



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY, JANUARY 3, 2019 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, D.Dyer, M.Palluzzi

Commissioners Absent: J. Lust

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

Chairperson Andres introduced the staff and the Commission present. He then reviewed the Public Hearing procedures.

PUBLIC HEARINGS:

1. Giumas LLC, c/o Giulio Liguori- Applicant & Owner
155 Main Street
Special Exception-Two Family Home
Application #18-12.2
A/R 12/6/18 & PH set for 1/3/19

Giulio Liguori (Applicant) was present and explained he was approved in July 2018 to change the zone to R-1. This application is seeking to change the building to a 2 family with no exterior changes.

H. Smith reviewed the Staff report and gave a brief history of the property. He spoke of parking and landscaping and sidewalks.

The applicant added he did not feel a sidewalk would be feasible there.

PUBLIC INPUT:

1. Kevin Curry- Stated he is under contract to buy the gas station next door. He said the site looks good. He agreed that a sidewalk would be difficult for that side of the road. He also said the applicant has done great work on the site.

Chairperson Andres closed the Public Hearing.

MINUTES: 12-6-18

M. Palluzzi noted there was a typo on page 2. The word "listed" in the paragraph under the Legacy Theatre application should be "listened".

F. Russo made a motion to approve the minutes with the correction listed above.

J. Chadwick seconded the motion which passed unanimously.

CORRESPONDENCE:

1. Correspondence received from the Ct. Siting Council regarding an equipment swap at 850 West Main Street.
2. Correspondence from Ct Siting Council regarding and equipment swap at 723 Leetes Island Rd.
3. Correspondence from Ct Siting Council regarding the transmission line project from the East Wallingford junction to the substation located at 272 East Main Street.
4. A letter was received from the Attorney of the Applicant of 250 North Main St. regarding the tree that was knocked down in a previous storm and then removed. Chairperson Andres reviewed the letter and the history of this. The Commission discussed this briefly and the consensus was that H. Smith send a letter in response. Chairperson Andres will work with H. Smith to compose that.

RETURN TO TABLE:

2. Giumas LLC, c/o Giulio Liguori- Applicant & Owner
155 Main Street
Special Exception-Two Family Home
Application #18-12.2
A/R 12/6/18 & PH set for 1/3/19

J. Chadwick made a motion to approve the application with the conditions listed below:

- 1) 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 as may be indicated:
 - a. Provide landscape details on a revised Site Plan to add a street tree (canopy tree) and additional landscaping for the planting bed to fully address the front and planting bed requirements to the satisfaction of the Town Planner.
 - b. Show the existing parking area behind the building accurately and modify the configuration of the parking spaces to the rear of the building to meet the parking space dimensional requirements of Section 6.5 (10'x18' or 9'x 20'). The southern-most three parking spaces shall be eliminated since the narrowness of the property in this location does not allow the required 24' of maneuvering aisle width behind the parking spaces.
 - c. The existing sanitary sewer line shall be video inspected by a qualified plumber. Any issues with the line shall be reported to the Engineering Department for review. The line shall be replaced with a new 6" diameter line at the direction of the Town Engineer if he determines this is required based on the results of the inspection. If covered by driveway, the sanitary sewer line cleanout shall be retrofitted to withstand H2O loading to prevent damage by parking or plowing actions.

- 2) Any further changes to features of the property required to be shown on a Site Plan (Section 9.6) or the exterior of the building shall require approval by the Commission through application for a modification of this Special Exception approval.
- 3) 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.
- 4) To ensure continued compliance with the Zoning Regulations (Section 6.3) all landscaping shall 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 shall be replaced in-kind.

J. Vaiuso seconded the motion which passed unanimously.

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 12/6/18

H. Smith reviewed the draft resolution and noted it will be complete by the next Planning & Zoning meeting on January 17, 2019.

TABLED TO 1-17-19.

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
3. Hamilton Bradford LLC, 49 Commercial Pkwy LLC, c/o
Kris Shapiro (member)-Applicant & Owner
49, 81-111 Commercial Parkway
Zoning Map Amendment- BL to IG-2
Application #18-12.1
A/R 12/6/18 PH set for 1/17/19 - WITHDRAWN
4. 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

NEW BUSINESS:

1. Sachem Capital Corp., c/o John Villano-
Applicant & Owner
698 Main Street
Special Exception Modification-Minor change to approved building design
Application #18-12.5
To be A/R, PH waiver requested

H. Smith explained this is a minor exterior trim modification (cornice moldings) .He had color photos which he showed the Commission .He then reviewed the Staff Report. The Town Center Revitalization Review Board is in favor of the new design.

