



# 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 MARCH 4, 2021 REGULAR MEETING 7:00 P.M.

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

Commissioners Present: C. Andres, F. Russo, J. Chadwick, P. Higgins, J. Vaiuso, M. Palluzzi,  
M. Liguori

Commissioners Absent: J. Lust

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

Chairperson Andres introduced the Commission and staff.

He noted there is no legal notice to read this meeting since the public hearings were opened previously.

Chairperson Andres reviewed the public hearing procedures.

H. Smith reviewed the zoom meeting procedures.

### **PUBLIC HEARINGS:**

1. John Petrofsky-Applicant  
Virginia C. Borgia-Owner  
8 Sawmill Road  
Special Exception-for Grading (Section 6.8)  
**Application #20-12.2**  
**A/R 12/10/20, PH opened 1/28/21, continued from 2/18/21**

Chairperson Andres reminded the commission that this public hearing was opened at the previous meeting and one of the neighbors had some issues regarding flooding.

Chuck Mandel (Agent for Applicant) spoke briefly next noting he went to the site with Public Works and the debris in the channel was removed. He said the neighbor with the water issues hired his own engineer who was also present at the meeting. He also noted that they received approval from the Inland Wetlands Commission.

### **PUBLIC INPUT:**

1. Robert Spisto-(neighbor)-He said he was aware that Public Works had come out to the site but there is still debris in the pipe. He noted his engineer was also present at the meeting. He then asked how many bedrooms are planned for the proposed house.
2. Kevin White-(Engineer for Mr. Spisto) He said he reviewed the plans and asked a few questions. He asked if the Town Engineer (Branford) submitted a report and if so, he would like to review it and meet with him. He asked if this item could be tabled until the next Planning & Zoning meeting so he could meet with Town Engineer.

**Chairperson Andres said this item is Tabled to the 3/18/21 meeting.**

2. Edward & Nancy Carroll-Applicant & Owner  
18 Sunrise Cove Camp  
Special Exception & Coastal Site Plan- Demo & Rebuild Single Family House  
**Application #21-1.2**  
**A/R 1/28/21 & PH opened 2/18/21, continued from 2/18/21**

Todd Anderson (Anderson Engineering & Surveyors) represented the Applicant and reviewed the project explaining the applicants want to tear down the existing cottage and rebuild a new FEMA compliant one. He noted they received the necessary variances. He then addressed some of the staff comments mentioned in the staff report.

H. Smith briefly reviewed the staff report.

PUBLIC INPUT: No one spoke.

3. 56 Stony Creek Rd. Inc./o Leigh Small-Applicant  
Farids Stony Creek LLC c/o Tariq Farid-Owner  
56 Stony Creek Road  
Special Exception- Grading (Section 6.8)  
**Application #21-1.5**  
**A/R 1/28/21 & PH opened 2/18/21 & continued from 2/18/21**

H. Smith said an additional application for this project is needed (a modification of their prior approval) and suggested this item be Tabled to the 3/18/21 meeting.

#### **MINUTES: 2/18/21**

**J. Chadwick made a motion to approve the 2/18/21 meeting minutes as written.**  
**M. Palluzzi seconded the motion which passed unanimously.**

#### **CORRESPONDENCE:**

H. Smith said he was in receipt of a letter from the Clean Energy Committee regarding possible changes to the Regulations and or Town Ordinances.

H. Smith said he also received a letter from the Chairman of the Economic Development Commission regarding Exit 56 off the highway. The chair said it looked like a wasteland and Suggested the Planning & Zoning Commission look at this area for possible retail use.He suggested putting something in that space that would benefit the town.

The Commission discussed this briefly and the Chairman of Economic Development Commission (Perry Maresca) commented.

