



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION MONDAY, JANUARY 08, 2018 SPECIAL MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

Commissioners Absent: C. Kelly

Staff Present: H. Smith- Town Planner, Attorney Danielle Bercury, M.  
Martin-Clerk

Chairperson Andres introduced the Commission and Staff present. He noted since this was a Special Meeting, no new items can be added to the agenda.

He then noted a Section CGS 8-24 Referral for the Blackstone Library addition is the last item on the agenda and he has received a request that that item be heard first.

J. Lust made a motion to hear that item first and J. Chadwick seconded the motion.

### OTHER BUSINESS:

1. CGS-Section 8-24 for an addition to the James Blackstone Memorial Library at 758 Main Street.  
This was the first item that was approved at the start of the meeting.

Karen Jensen-(Library Director) spoke first. Also present was Andy Mckirdy (Board of Trustees President).She explained the project is a small addition to the rear entryway to the building. The addition would have a terrace that would be accessible from the auditorium as well as ADA compliant restrooms and a circulation desk. She had an Architect's rendering of the addition which she highlighted. She pointed out that the addition doesn't extend past the wings of the building so you can't see it from the front of the building. Some minor excavating will be done. She also explained that the other part of the project is reallocating space within the library; the children's department is being moved from the top floor to the ground floor and a teen area will be added to the children's space. Also the administrative offices that are currently on the ground floor will be moved to the top floor and two additional small meeting rooms will be added. The auditorium will also be expanded.

H. Smith noted the Commission usually looks at the Plan of Conservation & Development(POCD) regarding CGS Section 8-24 referrals.It was noted that the POCD mentions the library as a publicly used but privately owned facility and supports plans for a building addition.

**J. Chadwick made a positive 8-24 Referral for the Blackstone Library addition. J. Lust seconded this motion which passed unanimously 5-0.**

REGULAR MEETING 7:00 P.M.

PUBLIC HEARINGS:

1. James Blackstone Memorial Library Association  
c/o Karen Jensen (Library Director)-Applicant & Owner  
Special Exception –Addition to existing Library  
**Application #17-12.1**  
**A/R 12/7/17 & PH opened 01/04/18, continued to 1/18/18**
2. Diane W. Whitney(Pullman & Comley)-  
Agent for Owner  
595 Corporate Circle- Owner  
Zoning Regulation Amendment  
**Application #17-11.3**  
**A/R 11/16/17& PH opening postponed to 2/15/18**

**MINUTES: 12/07/2017 & 12/21/2017**

**M. Palluzzi made a motion to approve the 12/7/17 and 12/21/17 meeting minutes as written.**  
**J. Lust seconded the motion which passed unanimously 5-0.**

**CORRESPONDENCE:**

**OLD BUSINESS:**

1. Tidal Basin LLC.-Attorney Gregg Burton, Agent-  
Applicant & Owner  
60 Maple St. & 2 & 5 Indian Neck Avenue &  
4 & 6 Indian Neck Avenue  
PDD Modification/Master Plan Amendment  
**Application #17-10.1**  
**A/R 10/5/17, PH opened 11/16/17, PH closed 12/21/17**

Chairperson Andres reminded the Commission that this application was presented at the Special Meeting that was held on December 21.He then briefly reviewed it.

H. Smith reviewed the draft resolution, noting the PDD Modification/Master Plan Amendment would have an effective date of January 31, 2018 and the Site Plan/Coastal Site Plan effective date would be February 1, 2018.

For the record, Commissioner J. Lust is recused from this application. Commissioner F. Russo is seated for him.

**M. Palluzzi made a motion to approve the modified resolution with the effective date of January 31, 2018. J. Chadwick seconded the motion which passed unanimously 5-0.**

2. Tidal Basin LLC.-Attorney Gregg Burton, Agent-  
Applicant & Owner  
60 Maple St. & 2 & 5 Indian Neck Avenue &  
4 & 6 Indian Neck Avenue  
Site Plan /Coastal Site Plan  
Application #17-10.2  
A/R 10/5/17, Tabled from 12/21/17

Attorney Gregg Burton (Carmody,Torrance Sandak & Hennessey LLP) represented the Applicant. Also present were Jim Pretti (Criscuolo Engineering) and John Cunningham (TC Landscape & Design). Attorney Burton asked that the Commission incorporate the public hearing information from the PDD Modification/master Plan Amendment Application into their consideration of this application. He said they have recently submitted a revised Site Plan that modified the Access Easement area.

He stated that after meeting with the Town Staff he is modifying the previous offer to include the payment of twenty five thousand dollars (\$25,000) as a contribution to the town with no conditions

when they apply for a zoning permit. These funds would be used for the Boardwalk adjunct to the property if the Boardwalk is constructed within 5 years or otherwise to be used for any other project for Coastal access along the Branford River.