The architect (Ronald Zocher) and Michael from MDJ Construction were present. Ronald gave a brief history of the project explaining the building owner decided to go back to the original design for the trim.

J. Vaiuso made a motion to waive the Public Hearing. F. Russo seconded the motion.

M. Palluzzi made a motion to approve the application. J. Chadwick seconded the application which passed unanimously.

2. Beacon Communities-Applicant
Branford Housing Authority-Owner
115 South Montowese Street (Parkside Village I)
Zoning Map Amendment under CGS Section 8-30g (Affordable Housing Land Use Appeals) - **Application #17-9.5**
Site Plan & Coastal Site Plan under CGS Section 8-30g (Affordable Housing Land Use Appeals) - **Application #17-9.6**
Action to Modify decisions as directed by the State of Connecticut Superior Court decision regarding *Housing Authority of the Town of Branford, et al. v. Town of Branford Planning and Zoning Commission (Docket no. HHD-CV18-6091466-S)*

Chairperson Andres explained this is the remand from the court decision. He explained to the Commission that judge is ordering them to modify the resolutions. There were 3 applications; a text amendment, which the Commission approved.

There was also a map amendment application .The map amendment application was approved with a 3-2 vote but the protest petition that was filed required a super majority vote (4 votes needed). The judge ruled that the protest petition statute does not apply for 830-G applications .So, the 3-2 vote in favor is an approval, not a denial as a result of this decision.

The Site Plan application was approved and the first condition stated it was contingent upon approval of the map change. The judge ordered the approval without condition one.

Chairperson Andres noted they are modifying the resolution, not the voting.

For the record, F. Russo is seated for J. Lust (who is absent) and P. Higgins is seated for J. Chadwick (who is recused).

M. Palluzzi made a motion to approve a modification to the Resolution for approval of the Zoning Map Amendment application (#17-9.5) to remove the 3rd, 4th, 5th, and 6th WHEREAS clauses and delete the following sentence “Resolution denied by the Commission on January 25, 2018 due to failure of motion to obtain a supermajority vote of 4-1” to comply with the decision of the Superior Court in the matter of Housing Authority of the Town of Branford, et al. v. Town of Branford Planning and Zoning Commission (Docket no. HHD-CV18-6091466-S).”

J. Vaiuso seconded the motion which passed unanimously.

M. Palluzzi made a motion to approve a modification to the Resolution for approval of Site Plan/Coastal Site Plan application (#17-9.6) adopted by the Planning and Zoning Commission on January 25, 2018 to delete the existing text of Condition #1 and substitute in its place the word “RESERVED” to comply with the decision of the Superior Court in the matter of Housing Authority of the Town of Branford, et al. v. Town of Branford Planning and Zoning Commission (Docket no.HHD-CV18-6091466-S).”

P. Higgins seconded the motion which passed unanimously.

3. 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

Tabled to the 1-17-19 meeting.

The application will go before the Town Center Revitalization Review Board 1-9-18.

4. Richard Vancisin-Applicant
Joseph & Elizabeth Vancisin-Owners
Orchard Avenue (private road) and attached property
Subdivision Modification
Application #19-1.1

H. Smith highlighted the site plan. He explained it is a private street called Orchard Ave. and there are 3 properties and a small strip in common and the property owner would like to donate the far right parcel to the Branford Land Trust. He reviewed the history of the lots. Going on the basis that this is a Subdivision, then this would be a subdivision modification.

J. Vaiuso made a motion to approve the application.

J. Chadwick seconded the motion which passed unanimously.

OTHER BUSINESS:

1. Election of Officers

D. Dyer polled the Commission members and everyone is happy with the current officers.

The Commission voted to appoint C. Andres as the Chairperson and M. Palluzzi for secretary.

2. Revised 2019 Meeting Schedule (March 21 meeting to be at Canoe Brook)

M. Palluzzi made a motion to approve the revised 2019 meeting schedule.

J. Vaiuso seconded the motion which passed unanimously.

3. Planner's Report

H. Smith noted the Public Hearing for the POCD is scheduled for 1-17-19. So far, he has not received any comments.

Chairperson Andres invited the Commission to the Regional Planning Commission Annual dinner. He has additional details if anyone is interested.

The meeting adjourned at 8:41 p.m.