



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 JANUARY 5, 2023 REGULAR MEETING 7:00 p.m.

This meeting was held by remote technology via zoom software.

Commissioners Present: C. Andres, F. Russo, M. Palluzzi, J. Chadwick, S. Huttner, M. Liguori
Staff Present: H. Smith (Town Planner), E. Breining (Asst. Town Planner), M. Martin (Clerk)

Chairperson Andres introduced the commission and staff.
He then reviewed the public hearing procedure.

E. Breining reviewed how to participate in the public hearing.

Chairperson Andres announced that the 94 East Main Street application is continued to the next meeting on January 19 per the applicant's request.

Secretary F. Russo read the public hearing notice.

PUBLIC HEARINGS:

1. Westford Real Estate Management LLC c/o-John Westford-Applicant
Jefferson Woods Community Inc. c/o Nally Sahiin-Owner
11-404 Jefferson Woods
Special Exception Modification- Construction of Additional Parking
Application #22-8.3
A/R 9/1/22 & PH opened 9/15/22 & continued from 12/8/22
This public hearing was continued from the last meeting.
Jim Pretti (Criscuolo Engineering) represented the applicant and also present was Attorney Andrea Dunn and John Fishman from Westford Real Estate Management LLC.

J. Pretti gave a brief history of the application and noted the applicant hired a lighting consultant and they have installed a new light and pole which is compliant.

J. Pretti then displayed the Landscape plan done by Larry Appleton.
E. Breining reviewed the conditions of approval.

PUBLIC INPUT:

1. Bill Lupi-(adjunct neighbor) - He said he is ok with most of the things he heard tonight but asked: can the fence be continued? He's satisfied with the plantings proposed on the property line and hopes that there are enough shrubs to block his view of the fence. He is not opposed to the way the fence is now.
2. Sal M.-185 Sunny Meadow Rd.- He noted his mother lives there now. He asked how wide the fence panels were and for the fence to be lowered, all the way to the ground. He asked for the height of the fence to remain and add an extension at the bottom of the fence to the ground. He is concerned about the lights from cars coming under the space under the fence and coming into the windows of his house. The

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arborvitae are nice but they won't stop the light problem. What happens when the arborvitae die? He really would like the fence to go to the ground. He asked that forsythia not be planted there.

Jon Fisman (Westford) gave a few comments.

J. Pretti displayed a photo of the end of the fence by the mailboxes. He noted that more landscaping will be added to that area.

There was a brief conversation about adding wood to the bottom of the fence.

3. Bill Lupi- He answered Sal's question about the fence panel width (8 ft wide). He measured the fence length and he thought arborvitae every 4 ft or so. and repeated his request for the fence to be continued so there is no gap with the other fence.
4. Peter Reilly- He noted he was thinking of continuing the fence but why lower it? Or were they thinking of an extension at the bottom of the fence? He wanted to clarify.
5. Bill Lupi- replied and said he was thinking of just adding an extension at the bottom of the fence, not lowering it. He noted his neighbor Sal may have more of an issue with the lighting.
6. SAL M. said he wants the fence to stay at the height it is now. He does have a problem with the headlights coming into his house. He repeated he really wants extensions added to the bottom of the fence.

J. Pretti reviewed the requests from the neighbors and the solutions offered.

Chairperson Andres closed the public hearing.

2. Daniel Rabin- Applicant
Amendments to Section 6.16 (Alternative Energy) and 4.18 to allow Large Scale Ground Mounted Solar Arrays as currently defined in Section 2.2.
Application #22-10.1
A/R 10/6/22 & PH opened 11/17/22 & continued from 12/8/22

Dan Rabin (Applicant) displayed the zoning chart and reviewed the proposed language.

H. Smith (Town Planner) added a few comments.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

3. 94 East Main Street LLC, c/o Stacy Ruwe-Applicant & Owner
94 East Main Street
Special Exception & Coastal Site Plan -Construction of (3) Two Family Dwelling Units
Application #22-10.7
A/R 11/3/22 & PH opened 12/8/22 and continued to 1/5/23

This item is continued to the 1/19/23 meeting per the applicant's request.

Chairperson Andres noted he went and looked at the property and very briefly spoke to a few neighbors.

The applicant offered a time extension which the commission accepted.

4. Matthew Reale-Applicant & Owner
0 Bartholomew Road
Special Exception & Coastal Site Plan-Oversized Accessory Structure
Application #22-10.9
A/R 11/3/22 & PH opened 12/8/22 and continued to 1/5/23

This item is continued to the 1/19/23 meeting per the applicant's request.

The applicant offered a time extension which the commission accepted.

5. BC Investment Propertys LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
11 Lot Resubdivision
Application #22-11.2
A/R 11/17/22 & PH set for 1/5/23

The applicant requested that items 5, 6 and 7 public hearings not be opened and they be Tabled to the 2/2/23 meeting.

