



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY, JULY 20, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

Commissioners Absent: C. Kelly, F. Russo

Staff Present: H. Smith- Town Planner, R. Stoecker- Assistant Town
Planner, M. Martin-Clerk

Chairperson Andres introduced the Commission and the Staff Present.
He then reviewed the Public Hearing procedures.

Secretary Palluzzi read the Public Hearing notice into the record.

REGULAR MEETING 7:00 P.M.

PUBLIC HEARINGS:

1. Joel Laub- Applicant
LAM Properties (Thomas Holeva)-Owner
998 West Main Street
Special Exception- Car Sales
Application #17-5.1
A/R 5/4/17, PH continued to 7/20/17

Bob Criscuolo (Criscuolo Engineering) represented the applicant and highlighted the application, including the drainage, lighting and landscape details. The application is for the addition of a few parking spaces in the rear of the site for car sales. The maximum number of cars that would be available for sale is nine.

R. Stoecker reviewed the Staff Report.

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the public hearing.

2. 101 North Branford Rd., LLC-Applicant & Owner
101 & 115 North Branford Road
Special Exception- Industrial Building
Application #17-5.7
A/R 5/18/17, PH continued to 7/20/17

The Applicant requested the Public Hearing be opened and continued to the September 7, 2017 meeting.

PUBLIC INPUT:

No one spoke.

Chairman Andres announced this item would be continued to the Sept. 7 meeting.

3. Town of Branford- Applicant & Owner
185 Damascus Road
Special Exception-Intermediate School
Application #17-5.12
PH opened 7/6/17, PH continued to 7/20/17

J. Chadwick and M. Palluzzi recused themselves from this application. Alternate P. Higgins was seated.

Michael LoSasso (Antinozzi Associates) spoke and responded to the previous Staff Comments. He noted that their Traffic Engineer is reviewing the comments from Town Staff and his reply will be discussed at a future meeting.

Phillip Katz (Stantac Consulting Services) spoke next. He reviewed the Staff Comments as well, including landscaping, lighting, parking and drainage.

The Commission had a brief discussion and asked a few questions.

H. Smith briefly reviewed his report which included landscaping, parking, and lighting. He noted the Town Engineer reviewed the Storm water Plan and found it was adequately designed.

PUBLIC INPUT:

No one spoke.

The Applicant requested this item be continued to the Special Meeting on July 27 so the Traffic Engineer can submit his comments.

Chairperson Andres noted this item will be continued to the July 27 Special meeting.

4. Town of Branford (Planning & Zoning Commission)-Applicant
R-1 & R-2 Zoning Regulation Amendments
Application #17-6.5
A/R 6/15/17 & PH set for 7/20/17h

Chairman Andres noted this application is in response to the moratorium that was in place arising out of the building of duplexes in the R-1 zone that are out of character with the surrounding neighborhoods. The Commission decided to review the Regulations and amend them to address this issue.

H. Smith explained that the Moratorium was issued last summer by the Commission to address some concerns that were raised from some developers purchasing ranch properties dating from the 1960's and then tearing them down and constructing duplexes in their place. The Moratorium was extended so further discussion could take place to possibly amend the Zoning Regulations to address this issue. He then reviewed his Staff Report which contained small changes to the Regulations.

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

5. Branford Building Supplies-(Vincent Giordano Jr.)-
Applicant & Owner
Buckley Rd. (G-9/000/013/00001)
Special Exception & Coastal Site Plan- Farm Planting/Grading
Application #17-6.6
A/R 6/15/17 & PH set for 7/20/17

The Applicant requested that the Public Hearing be opened and continued to the September 7 meeting.

PUBLIC INPUT:

No one spoke.

6. Jennifer & Murat Gunel- Applicants & Owners
20 Summer Island Road
Special Exception & Coastal Site Plan-In Ground Swimming Pool
In ground Swimming Pool
Application #17-6.7
A/R 6/15/17 & PH set for 7/20/17

Mike Harkin- (Harkin Engineering, Killingworth, CT) represented the applicant and highlighted the application which is for an in ground swimming pool.

R. Stoecker reviewed the staff report.

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

7. Peter Panaroni-Applicant & Owner
Zoning Regulation Amendment –
(Section 7.11) Contractor Business & Storage Yards
Application #17-6.8
A/R 6/15/17 & PH set for 7/20/17

The Applicant requested that the Public Hearing be opened without testimony and continued to the July 27, 2017 meeting.

