



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY JULY 2, 2020 REGULAR MEETING 7:00 P.M.

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

Commissioners Present: C. Andres, F. Russo, J. Vaiuso, J. Chadwick, P. Higgins, M. Palluzzi, J. Lust
Commissioners Absent: None
Staff Present: H. Smith- Town Planner, K. Piazza- Asst. Town Planner

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. Russo Real Estate, LLC
c/o Keith Russo- Applicant & Owner
58 East Industrial Road
Special Exceptions – for new Contractor’s Business & Storage Yard and Grading & Earth Removal
Application # 20-5.2
A/R 6/4/20, PH opened 6/18/20, Tabled from 6/18/20
 - J. Pretti (Criscuolo Engineering) reviewed the plans and explained the proposed use of the property as a contractors yard.
 - J. Cunningham (TEC Landscaping Design, Inc.) reviewed the proposed landscaping plan.
 - Chairman C. Andres Commission asked questions concerning adequacy of parking for equipment.
 - K. Piazza reviewed the staff report and Commissioners asked questions about landscaping, fencing, use of the building, building design, lighting and grading.
 - N. Fisher, applicant, explained the daily business operations.
 - J. Pretti and J. Cunningham addressed the questions posed by the Commission.
 - F. Russo clarified that there is no relation to the property owner.
 - H. Smith added that the Commission is approving a use and it could be run differently in the future.

Public Comment:

1. P. Maresca provided positive comments stating that the use is not in conflict with the location and from an economic development point of view it would be an asset to the Town.

Chairperson C. 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 set for 7/2/20
 - o N. McLay (Nafis & Young Engineers, Inc) as the applicants representative, reviewed the plans and explained the proposed resubdivision.
 - o K. Piazza reviewed the staff report and the Commissioners asked questions concerning landscaping, street trees, the total number of lots, streetscape, density, traffic, building style and size, street parking, emergency access and utilities.

Public Comment:

1. Bill Wrinn inquired about the expected completion date of the project and pricing.
2. Tricia Anderson explained that as the representative for RTM District 4 she had received multiple complaints from the neighbors concerning the existing conditions of the property. She also asked about the proposed rooflines for Lot 1, the location of the driveways, if there would be overhead utilities and if the proposed houses would be duplexes or single family.

Due to the questions raised the Commission continued the public hearing. Commissioners requested that the applicant solicit comments from the Fire Department and Town Engineer. Additionally, the Commission requested an alternate three-lot plan.

The matter was continued to 7/16/20

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 set for 7/2/20
 - o M. Miles (Carmody Torrance Sandak & Hennessey LLP) Introduced and explained the full scope of the proposed project and introduced the project team.

- J. Sepot (Joseph Sepot Architects) Reviewed the Floor plans, building dimensions and unit types proposed. He then provided an explanation of how the building relates the site as well as the proposed elevations and architectural details.
- J. Pretti (Criscuolo Engineering) Provided a review of the proposed site plan, explaining that the site plan was largely the same as the hotel site plan that was previously approved for the site. He also reviewed improvements to pedestrian safety and circulation citing the addition of crosswalk signals among other minor alterations.
- J. Cunningham (TEC Landscape Design, Inc) Reviewed the proposed landscape design, stating that there had been minor modifications to the previous plan including the relocation of the trash enclosure to the rear of the property and the addition of bike racks, the exact location of which has not yet been determined.
- M. Miles then explained the proposed PDD changes which was primarily the density per dwelling unit. She then stated the reasoning for the proposed change of use from hotel to residential and further explained why the incorporation a commercial component would not be feasible. She further explained how the proposed project met the goals of the Plan of Conservation and Development and the Train Station TOD. Traffic, density, pedestrian amenities and housing choice were discussed. The Coastal Site Plan portion of the application was then reviewed the proposed contribution towards the Towns planned boardwalk and emergency services accessibility along the river. Miles also acknowledged the petition submitted by property owners in the area, stating while the petition garnered over 80 signatures none of the signers had property located within 500' of the project. She stated that the petition also centered around traffic, which based on the studies that had been done that traffic would be reduced if the site was used for residential as opposed to a hotel.
- G. Burton (Carmody Torrance Sandak & Hennessey LLP) spoke specifically to the question of affordable housing for the site, explaining that because of the low number of units onsite, developing and maintaining the management infrastructure for the financial vetting of tenants in affordable housing units would be financially inefficient. He also stated that Branford does not currently have regulations requiring affordable housing and that he was concerned his client's project was being treated differently than other previously approved multi-family developments. Chairperson C. Andres stated that actually the Commission had brought up the issue of the need to provide affordable housing with two other PDD projects at the pre-application level, but that this project is coming in first as a formal application. He said that treating these current projects consistently is the goal along with addressing the need for affordable housing. He said he agreed with the difficulties in managing the small number of affordable housing units that might be reasonably created in this 30-unit development and that exploring a fee-in-lieu might be an option here. After a discussion concerning the ability for the Commission to impose affordable housing because of the PDD amendment, among other things. Burton ultimately reiterated his points and stated that the applicant would be willing to contribute \$5,000 towards a fund dedicated to affordable housing or as a contribution towards the development of an affordable housing plan.

