



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY MARCH 2, 2023 REGULAR MEETING 7:00 p.m.

This meeting was held remotely, solely via ZOOM.

Commissioners Present: J. Chadwick, F. Russo, M. Liguori, S. Huttner, J. Vaiuso,
C. Andres, M. Palluzzi

Staff Present: H. Smith- Town Planner, E. Breining – Asst. Town Planner, M. Martin-
Clerk

Chairperson Andres introduced the Commission and the staff present and reviewed the Public hearing procedures.

E. Breining reviewed how to participate in the public hearings.

PUBLIC HEARINGS:

1. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner
175 Cherry Hill Road
11 Lot Re-subdivision
Application #22-11.2
A/R 11/17/22 & PH opened 2/2/23 and continued to 3/2/23
2. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior (Rear) (Lot #5)
Application #22-11.3
A/R 11/17/22 & PH opened 2/2/23 and continued to 3/2/23
3. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior (Rear) (Lot #2)
Application #22-11.4
A/R 11/17/23 & PH opened 2/2/23 and continued to 3/2/23
4. BC Investment Propertys LLC c/o Bruno Ciccone-Applicant & Owner
175 Cherry Hill Road
Special Exception- Grading (Section 6.8)
Application #23-1.5
To be A/R & PH opened 2/2/23 and continued to 3/2/23

Chairperson Andres noted these 4 applications are being heard together. They were continued from the last meeting.

Zack Georgina-(Juliana Associates) briefly reviewed the applications for the commission. He noted this parcel is a vacant parcel of approximately 12 acres. He addresses some of the staff comments that were discussed at the last meeting.

H. Smith –Town Planner – then responded with a few comments and displayed the plans.

He said the Fire Marshal is reviewing the plans and has not submitted his comments yet. He noted a time extension is needed to continue these applications to the next meeting.

The commissioners then commented and asked some questions.

PUBLIC INPUT:

1. Chris Fontana-19 Autumn Ridge Rd.-She disagreed with H. Smith regarding the pavement. She said at the end of the existing Cherry Hill road, which would about the new development, the road is full of potholes now. She walks it quite frequently and would not drive her car there. She doesn't know why that area is not kept up. Her concern is that if that road is not paved not only with the 'new people in the development but all the work trucks, the road will become worse. She's happy the new development is coming but not happy if no improvements are made to the end of Cherry Hill Road to make it more pleasant to drive on. That will make a difference for the traffic on Autumn Ridge.

Zak Georgina- authorized the time extension for all 4 public hearings to the next meeting on March 16.

The commission accepted the time extension.

The commission then discussed the applicants request to waive the index mapping.

M. Palluzzi made a motion to approve the waiver of the index map sheet (Subdivision Reg .Section 5.02 B-16) (waiving it per Section 1.07)

F. Russo seconded the motion which passed unanimously.

5. Silver Lining Development LLC, c/o Karl Muller-Applicant & Owner
650 Main Street
Special Exception-Two Family Residence
Application #22-12.7
A/R 1/5/23 & PH set for 2/16/23 & PH opened and continued to 3/2/23

This application is continued to the March 16 meeting.

6. 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 set for 3/2/23

Attorney K. Brown (West Melville, NY) represented the applicant and stated that the abutters' letters were mailed. He noted this application is for a Special Exception to change the single lane drive thru a double lane side by side drive thru and other onsite pedestrian improvements. He noted that Jeff Fitzgerald (Bohler Engineering), Ethan Schukoske (Atlantic Traffic & Design), Jefferson Murphree, AICP (Project Planning Consultant). He described the area and gave a brief history of the site. He then went into more detail describing the site and application.

Ethan Schukoske, PE (Traffic Engineer) reviewed the traffic report and the impact of the side by side drive thru lanes

Geoff Fitzgerald, PE (Bohler Engineering) reviewed the site plan.

Jefferson Murphee, AICP- reviewed the staff report and the traffic report.

E. Breining spoke and said we are entering Dennis Flynn and Jeff Maxtutis resume into the record which were submitted to the office that day. He also noted the applicant sent over his team's resumes, which will also be added to the record.
E. Breining gave a brief history of the application and reviewed the special exception requirements.

