$500 each. The ZEO has inspected it and recommends release of the bond.

**M. Palluzzi made a motion to release the bond. J. Chadwick seconded the motion which passed unanimously.**

3. Bond reduction request for 47 Gould Land

H. Smith explained that the Applicant is requesting the bond be reduced from the current amount of \$679,606 to \$151,663. The bond is for roadway work, drainage, sewers and sediment and erosion controls. Based on the Engineering Department's review, the ZEO is recommending the bond only be reduced to \$184,423.

**J. Vaiuso made a motion to reduce the bond to \$184,423.**

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

4. Bond release for 618-622 Main Street

H. Smith said this is a surety bond currently. Some of the plantings were not completed at the site.

The property owner (Jeff Dow) explained that the three plants that were required were not planted because they would not have survived in the required location. He wants the site to look nice and is willing to do potted plants in that location.

H. Smith said he could either submit a revised site plan showing the removal/changes of the plants or wait until spring when Staff could review plantings.

The Commission discussed this and decided the property owner could substitute a cash bond of \$3,525.00 for the current surety bond.

**J. Chadwick made a motion to accept a cash bond for \$3,525.00 in place of the current surety bond.**

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

1. Planner's Report

The report was deferred to the next meeting.

**The meeting adjourned at 8:51 pm**