H. Smith noted that a Special Exception application for grading is needed as well and the applicant will be submitting that.

6. BC Investment Propertys LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior (Rear) (Lot #5)
Application #22-11.3
A/R 11/17/22 & PH set for 1/5/23

7. BC Investment Propertys LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior (Rear) (Lot #2)
Application #22-11.4
A/R 11/17/23 & PH set for 1/5/23

8. Alan & Cynthia Brooks-Applicants & Owners
91 Stannard Avenue
Special Exception- Grading (Sec 6.8) associated with a home addition
Application #22-11.5
A/R 11/17/22 & PH set for 1/5/23

Alan & Cynthia Brooks were both present and explained their contractor could not attend The meeting due to illness. This application is for grading for the addition of a garage and home addition. They noted that they had gotten Inland Wetlands and Zoning Board of Appeals approvals as well.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

9. Jean Farricelli-Applicant & Owner
104 Cherry Hill Road
Special Exception-Oversized Accessory Structure (Garage)
Application #22-11.6
A/R 12/8/22 PH set for 1/5/23

This item is continued to the 1/19/23 meeting per the applicant's request.

The abutter's notices were not mailed out in time.

MINUTES - 12/8/22

F. Russo made a motion to approve the minutes as written.

J. Chadwick seconded the motion which passed unanimously.

CORRESPONDENCE:

1. We received a request from a group called Desegregate CT to attend a planning and zoning meeting to discuss their proposals to the Legislature. He suggested discussing this further under the Planner's Report at the end of the meeting to discuss what the commission would like to do with that request.
2. A communication was received from the US Dept. of the Interior- An offshore wind farm well off of Martha's Vineyard is being proposed and the cabling will extend thru Long Island Sound to NYC and the side cable to East Lyme, CT. He then displayed a map and the letter. H. Smith said if any of the commissioners wished to send any comments in regarding that, let him know.

RETURN TO TABLE:

1. Westford Real Estate Management LLC c/o-John Westford-Applicant
Jefferson Woods Community Inc. c/o Nally Sahiin-Owner
11-404 Jefferson Woods
Special Exception Modification- Construction of Additional Parking
Application #22-8.3
A/R 9/1/22 & PH opened 9/15/22 & continued from 12/8/22

J. Chadwick approved the application with the Finding and Conditions below:

FINDING:

1. Subject to compliance with the conditions listed below, the Commission finds that the applicant has demonstrated excellence in landscaping design per section 6.3.L (2) and waives the side yard landscaping requirements.

CONDITIONS:

1. All construction, site work, and architectural design of the proposed building 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 or his designee, per Section 9.6.B.5.
2. Prior to the issuance of a Zoning Permit or the authorization for the issuance of a Building Permit the following will be met to the satisfaction of the Town Planner or his designee:
 - a. The landscaping plan shall be revised to include as many native plantings as possible and specifically substituting spice bush in place of forsythia.
 - b. The number of Arborvitae to be planted shall be increased beyond 20 (But less than 40).
 - c. Plantings shall be moved as close to the property line as possible.

- d. The existing two fences shall be adjoined together, to form a single fence and this shall be extended downward as close to the ground as possible.
3. 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 an updated photometric plan (Sheet LP-1) including an updated schedule providing information on the different types of fixture (maker & model number, mounting height, lumens generated, etc.) and surface light level projections in foot-candles that are in compliance with the requirements of the Zoning Regulations.
4. 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.
5. Installation of the proposed landscaping shall be completed within Six months of the date of this approval.
6. The Site plan may be modified as necessary to the satisfaction of the Town Planner or his designee to include EV charging stations

F. Russo seconded the motion which passed unanimously.

2. Daniel Rabin- Applicant
Amendments to Section 6.16 (Alternative Energy) and 4.18 to allow Large Scale Ground Mounted Solar Arrays as currently defined in Section 2.2.
Application #22-10.1
A/R 10/6/22 & PH opened 11/17/22 & continued from 12/8/22

F. Russo made a motion to approve the application, as amended, effective February 3, 2023 based on findings that the Plan of Conservation and Development has been considered and that the proposed amendments are in accordance with the Comprehensive Plan and are consistent with the goals and policies of the Coastal Management Act.

J. Vaiuso seconded the motion which passed unanimously.

3. Alan & Cynthia Brooks-Applicants & Owners
91 Stannard Avenue
Special Exception- Grading (Sec 6.8) associated with a home addition
Application #22-11.5
A/R 11/17/22 & PH set for 1/5/23

J. Vaiuso made a motion to approve the application with the Conditions below:

CONDITIONS:

1. Prior to the start of construction the following shall be completed the satisfaction of the Zoning Enforcement Officer and maintained throughout the project:
 - a. erosion control measures shall be installed and maintained throughout construction

2. 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 and other site lighting shall be provided as necessary to demonstrate compliance with Section 6.7 and the Lighting Appendix referenced in this Section of the Zoning Regulations.