Jeff Maxtutis (Beta Group) & spoke next. He reviewed his memorandum and gave comments regarding the traffic information.

Dennis Flynn (Beta Group) agreed with Jeff's comments and had nothing to add.

The commission had a discussion and asked some questions.

H. Smith gave some comments and entered his resume into the record.

PUBLIC INPUT:

1. Ralph Pavone-10 Gentile Place- He asked what type of fence is going to be put up between his property and McDonalds. He explained that patrons of McDonalds have hit his house twice. He also asked about the noise issue with adding a second ordering microphone. The applicant responded to his questions.

H. Smith gave a few comments.

The applicant requested that the public hearing be **continued to the March 30 meeting,**

MINUTES: 2/16/23

F. Russo made a motion to approve the 2/16/23 minutes as written.

J. Chadwick seconded the motion which passed unanimously.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

1. Branford Building Supplies c/o Vincent Giordano-Applicant & Owner
211 Montowese Street
Special Exception- Convert the Lower Level into Residential Use
Application #23-2.1
A/R on 2/16/23 & PH set for 3/16
2. 65-99 Burban Drive LLC- Applicant & Owner
65-99 Burban Drive
PDD Informal Preliminary Discussion

Attorney John Knuff (Milford, Ct) represented R&R Trust (purchaser of the property).He noted this is an informal meeting prior to the submission of a PDD Application. The purpose is to get an idea of the commissions thoughts of the prospective application. Also present for the discussion was Todd Ritchie (PE- SLR Consulting).

Attorney Knuff explained this proposed project would have 40 Town houses in the front and 50 apartments behind them. He displayed colored sketches of the project.

Todd Richie highlighted the site plan.

E. Breining reviewed the staff report.

H. Smith gave a few comments.

The commissioners asked a few questions and gave some comments.

The general consensus of the commission was that the project is too dense, there are too many units.

3. Sofias Bakery, LLC c/o Kostas Sousoulas-Applicant
8 North Branford Road
Zoning Map amendment – Change from BL to IG-2
Application #23-2.4
To be A/R & PH to be set

Staff will set the public hearing.

4. Schuyler Coulter-Applicant & Owner
28 & 30 Brocketts Point Road
Special Exception & Coastal Site Plan-Demo house on 30 Brocketts Point Rd.
& Construction of an addition to house on 28 Brocketts Point Rd.
Application # 22-2.5
To be A/R & PH to be set

Staff will set the public hearing.

OTHER BUSINESS:

1. Discussion Outdoor Dining

H. Smith noted that E. Breining has prepared a draft zoning regulation amendment for this item. He explained that the outdoor dining was provided per a public act on a temporary basis during covid. That is phasing out shortly and if the commission does not act by the end of April, state law provides for anyone operating a restaurant to be allowed to have outdoor dining (on lawns, parking lots,) as an accessory use without any commission approval. This would propose some criteria and standards to address concerns that staff has that have come up during the review process.

E. Breining spoke next and referred to his memo that he sent to the commission. He gave a brief history of the outdoor dining. The deadline for the outdoor dining is April 30. He has been coordinating with the fire marshal, building and engineering dept. and they have come up with a list of standards for both private and town property. He has been researching what other towns have implemented as well.

He asked the commission for input and ideas regarding what direction they would like to move with this.

The commission made a few suggestions and asked Staff to work on the ordinance and they can review it at a later meeting.

2. CGS 8-24 182 Shore Drive (Storm Drainage Easement Relocation)

F. Russo made a motion to approve a positive referral for this CGS 8-24.

J. Chadwick seconded the motion which passed unanimously.

3. Bond Establishment for 101 & 115 North Branford Rd

J. Chadwick made a motion to establish the bond for 101 & 115 North Branford Rd.

M. Palluzzi seconded the motion which passed unanimously.

4. Planner's Report

H. Smith said he had a follow up on a discussion at a previous meeting regarding the list serve question. He thinks S. Huttner may have distributed something to the commission. H. Smith spoke to S. Huttner and they reworded the question. He then displayed the revised question for the commission. He then reviewed the two questions. He asked the commission if they approved of the questions, which they did.