



PLANNING AND ZONING COMMISSION

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**MINUTES
PLANNING & ZONING COMMISSION
THURSDAY JUNE 1, 2023
REGULAR MEETING 7:00 p.m.**

This meeting was held remotely, solely via ZOOM.

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

F. Russo was seated as the Chairperson in C. Andre's absence.
He reviewed the public hearing procedures.

H. Smith read the public hearing notice into the record.

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

PUBLIC HEARINGS:

1. Joseph Tammaro – Applicant and Owner
245 (formerly lot between 233 & 249) East Main Street
Special Exception Modification - Multi-Unit Residential Building
Application #23-4.4
A/R 4/20/23 & PH opened 5/18/23 & continued to 6/1/23

This is continued to the June 15, 2023 meeting.

2. John & Jennifer Sullo-Applicants & Owners
117 Flax Mill Road
Special Exception- Section 6.8 Grading for a pool
Application #23-4.7
A/R 4/20/23 & PH opened 5/18/23 & continued to 6/1/23

This applicant needs to go before the Zoning Board of Appeals commission on June 20.

It is continued to the July 6, 2023 meeting.

3. Michael & Nancy Guiliani-Applicant & Owner
37 Brainerd Road
Special Exception- Grading (Sec. 6.8) Single Family Dwelling
Application #23-4.11
To be A/R & PH set for 6/1/23

Scott Santorski (applicant) was present and noted they received inland wetland approval and he explained this application is for grading. They wish to split the existing lot into two lots and construct a single family home on each lot.
E. Breining displayed the site plan and reviewed the staff report.

Public input: no one spoke.

Chairperson F. Russo closed the public hearing.

MINUTES: 5/18/23

J. Chadwick made a motion to approve the minutes.
J. Vaiuso seconded the motion which passed unanimously.

CORRESPONDENCE: no correspondence

RETURN TO TABLE:

1. Michael & Nancy Guiliani-Applicant & Owner
37 Brainerd Road
Special Exception- Grading (Sec. 6.8) Single Family Dwelling
Application #23-4.11
To be A/R & PH set for 6/1/23

M. Palluzzi 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.
3. Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a building permit following shall be confirmed for each of the properties subject to this application, to the satisfaction of the Zoning Enforcement Officer or the Town Planner or his designee:

- a. The applicant shall notate on the site plan to confirm the two proposed single family homes are compliant with the maximum permitted height in the R-1 zoning district, per Section 3.4.A.8.
4. Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a building permit the existing lot shall be split into the two proposed lots, as depicted on Sheet No 1 entitled " Property Survey/Lot Split Map" dated August 10, 2022.

J. Chadwick seconded the motion which passed unanimously.

OLD BUSINESS:

1. McDonalds Corp. c/o Brian Sheedy (Senior Counsel)-Applicant
RHC Associates c/o CRE Asset Management LLC c/o Stefan Cushman-Owner
424-436 West Main Street
Special Exception Modification- Drive-thru for a fast food restaurant
Application #23-1.6
A/R 1/5/23 & PH closed 5/4/23
Decision required by: 7/8/23

M. Liguori was seated for Chuck Andres who was absent.

M. Palluzzi 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 per Section 9.8.F

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. To reduce glare, any proposed lighting 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.
3. 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.

4. All conditions of the previous approvals shall remain in full force and effect as they may still apply.

J. Chadwick seconded the motion which passed unanimously.

2. Shirley McCarthy & Peter Hentschel - Applicants
Zoning Regulation Amendment – Add definitions to Section 2.2, extensively revise Section 6.3 (Landscaping), add new subsection to Section 6.13 regarding Fencing, and add/re-designate Appendices.
Application #23-4.5
A/R 4/20/23 & PH set for 6/15/23
3. Anthony Capasso-Applicant
Walter Maguire Jr. - Owner
66, 76-82 Totoket Rd. & 0 Tweed Road (Pine Orchard)
Resubdivision to create four new lots from three existing properties located at 66, 76-82 Totoket Road & 0 Tweed Road.
Application #23-4.8
A/R 4/20/23 & PH set for 6/15/23

NEW BUSINESS:

1. P & D Holding company LLC-Applicants & Owners
107-109 Montowese Street
Special Exception- Office/Retail
Application #23-5.2
To be A/R & PH to be set

Staff will set the public hearing

2. Daren Anderson-Applicant & Owner
15 Summer Island Point Rd.
Coastal site Plan- Single Family Dwelling
Application #23-5.3
To be A/R

They are elevating the house out of the flood plain.

Tony Thompson represented the applicant and explained it is an app to lift the house to make it flood compliant.

E. Breining reviewed the staff report.

J. Chadwick made a motion to approve the application with the conditions below:

Findings:

1. The Coastal Site Plan is consistent with the goal 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.

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) 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.
- 3) Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a building permit the following shall be confirmed to the satisfaction of the Zoning Enforcement Officer or the Town Planner or his designee:
 - a. The applicant shall confirm the proposed single family home is compliant with the maximum permitted height and all other applicable standards of the R-1 zoning district, per Section 3.4.A.

M.Palluzzi seconded the motion which passed unanimously.

OTHER BUSINESS:

1. Planners Report

H. Smith mentioned the proposed Fair Housing Bill that is pending now regarding affordable housing. He said he would distribute it to the commissioners for their review.

He noted that that the Planning & Zoning Admin, Michelle Martin is keeping track of the commissioners ongoing training hours. Please let her know if you attend any additional training so she can track it.

He ended with the fact he is working on a few minor approvals and he will notate them at a future meeting.

Meeting adjourned at 7:51 pm