



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 JUNE 2, 2022 REGULAR MEETING 7:00 P.M.

This meeting was held remotely, solely via ZOOM.

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

Chairperson Andres introduced the Commission and Staff present and then reviewed the procedure for public hearings.

H. Smith reviewed the procedure to participate in the public hearing s.
Secretary M. Palluzzi read the public hearing notice into the record.

PUBLIC HEARINGS:

1. Montowese Building Group, LLC-Applicant
John & Anne Hines-Owners of 14 Buckley Road
Branford Building Supplies Inc.-Owner of 0 & 16 Buckley Road
14, 16 & 0 Buckley Road
Special Exception- Grading (Section 6.8)
Application #22-1.4
A/R 1/20/22 & PH opened 4/7/22 & continued from 5/19/22 with time extension
2. Montowese Building Group, LLC-Applicant
John & Anne Hines-Owners of 14 Buckley Road
Branford Building Supplies Inc.-Owners of 0 & 16 Buckley Road
14, 16 & 0 Buckley Road
Special Exception/Coastal Site Plan -Open Space Residential Development (OSRD)
Application #22-1.5
A/R 1/20/22 & PH opened 4/7/22 & continued from 5/19/22 with time extension.

Public hearing #1 and #2 were discussed together.
Attorney Amy Souchuns (representative of the applicant) spoke first noting that Dave Sacco (TPA), Vinny & Sarah Giordano (applicants) and Joe Schiffer (Architect) were Also present for any questions.

Attorney Amy Souchuns reviewed the revised site plan that was very recently submitted as well as the elevation drawings of the proposed duplexes.

Dave Sacco (TPA) then reviewed the site plan.
Attorney Souchuns referred to the memo that was received from Town Counsel regarding the interior lot question.
H. Smith noted that the public comments received were emailed to the Commission as well as the applicants' attorney. He then spoke of the email that was received from the Branford Land Trust and the letter received from Town Counsel regarding the interior lot.

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He noted he has not fully reviewed the revised plans that were submitted and he asked a few questions.

PUBLIC INPUT:

1. Barbara Lucas-23 Brightwood Lane- She spoke of her concern of having additional neighbors behind her now with the proposed duplexes. She spoke of the zoning regulations and where duplexes are allowed. She disagreed with the letter from Town Counsel regarding the interior lot.
2. Richard Terrill-15 Brightwood Lane-He referred to two of the plans that were discussed prior in the meeting and spoke about the existing vegetation and the addition of a 12 inch pipe that is proposed to be installed in his back yard. He doesn't think the pipe will help. It's important to him that the swale works. He noted he doesn't want to see the trees behind his house removed for the installation of this pipe. He wants them left in place for privacy. He then talked of the lighting plan and his concerns that the lighting will spill into his property into his house.

Dave Sacco responded to some of his concerns.

3. Todd Petrowski- He said he is in favor of the project. He said there was too much time spent talking of flooding. He said maybe it's time to dredge the river and that would eliminate some of the flooding problems. He doesn't feel that flooding is an issue in this area. He asked why recent projects talked of the public using the open space. People don't want the public in their back yards. He spoke of the Parkside project that is near this area and he spoke of some of the issues there. He urged the neighbors to be in favor of this because the builder could come in with an 830-g application and the project could be much worse than this.
4. Bill Horne- 246 Pleasant Point Road-(member of Branford Land Trust)-He talked of the proposed coastal access trail and noted it would be very expensive to build and maintain. Also, if the Branford Land Trust were to accept this land they would need to get more information.
5. Mike Gargamelli- 30 Brightwood Lane- He asked Bill Horne if he knew what the mean high level was in that area. He talked of the plans high water level and other numbers were different and he is unsure which number was correct. He spoke of 25 year storms and we can expect a storm like Sandy. He noted he was flooded in storm Sandy and noted there will be problems. He talked of swales and noted that DEEP has many of the same concerns as the residents and the board. He spoke of the deep website re swales and noted they will need to be maintained. The project is not fostering a cohesive sense of community. He then displayed some information from the DEEP website. The neighbors don't want this project.
6. Nancy Petrowski-67 South Montowese St.-She has lived there many years before Brightwood and Woodside Lane were built. She went thru the same thing when those neighborhoods were being built. But the neighbors didn't object or tell the owner what he could or couldn't do with his property. They liked their privacy too. She understands how the neighbors feel but its progress and it happens. She noted that she heard some of the neighbors are neutral about the project. She is for the project and hopes it goes thru.
7. Claudio Richetelli- 23 Brightwood Lane-He noted he reviewed the revised plans and it has changed from 2 homes being built behind him to a duplex and a single family home. He wished the project wasn't so dense. He said it's too much for that piece of land. He is still concerned about the cul de sac.
8. Neal Warner- 19 Brightwood Lane – He said the neighbors are used to the flooding. He noted that he doesn't want to lose the vegetation. And the swale floods constantly. He noted that none of the neighbors want this project.

Attorney Souchuns noted that she is ok with closing the public hearings for these 2 applications.

H. Smith stated he wants to reserve the opportunity to comment after the hearing is closed. The same applies to the Town Engineer as well.

Attorney Souchuns asked Dave Sacco to state on the record that his plans are consistent with DEEP regulations, which he did.

Chairperson Andres closed the public hearing for #1 and #2 – (Buckley Road Applications).

3. Sunrise Cove Association Inc. (Sunrise Cove Camp) c/o Robert Caldarella-Applicant
Zoning Regulation Amendment-Amend Section 3.3A and add new Section 3.5 (Pre-existing summer cottage/camp site).
Application #22-4.1
A/R 4/7/22 & PH opened & continued from 5/19/22-Public Hearing must close on 6/2/22 without time extension

This was continued to the next meeting per the applicants request and the applicant's offer of a time extension to the next meeting.

