



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 JULY 16, 2020 REGULAR MEETING 7:00 P.M.

To Be Held by remote technology as authorized by Executive Orders 7B and 7I.

Commissioners Present: C. Andres, F. Russo (arrived at 9:45), J. Vaiuso, J. Chadwick,
M. Palluzzi, J. Lust

Commissioners Absent: P. Higgins

Staff Present: H. Smith- Town Planner, K. Piazza- Asst. Town Planner, M. Martin-Clerk

Chairperson Andres called the meeting to order at 7pm and introduced the Commission and the Staff.
K. Piazza reviewed the rules for the (Zoom) meeting.

Chairperson Andres reviewed the public hearing procedures.

PUBLIC HEARINGS:

1. Yale University-Applicant & Owner
Horse Island
Special Exception & Coastal Site Plan- Expansion of a Special Exception Use
Application # 20-6.4
To be A/R, PH set for 7/16/20

J. Chadwick noted he is recusing himself from this application.

Attorney Joseph Hammer representing the applicant was present along with Alan Organschi & Andy Ruff (Gray Organschi Architecture), and Kristina Chmelar.

Attorney Hammer explained that this project was for the construction of a new building intended for field research and functions associated with Yale & The Peabody Museum. He also noted that it can accommodate two people for overnight stays.

Alan Organschi spoke next detailing the design and purpose of the structure.

K. Piazza reviewed the staff report and noted comments from DEEP as well as the Fire Department

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

2. Statewide Development LLC,
c/o Robert Pesapane-Applicant & Owner

41 Brainerd Road
4 Lot Resubdivision
Application #20-4.3
A/R 6/4/20, PH, continued from 7/2/20

Chairperson Andres noted that this Public Hearing was opened and continued from the 7/2/2020 meeting.

Nick McClay (Nafis & Young Engineers, Inc.) reviewed both the plan for the 3 Lot and the 4 Lot Resubdivision. He then addressed the questions that were asked at the last meeting.

The Commissioners briefly commented.

K. Piazza reviewed the Resubdivision regulations and comments received from the Engineering Department and the Fire Department.

Chairperson Andres noted this item will be continued to the 9/3/2020 Planning & Zoning meeting to allow applicant time to amend the plan set to reflect the 3 lot alternative plan. Additionally, the IW Commission would need to review and approve the alternative 3 lot plan prior to the PZ approval.

PUBLIC INPUT:

No one spoke.

3. Tidal Basin, LLC., c/o Edward Crowley-Applicant & Owner
4-6 Indian Neck Avenue
PDD Modification/Master Plan Amendment- Residential Development as a use in place of an approved hotel use
Application #20-5.4
A/R 6/4/20, PH continued from 7/2/20

Chairperson Andres noted this Public Hearing was continued from the 7/2/2020 meeting and also included consideration and review of old Business Item #1. Attorney Meaghan Miles (Carmody, Torrance, Sandak & Hennessey) representing the applicant spoke first. Also present was Greg Burton, Jim Pretti (Criscuolo Engineering), John Cunningham (Landscape Architect) and Ed Crowley (property owner).

Greg Burton spoke noting this project is a challenging site and will consist of 30 residential units with 3 units proposed as affordable. They propose a fee in lieu of twenty thousand dollars per affordable unit for a total of \$60,000.

Attorney Miles noted that they can't comply with the staff comments that were previously discussed. She detailed the reasons why for each comment. She said his project satisfies all the goals they need to meet.

H. Smith noted for the record that about a dozen letters of opposition were received and are in the file in addition to the petition signed by approximately eighty residents.

Chairperson Andres stated that this application was sent to the Dept. of Energy & Environmental protection and they asked for more time to review it. He suggested keeping the public hearing open until comments were received by DEEP.

Town Consulting Planner John Guskowski (CHA LLP) reviewed his staff report concerning affordable housing.

H. Smith reviewed his supplemental Staff Report and some of the concerns that were raised at the last meeting, saying this is a high density project and there may be other options to consider.