- H. Smith, Town Planner, explained that the application had been reviewed by the Town's consultants and that the changes from the previously approved site plan were minimal. He also acknowledged the petition stating that more time to review it would be needed and recommended continuing the public hearing. He then stated that comments had been solicited from the Town Engineer, Health Department, Police, Fire Marshall and DEEP. Formal comments were only received by the Town Engineer who expressed that the previous conditions and floodplain requirements should be maintained. Additionally, he recommended the installation of a rapid flashing crosswalk at the crossing between the Stony Creek Brewery and the "overflow" parking area to the north of it.. Smith explained that no written comments from the fire department had been received but they had verbally expressed that the pedestrian walk along the river should remain clear of obstructions including tables and chairs. Smith also stated that Town Center Revitalization Review Board had recommended approval of the application as presented. He also reviewed the consultants comments which included the addition of bike parking, outdoor amenities, incorporating fire department comments to ensure an adequacy of emergency access. In addition, the consultant stated that lighting details, written comments from appropriate departments and description of coastal access should be provided. Finally, Smith spoke on the topic of affordable housing and said that because a PDD is a regulation amendment the Commission had discretion on the topic where they might not otherwise. He further stated that an undesirable alternative would be to halt review of the application until such time as the regulations had been amended to incorporate specific affordable housing regulations.

Public Comment:

1. Gia Polio: Requested a clarification on the findings that traffic would be reduced and how that would be possible.
2. Pat Dugan: Stated concerns about noise, change in neighborhood character, increased traffic, flooding, density and congestion.
3. Greg Ames: As a representative of the Clean Energy Committee requested that charging station for electric vehicles be incorporated, with a recommendation of eight stations which would be double the standard set from the Department of Energy and Environmental Protection.
4. Bill Horne: Expressed concerns regarding the development and predicted sea level rise with a recommendation to plan for 20" over the next 30 years rather than following existing FEMA requirements.
5. Jeanette Redensek: Stated opposition to the project citing the unsuitability of the site for such a large scale development and that there would be a negative impact on the quality of life of existing property owners. She also stated that the applicant was responsible for the brewery which had a negative impact in the neighborhood. Finally, she raised concerns about traffic.
6. Mary Samson: Stated concerns about a negative impact on neighborhood character.

7. Perry Meresca: Stated that from an economic development perspective the proposal is positive and follows the TOD recommendation to construct apartments in the vicinity of the train station.
8. Jennifer Ryan: Reiterated the concerns expressed by Bill Horne.
9. Greg Tower: Raised concerns about traffic and asked about the location of parking and if it would be concealed.
10. Carolyn Sires: Expressed concerns about coastal resiliency and asked the Commission to consider requiring an evacuation plan.

End of Public Comment.

- M. Miles responded to comments and concerns raised by the public including the traffic, noise, floodplain and pedestrian safety. Stating that there would be less traffic based on their report, lower levels of noise due to the residential nature of the project, that they would install pedestrian safety features as requested by the Town Engineer and that the building was a flood resilient design.
- Commissioners and staff then discussed their remaining concerns which included the timeline for implementing the boardwalk which would restrict public access to the water until such time it was completed. Additionally, they briefly discussed a fee in lieu of affordable housing and the siting of the proposal.

Deliberation

1. Russo Real Estate, LLC
c/o Keith Russo- Applicant & Owner
58 East Industrial Road
Special Exceptions – for new Contractor’s Business & Storage Yard and Grading & Earth Removal
Application # 20-5.2
A/R 6/4/20, PH opened 6/18/20, Tabled from 6/18/20
- C. Andres noted that there was no public comment and stated he had a concern about the sufficiency of parking and the fence.
 - K. Piazza shared the screen with the Commissioners and reviewed the proposed findings and conditions. She proposed adding conditions for lighting, parking and the proposed chain link fence.
 - The Commission and staff discussed the wording and placement of the conditions ultimately deciding to add the lighting and fence conditions under condition four and to add the parking condition as number 10.

**Commissioner J. Chadwick motioned to approve with findings and conditions as presented by staff and as just amended.
Commissioner M. Paluzzi seconded the motion which passed unanimously.**

MINUTES: 6/18/20

- H. Smith stated that the only revision he had was to page one, line four remove "to be".

**Commissioner J. Vaiuso motioned to approve as amended.
Commissioner J. Chadwick seconded the motion which passed unanimously.**

CORRESPONDENCE:

- H. Smith stated they had received a standard letter for a cell tower facility modification from the CT Siting Council.

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 to 7/2/20
 - The application was continued to 7/16/20.
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 to 7/16/20 for Applications #20-6.2 & #20-6.3
3. 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
4. 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

NEW BUSINESS:

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

OTHER BUSINESS:

1. Discussion- Interpretation of Section 7.12B
 - Chairperson C. Andres gave his interpretation of the matter which was that the language limited a self storage in total to a five acre site area. A a regulation amendment would need to be proposed and adopted to provide for self storage facilities larger than this.
 - This item was tabled to the 7/16/20 meeting.
2. Time Extension Request- 99 Todds Hill Road
 - H. Smith read the time extension request letter from Attorney M. for a 90 day extension to file the mylar.

**M. Paluzzi made a motion to approve the 90-day extension for filing the mylar.
J. Chadwick seconded the motion which passed unanimously.**

3. Planner's Report
 - H. Smith explained that the revised Zoning Regulations have been printed in addition to the printing of copies of the Plan of Conservation and Development which he will be providing to the members of the Commisison in a future mailing

**J. Vaiuso made a motion to adjourn.
M. Palluzi seconded the motion which passed unanimously**

The meeting adjourned at 10:18 p.m.