RETURN TO TABLE:

1. Joel Laub- Applicant
LAM Properties (Thomas Holeva)-Owner
998 West Main Street
Special Exception- Car Sales
Application #17-5.1
A/R 5/4/17, PH continued to 7/20/17

J. Lust made a motion to approve the application upon the finding that they waived the public access management shared access upon finding that this site is not conducive to the particular location and surrounding properties and approved the application with the 4 conditions listed below:

- 1) 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.

- 2) All non-compliant building mount lighting shall be brought into compliance with the Zoning Regulations. The lighting shall be full cut off fixtures and lamps approved by the ZEO.
- 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) There shall be no display of used cars in front of the building and the total number of display cars for sale shall be documented on the Site Plan and shall not exceed nine spaces (9) due to the overall site parking requirements.

J. Vaiuso seconded the motion which passed unanimously.

2. Town of Branford (Planning & Zoning Commission)-Applicant
R-1 & R-2 Zoning Regulation Amendments
Application #17-6.5
A/R 6/15/17 & PH set for 7/20/17h

The Commission discussed this briefly.

J. Vaiuso made a motion to approve the text amendments below with an effective date of August 11, 2017 upon the finding that they are consistent with the Comprehensive Plan of Zoning and consistent with the Plan of Conservation and Development. J. Lust seconded the motion which passed unanimously.

Section 7.18.A General Requirements- Under 1. add "including but not limited to the type of street upon which the use is proposed, i.e. dead-end vs. through street) "after the word pattern.

Add (NEW) subsection 7.16.B.3 as follows:

"For a conversion under this section to residential uses consisting of two, three, or four dwelling units in residential zones only, the following additional provisions shall apply:

- (1) Notwithstanding other requirements of the Regulations, the Commission may reduce the minimum net Lot Area per unit to 4,000 square feet.
- (2) The Commission must find that the approval of the proposed use will not damage the established development pattern of the surrounding neighborhood either generally or through the construction of paved areas in the front yard that exceed the prevailing amount of front yard area devoted to parking areas or driveways on residentially used properties in the surrounding neighborhood.
- (3) There shall be no change in the height if any existing residential structure, square footage of each floor, the exterior limit of the existing walls, configuration of the roof and in the foundation footprint coverage of the structure."

3. Jennifer & Murat Gunel- Applicants & Owners
20 Summer Island Road
Special Exception & Coastal Site Plan-In Ground Swimming Pool
In ground Swimming Pool
Application #17-6.7
A/R 6/15/17 & PH set for 7/20/17

J. Chadwick made a motion to approve the application with the finding below and the four conditions listed on the Staff Report. M. Palluzzi seconded the motion which passed unanimously.

FINDING

The Coastal Site Plan is consistent with the goals and policies of the Coastal Area Management Act (CGS Section 22a-92) and incorporates conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.

MINUTES: 07-06-17

M. Palluzzi made a motion to approve the meeting minutes as written. J. Chadwick seconded the motion which passed unanimously.

CORRESPONDENCE:

H. Smith noted we received a referral from North Branford regarding an application for a proposed winery and parking at Rose's Orchard.

OLD BUSINESS:

1. KIOP Branford, LLC-Applicant & Owner
1025-1091 West Main Street
Site Plan Modification- New Lighting
Application #17-5.5
A/R 5/18/17, continued to 7/20/17

Patrick (Agent for General Contractor) explained that the light poles that were proposed for the Bran Haven Plaza were too high. The Building Department requested that they be changed to poles that are 16 feet in height. He noted there will be one additional light pole added to meet the bank security standard.

R. Stoecker reviewed the Staff Report.
The Commission discussed this briefly.

J. Chadwick made a motion to approve the application with the 3 conditions listed on the Staff Report and eliminating the first sentence of the first condition. J. Lust seconded the motion which passed unanimously.

2. Gregory Marvinsmith-Applicant & Owner
Money Island (Assessor Parcel #32)
Coastal Site Plan –New Singe Family House
Application #17-6.3
A/R 6/15/17, Tabled to 7/20/17

Commissioner J. Lust recused himself from the application. Commissioner P. Higgins was seated for him.

Bob Criscuolo (Criscuolo Engineering) represented the Applicant. He highlighted the application explaining the current house was damaged by previous hurricanes and will be removed. The Applicant is building a new home that will be FEMA compliant. He then submitted some photos into the record.

R. Stoecker reviewed the Staff Report.

M. Palluzzi made a motion to approve the application with the finding and condition stated in the Staff Report. P. Higgins seconded the motion which passed unanimously.