PUBLIC INPUT:

1. Greg Power- He talked of light pollution and the impact on nearby neighbors.
2. Jeanette Redensek- 33 Harding Ave. - She said she spoke at the previous meeting and she is opposed. She reviewed the plans and has many issues with it. She noted the area will flood and this is not a good site for this project.
3. Luciana Bonifacio- 18 Indian Neck Ave.-She lives across the street from the proposed development. She said she reviewed the project thoroughly and the design does not fit in with Branford or a shoreline community. It doesn't keep with the character of the neighborhood. She asked the Commission to deny the application.
4. Bill Horne- 246 Pleasant Pt. Rd.-He responded to Attorney Mile's comments that the units will be raised according to FEMA guidelines. He noted that high tide flooding is stated to increase in the future. The site will see increased flooding where the parking is planned. He said the Commission needs to really look at development in the flood zones.
5. Gia Polio-48 Harding Ave. -She said she submitted information regarding past flooding in that area and noted it will get worse.
6. Pat Dugan- She spoke of having new neighbors and her concerns with over development. She noted the Branford River is priceless with the many species of birds and the people kayaking and enjoying the river. She said she doesn't want to see her neighbors stranded and cars flooded. The flooding will also effect the eco system of the river. She stated that the river must be protected and supported and the project should be safe and make sense.
7. Preston Maynard-24 Terhune Ave. -He commended Ed Crowley (property owner) for the economic development the brewery has brought. But bikers and pedestrians are at risk, the area is dangerous. He said the building is not suited for the area. He asked the Commission to consider the mass of the building.
8. Joanna Palumbo- she is opposed to the project.
9. Sue- she is concerned about the language of the affordable housing proposed.
10. Georgie- He echoed some of the concerns previously noted. He is opposed to the project.

Chairperson Andres stated the public hearing would be continued to the 9/3/20 meeting since comments from the Dept. of Energy & Environmental Protection have not been received.

4. Mariners Landing, LLC, c/o Sal Marottoli-Applicant
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner
60 Maple Street
3 Lot Resubdivision
Application # 20-6.2
A/R 6/4/20, PH set for 7/16/20

5. Mariners Landing, LLC, c/o Sal Marottoli-Applicant
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner
60 Maple Street
PDD Modification/Master Plan Amendment- Mixed Use Development
Application # 20-6.3
A/R 6/4/20, PH set for 7/16/20

Chairperson Andres opened the Public Hearing for items 4 & 5 together and incorporated consideration and review of Old business Item #2.

Attorney Marjorie Shansky spoke first and noted that Robert Sachs (developer) and Mike Ott were also present as well as Ken Bronson (Architect), Ryan Chimielewski (Landscape Architect), and Daniel Sullivan (Traffic Engineer). She said the Anchor Reef Association submitted a letter of support with 95% of the residents voting to approve the project.

Mike Ott (Summer Hill Civil Engineers & Land Surveyors) reviewed some plans. He noted that the plans he was displaying are revisions to prior plans and they haven't been submitted yet. They will submit them within 2 weeks as well as easement information.

Attorney Shansky then reviewed application #20.6.3 (PDD Mod/Master Plan Amendment) explaining there will be 147 residential units and other amenities.

Mike Ott showed an aerial photo of site saying one building will be totally residential, one will be a mix of residential and commercial and the third will be a mix of commercial and retail uses. He then displayed a color drawing of the site.

Ken Bronson (Architect) reviewed the colored drawings of the buildings.

Ryan Chimielewski (Landscape Architect) reviewed the landscaping plan.

David Sullivan (Traffic Engineer) reviewed the traffic data and the sidewalk network.

H. Smith noted that some of the plans and other information presented tonight has not been received in the office yet but will be available for viewing as soon as it is received. He said the report he prepared was preliminary since the plans were still being refined.

Chairperson Andres said this public hearing will be continued to the 9/3/20 meeting.

MINUTES: 7/02/20

**J. Lust made a motion to approve the 7/2/20 meeting minutes as written.
J. Chadwick seconded the motion which passed unanimously.**

CORRESPONDENCE:

H. Smith noted he had received notice of a equipment swap out for a cell tower located at 150 North Main Street.

H. Smith noted for the record that F. Russo arrived late to the meeting but was present for the entire Mariners Landing presentation.