H. Smith noted that the original offer the Applicant made was problematic in terms of time of payment and the other conditions included. In reviewing the initial offer and the possible problems that may occur with it and after reviewing the regulations and the Coastal Management Act, this offer met the necessary requirements.

Commissioner J. Lust is recused from this application. Commissioner F. Russo was seated for him.

The Commissioners had a brief discussion.

H. Smith noted for the record that he received a letter from the Fire Marshall regarding the need for the width of the private path between the hotel and the shore shown on the plan.

H. Smith reviewed the draft resolution.

**F. Russo made a motion to approve the draft resolution with modifications with an effective date of February 1, 2018. J. Vaiuso seconded the motion which passed unanimously 5-0.**

3. 110 North Main LLC-Applicant  
110 North Main LLC & Elm City Mfg. Jewelers, Inc.-Owners  
110 & 112 North Main Street  
Site Plan- Retail Store  
**Application #17-8.3**  
**A/R 9/7/17, Tabled from 12/07/17, Time Extension through 1/18/18 offered and accepted.**  
**WITHDRAWN**
4. Beacon Communities-Applicant  
Branford Housing Authority-Owner  
115 South Montowese Street (Parkside Village I)  
Zoning Regulation Amendment under CGS Section 8-30g (Affordable Housing Land Use Appeals)  
**Application #17-9.4**  
**A/R 10/5/17, PH opened 10/19/17 & closed 12/07/17, Tabled from 12/7/17**
5. 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**  
**A/R 10/5/17, PH opened 10/19/17 & PH closed 12/07/17, Tabled from 12/7/17**
6. Beacon Communities- Applicant  
Branford Housing Authority-Owner  
115 South Montowese Street (Parkside Village I)  
Site Plan & Coastal Site Plan under CGS Section 8-30g (Affordable Housing Land Use Appeals)  
**Application #17-9.6**  
**A/R 10/5/17, Tabled from 12/07/17**

Commissioner Chadwick recused himself from this application. Commissioner F. Russo was seated in his place. Discussion of deliberations below applies to items 4, 5 and 6.

Chairperson Andres noted that the Commission is reviewing the four applications together; the Zoning Regulation Amendment, the Zoning Map Amendment, the Site Plan Application and the Coastal Site Plan Application.

He also said that the Protest Petition which the Commission accepted would only affect the Zoning Map Amendment Application.

He reminded the Commission that this is an 830-G Application which has different rules.

Attorney Danielle Bercury then spoke and explained that if the Commission chose to deny the application, then the burden is on the Commission to prove the denial meets the state statute. The substantial public interests that the Commission is trying to protect would have to clearly outweigh the need for affordable housing and it would have to be demonstrated that the substantial public interests cannot be addressed by requiring modifications to the application. The courts look at public health and safety concerns, some more than others.

Chairperson Andres then asked the Commission for their thoughts. He then spoke of some of his concerns.

The Commission discussed the limitations of their review under CGS Section 8-30g. After further discussion the Commission expressed a 3-2 consensus in support of an approval with conditions and directed Staff to prepare resolutions for approval with conditions.

#### **NEW BUSINESS:**

1. Town of Branford (Planning & Zoning Commission)-  
Applicant & Owner  
Zoning Regulation Amendment to Section 5.4.G &5.4.h  
**Application #17-12.2**  
**To be A/R and PH set for 1/18/18**

#### **OTHER BUSINESS:**

2. CGS- Section 8-24 Referral for granting of an easement to Eversource at 100 Tabor Drive and 48-86 Tabor Drive to replace existing poles and utility lines and install additional poles and utility lines for electric service to the solar array project at 48-86 Tabor Drive.

J. Chadwick made a positive 8-24 Referral for the granting of an easement at 100 Tabor Drive and 48-86 Tabor Drive. J. Vaiuso seconded the motion which passed unanimously 5-0.

3. CGS-Section 8-24 for acceptance of a sanitary sewer easement from 5 Pin Oak Drive LLC, 5 Pin Oak Drive for existing sewer mains, force main and pump station.

M. Palluzzi made a positive 8-24 Referral for the acceptance of a sanitary sewer easement for 5 Pin Oak Drive.J. Chadwick seconded the motion which passed unanimously 5-0.

4. CGS-Section 8-24 for an addition to the James Blackstone Memorial Library at 758 Main Street. This was the first item that was approved at the start of the meeting.

5. Planner's Report

H. Smith noted that there is a POCD (Plan of Conservation & Development) meeting on Wednesday, Jan. 10, 2018. Everyone is invited. BCTV will record the meeting.

Chairperson Andres noted the Regional Planner's dinner is January 11, 2018 and noted they are working on the Regional Plan of Conservation & Development.

Meeting was adjourned at 9:37 p.m.