#### **RETURN TO TABLE:**

1. Edward & Nancy Carroll-Applicant & Owner  
18 Sunrise Cove Camp  
Special Exception & Coastal Site Plan- Demo & Rebuild Single Family House  
**Application #21-1.2**  
**A/R 1/28/21 & PH opened 2/18/21, continued from 2/18/21**

**M. Palluzzi made a motion to approve the application with the Findings and Conditions below:**

**Findings:**

1. The Coastal Site Plan is consistent with the goals and the policies of the Coastal Area Management Act and incorporates conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.
2. 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 Sections 6.8 and 9.8

**Conditions:**

1. All site activities shall be performed in accordance with the requirements set forth by Section 6.8F subsections 1-13 inclusive of the Town of Branford Zoning Regulations.
2. Prior to the issuance of a zoning permit, the applicant shall demonstrate compliance with Chapter 161 (Flood) of the Town of Branford's Code of Ordinances to the satisfaction of the Town Engineer.
3. In accordance with Section 6.8M, a final as built plan shall be submitted to the Town Engineer for approval.
4. Prior to the commencement of framing, as "as-built" plan of the foundation shall be provided to Town staff.
5. Prior to the start of construction or any earth disturbing activity, erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project.

**J. Chadwick seconded the motion which passed unanimously.**

**OLD BUSINESS:**

1. Goodsell Point, LLC c/o Sal Marottoli-  
Applicant & Owner  
61, 65-71, 67 & 73 Goodsell Point Road  
PDD Master Plan- Mixed Use (Marina & Residential)  
**Application #20-10.4**  
**A/R 10/15/20, PH closed 2/18/21 & Tabled**

**H. Smith noted that P. Higgins and M. Liguori are seated for J. Vaiuso and J. Lust who recused themselves.**

H. Smith then displayed the draft Resolution and reviewed it.

**J. Chadwick made a motion to adopt the Resolution as amended to approve the PDD and Master Plan.**

**M. Palluzzi seconded the motion which passed unanimously.**

2. Stony Creek Estates, LLC-Applicant & Owner  
47 Gould Lane  
Special Exception Modification-Residential Open Space Development-  
Modification to restriction on development of 10, 12, & 14 Luisa Court  
**Application #20-11.3**  
**A/R 11/5/20 & PH to be set by Staff and Chairperson, tabled from 2/18/21**

**Tabled to 3/18/21**

3. Karen Yarasavage & Kevin Genda-Applicants & Owners  
24 Wakefield Road  
Special Exception & Coastal Site Plan-Grading (Section 6.8)  
**Application #21-2.1**  
**To be A/R & PH to be set by Staff and Chairperson**

**The Commission A/R and set the Public Hearing for 3/18/21**

4. Beacon Communities-Applicant  
Branford Housing Authority-Owner  
115 South Montowese Street (Parkside Village I)  
Site Plan & Coastal Site Plan under CGS Section 8-30g (Affordable Housing Land Use Appeals) - **Application #17-9.6**  
Action to Modify decision as directed by the State of Connecticut Superior Court decision regarding *Housing Authority of the Town of Branford, et al. v. Town of Branford Planning and Zoning Commission (Docket nos. HHD-CV19-6115394-S and HHD-CV20-6122425-S)*  
**Tabled from 2/18/21**

**Tabled to 3/18/21**

5. Premier Realty Holdings II, LLC c/o Robert Alvine-Applicant & Owner  
132 Ivy Street  
Special Exception- Vehicle Delivery Facility  
**Application #21-2.4**  
**To be A/R & PH to be set by Staff & Chairperson**

**The Commission A/R and set the Public Hearing for 3/18/21**

6. Jay Gauvin-Applicant & Owner  
65 Dorchester Lane  
Special Exception- Grading (Section 6.8) for New Home  
**Application #21-2.5**  
**To be A/R & PH to be set by Staff & Chairperson**

**The Commission A/R and set the Public Hearing for 3/18/21**

7. Emilie Penner Greene-Applicant  
Scott Penner –Owner  
1036-1040 Main Street  
Special Exception- Restaurant /Café  
**Application #21-2.6**  
**To be A/R & PH to be set by Staff & Chairperson**

**The Commission A/R and the PH to be set by Staff & Chairperson**

**NEW BUSINESS:**

1. Ceres Farm, LLC c/o Caius Mergy-Applicant  
LCM Properties, LLC c/o Joseph Mineri-Owner  
101 & 115 North Branford Road  
Special Exception- Brewery with Tasting Room  
**Application #21-2.7**  
**A/R 2/18/21 & PH to be set**