J. Chadwick seconded the motion which passed unanimously.

OLD BUSINESS:

1. Paul Crisci-Applicant & Owner
65 Sunset Beach Road
Coastal Site Plan- Modifications to existing Single Family dwelling to bring it
Into compliance with FEMA regulations.
Application #22-10.14
A/R 11/3/22

This item is withdrawn

2. Michael Sullivan-Applicant
Martha Squires Jenkins & Elizabeth McConahy Jenkins-Owners
24 Summer Island Point
Coastal Site Plan- Modifications to existing Single Family dwelling to bring it
Into compliance with FEMA regulations
Application #22-10.15
A/R 11/3/22

This item is withdrawn.

3. Central CT YMCA Association Inc.-Applicant & Owner
628 East Main Street
Special Exception Modification-EV Charging Stations
Application #22-12.1
A/R 12/8/22

H. Smith explained this item is a staff approval. It is Tabled to the 1-19-23 meeting.

NEW BUSINESS:

1. Richard Pelliteir-Applicant & Owner
56-58 Harrison Avenue
Special Exception Modification-3 Family Residence

Application #22-12.3

To be A/R & PH to be set

H. Smith noted the applicant has requested a waiver of the public hearing.
E. Breining reviewed the application and gave a few comments.

J. Chadwick made a motion to waive the public hearing.

F. Russo seconded the motion which passed unanimously.

2. Joseph Luchini-Applicant & Owner
12 Whiting Farm Road
Special Exception-Accessory Apartment
Application #22-12.4
To be A/R & PH to be set

Staff will set the public hearing dates for items: 2,3,4,5,6,7,8.

3. Joseph Luchini-Applicant & Owner
12 Whiting Farm Road
Special Exception-Oversized Accessory Structure
Application #22-12.5
To be A/R & PH to be set
4. Kevin J. & Robin J. Dextrateur-Applicants & Owners
40 Pent Road
Special Exception- Accessory Apartment
Application #22-12.6
To be A/R & PH to be set
5. Richard Hellman & Susan Levy-Applicants & Owners
230 Pleasant Point Road
Special Exception (Section 6.8- Grading within 100 ft of a critical coastal resource) & Coastal Site Plan-Building Reconstruction & Partial foundation replacement
Application #23-1.1
To be A/R & PH to be set
6. Jean Wood- Applicant & Owner
22 Collins Drive
Special Exception- Accessory Apartment
Application #23-1.2
To be A/R & PH to be set
7. Edward Esborn-Applicant & Owner
24 Stannard Avenue
Special Exception- Accessory Apartment
Application #23-1.3
To be A/R & PH to be set
8. Peter & Patricia Broughal-Applicants & Owners
6 Old Pawson Road
Special Exception- Accessory Apartment
Application #23-1.4
To be A/R & PH to be set

OTHER BUSINESS:

1. Bond Establishment for 471 East Main Street
J. Vaiuso made a motion to establish the bonds for 471 East Main Street.
F. Russo seconded the motion which passed unanimously.

2. Bond Establishment for 173 Hotchkiss Grove Road.
F. Russo made a motion to establish a bond for 173 Hotchkiss Grove Road.
J. Chadwick seconded the motion which passed unanimously.

3. Matthew & Stephanie Milano-Applicants & Owners
125 Thimble Islands Road
2 Lot Subdivision & Coastal Site Plan
Request a 90-day Time Extension to the time to file the Mylar for the subdivision

J. Vaiuso made a motion to approve the time extension to file the Mylar for 125 Thimble Islands Road.
J. Chadwick seconded the motion which passed unanimously.

4. Follow up from the Special Meeting with the Coastal Vulnerability Group
Chairperson Andres noted that the pz commission recently had a special meeting with this group.

H. Smith said the Coastal Group is looking to see if the Planning & Zoning Commission would like to work with them to explore modify existing regulations and ordinances. It would be a joint Subcommittee. Sharon Huttner volunteered to be on the subcommittee.

The commission discussed this briefly and Harry Smith offered technical assistance.

5. CT Land Use Webinar (March 11, 2023)
H. Smith noted this used to be held at Wesleyan University. It is held on a Saturday and this year it is a webinar. He encouraged the commissioners to attend. It is very informative. Please let the office know if you would like to attend.

6. Planner's Report
H. Smith suggested that the representatives from the Desegregate Ct group attend a Planning & Zoning meeting when the agenda is not as lengthy as it is now.
Chairperson Andres agreed that this is a good idea and suggested the group forward a presentation to us per Sharon's suggestion.

H. Smith said he will reach out to the group and suggest they attend a few months down the road.

The meeting adjourned at 9:12 p.m.