RETURN TO TABLE:

1. Yale University-Applicant & Owner
Horse Island
Special Exception & Coastal Site Plan- Expansion of a Special Exception Use
Application # 20-6.4
To be A/R, PH set for 7/16/20

J. Vaiuso made a motion to approve the application with the findings and conditions below:

FINDINGS:

- 1) Subject to compliance with the conditions listed below, the Commission finds, based on the testimony and application materials presented, that the proposed use of the property is consistent with the Special Exception Criteria.
- 2) This application is found to be consistent with the Coastal Area Management Act (CGS Section 22a-92) and incorporates any conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.
Respond to DEEP comments to the satisfaction of the Town Planner.

CONDITIONS:

- 1) Prior to the start of construction 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 applicant shall provide a table indicating the species and caliper of each of the significant trees depicted on Sheet A.1.1 and address any comments concerning the Coastal Site Plan application from DEEP to the satisfaction of the Town Planner.
- 3) Damage to any significant tree shall be repaired by a Connecticut licensed arborist.

- 4) Any significant tree marked for preservation that is removed or damaged beyond satisfactory repair shall be replaced with a sufficient number of trees of the same or similar species as approved by the Commission so that the combined caliper measurements of the replacement trees shall equal or exceed the caliper measurement of the significant tree that was removed or damaged.
- 5) The building shall not be used for commercial events or activities. Events and activities shall be substantively similar to those described in the project narrative and be associated with the Yale Peabody Museum and Yale University.
- 6) A fire alarm system shall be installed and maintained for duration of the use of the building.
- 7) All construction, site work and architectural modifications to the proposed project on the subject property is limited and shall substantively follow that which is depicted on the plans and documents. Modifications shall be approved by the Planning and Zoning Commission with an allowance for minor changes, which do not change the conformity to the regulations, to be approved by the Town Planner per Section 9.6.B.5.
- 8) Any proposed lighting shall require a special exception modification and shall conform to the regulations.

J. Lust seconded the motion which was unanimously approved.

C. Andres voted in place of F.Russo who was not present for this application.

OLD BUSINESS:

1. Tidal Basin, LLC. c/o Edward Crowley-Applicant & Owner
4-6 Indian Neck Avenue
Site Plan Modification & Coastal Site Plan- Residential Development as a use in place of an approved hotel use
Application #20-5.3
A/R 6/4/20, Tabled from 7/2/20
2. Mariners Landing, LLC, c/o Sal Marottoli-Applicant
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner
60 Maple Street
Site Plan & Coastal Site Plan- Mixed Use Development
Application # 20-6.1
A/R 6/4/20, Tabled from 7/2/20

NEW BUSINESS:

1. Branford River Commons, LLC c/o Kenny Horton-Applicant
400 East Main Street Branford LLC-Owner
392-404 East Main Street

Special Exception- Office/Medical Building
Application # 20-7.1
To be A/R and Public Hearing to be set

The Commission A/R and set the public hearing for the 9/17/20 meeting with the understanding that the Chairperson and Town Planner may set an earlier date if that is determined to be preferable.

OTHER BUSINESS:

1. Discussion- Interpretation of Section 7.12B
This is tabled to the 9/3/20 meeting
2. Street Tree Bond Release-14 Lanphier Cove Road Subdivision
K. Piazza noted that all the required trees were not planted. Staff does not recommend release of this bond at this time.

J. Vaiuso made a motion to deny the release of the bond for 1500.00
J. Chadwick seconded the motion which passed unanimously.

3. Driveway and Landscaping Bond Release- 17,19&21 Lomartra Lane
K. Piazza stated the Zoning Enforcement Officer reviewed the site and all the driveway aprons and required landscaping is complete for each lot.

M. Palluzzi made a motion to release the bond for 4,000 each for the 3 lots.
J. Lust seconded the motion which passed unanimously.

4. Planner's Report
H. Smith noted that the town was awarded a \$15,000 Affordable Housing Grant Technical Assistance from the Connecticut Dept. of Housing.

The meeting adjourned at 11:24 pm