**The PH is set for 3/18/21**

2. Victor J. Cassella- Applicant  
Marilyn Cassella, Trustee-Owner  
23 Prospect Hill Rd.  
Special Exception & CAM- Grading (Section 6.8) for a new home  
**Application #21-2.8**  
**To be A/R & PH to be set**

**The Commission A/R and set the PH for 3/18/21**

3. 48 Leetes Island Rd Petroleum LLC,  
c/o Syed Sami-Applicant & Owner  
42 Leetes Island Road  
Special Exception- Site & design changes  
**Application #21-2.9**  
**To be A/R & PH to be set**

**The Commission A/R and the PH to be set by Staff and Chairperson**

4. Town of Branford, c/o James Cosgrove-Applicant & Owner  
747-749 East Main Street  
Site Plan-Addition to Cosgrove Animal Shelter  
**Application #21-2.11**  
**To be A/R**

**The Commission A/R and Tabled to the 3/18/21 meeting.**

5. Andrew Rainone-Applicant  
KIOP Branford LLC, c/o Kimco Realty- Owner  
1025-1091 West Main Street  
Special Exception- Add a drive up ATM machine to existing bank  
**Application #21-3.1**  
**To be A/R**

**The Commission A/R and the PH to be set by Staff and Chairperson.**

H. Smith stated that two applications were received very recently and didn't make it on the agenda. One is for an accessory apartment and an oversized accessory structure at 46 Parish Farm Rd.

The second item is for an accessory apartment at 548-552 Leetes Island Road. They are automatically accepted for the record and the public hearing date will be set by Staff and the Chairperson after they are reviewed.

**OTHER BUSINESS:**

1. Establish Bond for 14 & 20 Lomartra Lane  
**F. Russo made a motion to establish a bond for 14 Lomartra Lane.**  
**J. Chadwick seconded the motion which passed unanimously.**  
  
**F. Russo made a motion to establish a bond for 20 Lomartra Lane.**  
**J. Chadwick seconded the motion which passed unanimously.**
2. Establish Bond for 8 Louis Drive  
**F. Russo made a motion to establish a bond for 8 Louis Drive.**  
**J. Chadwick seconded the motion which passed unanimously.**
3. Bond Release for 26 Summer Island Road  
**F. Russo made a motion to release the bond for 26 Summer Island Road.**  
**J. Chadwick seconded the motion which passed unanimously.**
4. Bond Release for 14 Old Hickory Road  
**F. Russo made a motion to release the bond for 14 Old Hickory Road.**  
**J. Chadwick seconded the motion which passed unanimously.**
5. Establish Bond for 148-172 Main Street- Tabled to the 3/18/21 meeting
6. Planner's Report

1. H. Smith reminded the commission that he mentioned at the last meeting that the Council Of Governments (COG) is considering formulating a regional version of the Affordable Housing Plan. H. Smith talked to someone at the Dept. of Housing to obtain an extension to the Housing Grant which is due to expire at the end of June. They told him an extension would be possible. He noted that there is a set of proposals in house from the request that was sent out for proposals. He suggested that perhaps a few Commissioners could be part of a group that would select a consultant.

2. H. Smith said that the Chairperson had previously asked about pending legislation and he had a few items to mention.

Bill #6541- provides for better coordination between the Planning & Zoning and Inland Wetlands approvals.

Bill #970- provides for changes in state laws time frames for approvals. He noted back in 2011, a few years were added to approval times for certain applications. This new bill will provide an additional year for approvals that occurred after July 2011 but prior to the effective date of the bill.

Bill#6448-This is a large bill that has many changes regarding the way meetings are held now, it will provide for hybrid or remote meetings and changes to the procedures for posting legal notices, etc.

3. H. Smith explained that several years ago, the Planning & Zoning commission reviewed DMV Approval of Locations for car repair shops. Over the years, it was changed from Planning & Zoning review to the Zoning Board of Appeals reviewing them. This bill brings the Approval of Location review process back to the Planning & Zoning Commission. More information to come regarding this change.

E. Breining then spoke briefly of a proposed cannabis bill that will allow the sale of Marijuana for recreational purposed.

H. Smith noted there is a dispensary in Branford and there have been no issues with it that he's aware of.

The meeting adjourned at 9:09 p.m.