The commission accepted the time extension.

At 8:44 the commission took a 5 minute break.

4. Bluepoint Apothecary LLC c/o Attorney Timothy Herbst-Applicant
Zoning Regulation Amendment- Amend Zoning Regulations & Moratorium to allow Hybrid Retailer Cannabis Establishments
Application #22-4.4
A/R 5/5/22 and PH set for 6/2/22
5. Bluepoint Apothecary LLC c/o Attorney Timothy Herbst-Applicant
Two Dogs LLC c/o Mark Milano-Owner
471 East Main Street
Special Exception- Hybrid Retailer Cannabis Establishment
Application #22-4.5
A/R 5/5/22 & PH set for 6/2/22

Application #22-4.4 and #22-4.5 are being discussed together.

Attorney Timothy Herbst (Marino, Zabel & Schellenberg) represented the applicant stating that Anne Marie Zsamba (Green Thumb Industries) and Neil Olinski (SLR Traffic Engineer) were also present.

Attorney Herbst gave a brief overview of the Zoning Regulation application.

Anne Marie Zsamba (Director of Municipal Compliance for Green Thumb Industries) displayed a powerpoint.

Neil Olinski (SLR Traffic Engineer) reviewed the traffic study.
Attorney Herbst then reviewed the Special Exception application.

Town Planner H. Smith briefly reviewed the staff report and then displayed the letter from Town Counsel.

He then displayed an older site plan and the commission asked some questions.

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PUBLIC INPUT:

1. Patricia Marr- (Dispensary Manager at Blue point Wellness) spoke of the great relationship that the dispensary currently has with the town.

Chairperson Andres stated that both of the public hearings will be continued to the June 16 Planning & Zoning Meeting.

6. 33 West Avenue LLC c/o Robert Regel-Applicant & Owner
33 West End Avenue
Special Exception Modification-Two Family Home
Application #22-4.6
A/R 5/5/22 and PH set for 6/2/22

Jeremy Gannon (Criscuolo Engineering) represented the applicant saying the proposal is for a two family home. He then reviewed the site plan.

H. Smith reviewed the staff report and the commission asked a few questions.

PUBLIC INPUT:

No one spoke.

H. Smith spoke of the landscape plan suggesting that street trees be planted along the frontage as well as foundation plantings.
He suggested continuing the public hearing to give the applicant time to submit a landscape plan.

Chairperson Andres noted the public hearing is continued to the June 16 meeting.

MINUTES: 5/19/22

- J. Chadwick made a motion to approve the meeting minutes as written.**
F. Russo seconded the motion which passed unanimously.

CORRESPONDENCE:

None.

OLD BUSINESS:

1. Joseph Lepre-Applicant & Owner
15-19 Church Street
Site Plan – Addition of new single-family and two-family dwelling to property
Application #22-5.1
A/R 5/19/22

For the record, M. Palluzzi is recused from this application. M. Liguori is seated for her.

Joseph Lepre reviewed the application explaining the proposal is to dismantle the current building on the site and build a new single family and a two family home.
He then reviewed the site plans and elevation sheets.

H. Smith reviewed the staff report.

F. Russo made a motion to approve the application with the conditions below:

CONDITIONS:

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- 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) Pre & post stormwater drainage calculations shall be provided for review by the Town Engineer prior to the issuance of a zoning permit or the zoning authorization for the issuance of a building permit.

J. Vaiuso seconded the motion which passed unanimously.

2. Matthew & Stephanie Milano-Applicants & Owners
125 Thimble Islands Road
2 Lot Subdivision & Coastal Site Plan
Application #22-5.2
A/R 5/19/22

Tabled to the June 16 meeting.

NEW BUSINESS:

1. Shrestha Management LLC-c/o Gobinda Shrestha-
Applicant & Owner
230 East Main Street
Site Plan-Convenience Store (Unit 1) & Pizza/Deli (Unit 2)
Application #22-5.3
To be A/R

Tabled to the June 16 meeting.

2. Donte Branch- Applicant
Joe Moruzzi c/o JMM Properties LLC-Owner
803-873 West Main Street
Special Exception- Tae Kwon Do School
Application #22-5.5
To be A/R & PH to be set

Staff will set the Public Hearing.

3. Jordan Flowers-Applicant
Robert Lundgren-Owner
257 East Main Street
Site Plan & Coastal Site Plan-Food Truck Park
Application # 22-5.6

To be A/R

Tabled to the June 16 meeting.

OTHER BUSINESS:

1. Interpretation of Section 6.2.0

H. Smith displayed an elevation plan for 4 Three Elms Road. He pointed out the cupola on the building and it's his understanding that this will provide a light for a stairwell that extends to the first floor.

He referred to the zoning regulation regarding height and noted there is a list of items that are exempt from the height limitation. He noted that ornamental cupolas are listed .So the question is, what's an ornamental cupola and is it for human occupancy? He explained that under this cupola is open to the floor below it for 3 + stories. It would be open air space, nothing is proposed in it. It's just to provide light.

J. Chadwick noted this is not a cupola, it's a monitor. F. Russo agreed. F. Russo noted the old monitors were put in old factories, they were needed for light and ventilation.

J. Chadwick added the space is not habitable, you can't sit in the space.

So, the applicant will need to go to the zoning board of appeals and obtain a height variance for this.

2. Planner's Report

H. Smith noted that all the necessary steps were taken to finalize the Affordable Housing plan.

The meeting adjourned at 11:04 pm