3. Douglas Colter-Executor-
Estates of Earl & Joyce Colter-Applicant & Owner
152 & 158 Motowese Street
Site Plan-Rear Parking/Drainage Plan
Application #17-6.10
A/R 6/15/17, continued to 7/20/17

Douglas Colter (Executor) spoke and gave a brief history of the site. This application is for parking improvements which include repaving and restriping. A rain garden will also be added.

R. Stoecker reviewed the Staff Report.

M. Palluzzi made a motion to waive the requirement for a licensed landscape architect and approve the application with the five conditions listed in the Staff Report. J. Chadwick seconded the motion which passed unanimously.

4. Donald Anderson-Executor-
(Estate of Anthony Papa)-Applicant & Owner
7-11 Mill Plain Road
Zoning Map Amendment
Application #17-7.1
A/R 7/6/17, PH set for 9/7/17
5. Town of Branford-Applicant & Owner
30-48, 26, 28 Church Street
Special Exception & Coastal Site Plan –Community Center
Application #17-7.2
A/R 7/6/17, PH set for 7/27/17

NEW BUSINESS:

1. Adam Mayerson- Applicant
Daniel T. Cosgrove- Owner
688 East Main Street
Special Exception- Medical Office
Application #17-7.3
To be A/R, PH to be set

The Commission accepted the application for review and set the Public Hearing for July 27, 2017

2. Northeast Foods, LLC.-Applicant
Richard Silver (Branford Properties)-Owner
880 West Main Street
Special Exception-Fast Food Restaurant
Application #17-7.4
To be A/R, PH waiver requested

J. Vaiuso made a motion to waive the Public Hearing requirement. J. Lust seconded the motion which passed unanimously.

Chairperson Andres stated this item will be tabled until the July 27 meeting.

3. Steven & Joanne Della Posta-Applicants & Owners
25 East Haycock Point Rd.
Coastal Site Plan-Single Family Residence
Application #17-7.5
To be A/R

The Application requires a variance so it is tabled until the Sept. 7 meeting.

4. Tidal Basin LLC.-Attorney Gregg Burton, Agent-
Applicant & Owner
60 Maple St. & 2 & 5 Indian Neck Avenue &
4-6 Indian Neck Avenue
PDD & Zoning Map Amendment
Application #17-7.6
To be A/R & PH to be set

The Commission accepted the application for review and set the Public Hearing for the Sept. 7 meeting.

5. Birbarie 139 West Main LLC.c/o
George Birbarie-Applicant & Owner
139 West Main Street
Special Exception-Motor Vehicle Sales/Repair
Application #17-7.7
A/R & PH to be set

The Commission accepted the application for review and set the Public Hearing for the Sept. 7 meeting.

6. NEC Architects-Application
Chen Chen- Owner
4 Pin Oak Drive
Site Plan Revision
Application #17-7.8
To be A/R

The Commission accepted the application for review and tabled it until the July 27 meeting.

H. Smith noted there are two items that need to be added to the agenda.

1. **23 Laurel Street- Special Exception**-(conversion of office space).

J. Chadwick made a motion to add the application to the agenda and set a Public Hearing for the Sept. 7 meeting. J. Viauso seconded the motion which passed unanimously.

2. **125 North Branford Road-Site Plan Modification** (Veterinary Hospital)

M. Palluzzi made a motion to add the application to the agenda. J. Lust seconded the motion which passed unanimously.

H. Smith explained the Applicant did not construct the building to the full extent of the footprint authorized or finish constructing the outdoor exercise area for dogs. In order for a Certificate of Occupancy to be issued, the plans had to be modified to conform to what is actually built. He noted the Applicant would like to have the capability to build to the full extent of the footprint as Phase 2. He then reviewed the memo submitted by the Zoning Enforcement Officer.

M. Palluzzi made a motion to approve the application with the provision that the Applicant reserve the right to expand the building as depicted on the original November 3, 2016 approval. J. Chadwick seconded the motion which passed unanimously.

OTHER BUSINESS:

1. Cash bond for a driveway apron at 160 Limewood Avenue.
J. Lust made a motion to accept the bond. J. Chadwick seconded the motion which passed unanimously.
2. Cash bond for the completion of Cosgrove Court.
M. Palluzzi made a motion to accept the bond. J. Lust seconded the motion which passed unanimously.
3. Planner's Report
H. Smith noted that on Friday, July 28 there will be two focus groups meeting at the Stony Creek Brewery to discuss The Transit Oriented Study. More info will follow in September.

H. Smith then said there is an additional driveway bond at 4 Long Point Road that needs to be added to the agenda.

M. Palluzzi made a motion to add the bond to the agenda and accept it. J. Lust seconded the motion which passed unanimously.

The meeting adjourned at 9:13 p.m.