



PLANNING AND ZONING COMMISSION

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MINUTES
PLANNING & ZONING COMMISSION
THURSDAY MARCH 7, 2024
REGULAR MEETING 7:00 PM

This meeting was held via zoom technology.

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

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

The meeting started at 7:01 p.m.

Chairperson Andres introduced the staff and commission. He then reviewed the public hearing procedures.

Secretary F. Russo read the public notice into the record.

E. Breining then reviewed how to participate in the public hearing.

PUBLIC HEARINGS:

1. Branford Real Estate LLC
c/o Arian Prevalla-Applicant & Owner
544 & 558 West Main Street
Special Exception - Used Car Sales Dealership
Application #23-10.2
A/R 11/2/23 & PH opened 1/4/24 & continued from 2/15/24 with time extensions

E. Breining stated the applicant is requesting this item be continued to the 3-21-24 meeting. The applicant granted a time extension which the commission accepted.
2. 32 Prospect Hill LLC c/o John Lightfoot-Applicant & Owner
34 Prospect Hill Road
Special Exception-Accessory Structure (Garage)
Application #24-1.2
A/R 1/4/24 & PH opened & continued from 2/15/24
3. 32 Prospect Hill LLC c/o John Lightfoot-Applicant & Owner
34 Prospect Hill Road
Special Exception- Grading (Sec. 6.8)
Application #24-2.8
A/R 2/15/24 & PH set for 3/7/24

Items #2 and #3 were heard together. J. Pretti (Criscuolo Engineering) represented the applicant and reviewed the site plan which he displayed. This project is for the construction of a garage. The grading involved is primarily for the driveway.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearings for both applications.

4. Auriga II LLC 1/6 ET ALS c/o Gerald Kahn-
Applicant & Owner
0 Linden Avenue
Special Exception- Marine Access Facility
Application #24-2.3
A/R 2/15/24 & PH set for 3/7/24

J. Pretti (Criscuolo Engineering) represented the applicant and displayed a gis map and reviewed the application. The application is for the use approval of an existing .13 acre lot currently used by clam island property owners for parking and a dock used for transportation to and from the island. He noted that they are before the commission to authorize the use because DEEP requires that the zoning be approved to allow the water dependent use in a residential zone. The dock system itself will be reviewed by DEEP. He reviewed the history and the use of the parcel. This parcel has been used for access to Clam Island for many years.

E. Breining reviewed the staff report.
The commissioners asked a few questions.

PUBLIC INPUT:

1. Mr. Anderson- (abutter) he asked why the dock proposal was not included in the application and he noted that it was stated that the boats were dinghy's, but they are not. He explained why putting a fixed object in the water may be a problem with boats tied and the ebb and flow of the tide.
Chairperson Andres noted that question may be pertaining to the DEEP permit for the dock.
2. Michael O' Connor-46 Maltby St.- He noted a similar petition was filed back in 2008 and it was reviewed by DEEP and there was a public hearing and was further reviewed by DEEP in Hartford .He wondered why this current application did not notify as many neighbors as the prior one did back in 2008. He thought a lot of the neighbors weren't even aware of the meeting because only one neighbor was notified.

Chairperson Andres closed the public hearing.

MINUTES: 2/15/2024

Chairperson Andres said this item is deferred until later in the meeting.

CORRESPONDENCE: None

RETURN TO TABLE:

1. 32 Prospect Hill LLC c/o John Lightfoot-Applicant & Owner
34 Prospect Hill Road
Special Exception- Accessory Structure (Garage)
Application #24-1.2
A/R 1/4/24 & PH opened & continued from 2/15/24

J. Chadwick made a motion to approve the application with the Findings and Conditions below:

**STAFF RECOMMENDATION:
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 of the zoning regulations.

CONDITIONS:

1. This approval exclusively applies to the construction of a detached garage that includes a second floor not to be used as an Accessory Apartment or an additional unit. No change in use from the approved single family home is a part of this

application and the addition of any units or an accessory apartment would need to be approved by the Planning & Zoning Commission.

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.

F. Russo seconded the motion which passed unanimously.

2. 32 Prospect Hill LLC c/o John Lightfoot-Applicant & Owner
34 Prospect Hill Road
Special Exception- Grading (Sec. 6.8)
Application #24-2.8
A/R 2/15/24 & PH set for 3/7/24

F. Russo 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 of the zoning regulations.

CONDITIONS:

1. Prior to the start of construction the following shall be completed to the satisfaction of the Zoning Enforcement Officer:
 - a. Erosion control measures shall be installed and maintained throughout construction, if deemed necessary.
 - b. As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.

J. Chadwick seconded the motion which passed unanimously.

2. Auriga II LLC 1/6 ET ALS c/o Gerald Kahn-
Applicant & Owner
0 Linden Avenue
Special Exception- Marine Access Facility
Application #24-2.3
A/R 2/15/24 & PH set for 3/7/24

J. Chadwick made a motion to approve the application with the Condition & Finding 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 of the zoning regulations.

CONDITIONS:

1. This approval exclusively applies to the use of this property and the adjacent dock, pier, slip basin or any other water access structures for Clam Island property owners and only Clam Island property owners to access boats used for transportation to and from Clam Island. Any modification of the proposed use, including but not limited to a commercial marina, shall require additional approvals from the Planning & Zoning Commission.
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. With respect to any proposed dock within the waterways adjacent to the landward part of the property the applicant must obtain all necessary approvals from the appropriate state agencies, including but not limited to the Department of Energy & Environmental Protection. The local Planning & Zoning Commission has no jurisdiction over docks located in tidal waters.

J. Vaiuso seconded the motion which passed unanimously.

OLD BUSINESS:

1. North Main Branford LLC, c/o Dan Iammuno-
Applicant & Owner
17 North Main Street
Special Exception- Auto Body Repair
Application #24-2.1
A/R 2/15/24 & PH set for 3/21/24
2. CP Branford LLC c/o John Knuff- Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner
329 East Main Street aka 325 East Main Street
PDD Master Plan
Application #24-2.4
A/R 2/15/24 & PH set for 3/21/24

3. CP Branford LLC c/o John Knuff- Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner
329 East Main Street aka 325 East Main Street
PDD Site Plan
Application #24-2.5
A/R 2/15/24 & PH set for 3/21/24
4. CP Branford LLC c/o John Knuff- Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner
329 East Main Street aka 325 East Main Street
Subdivision
Application #24-2.6
A/R 2/15/24 & PH set for 3/21/24
5. CP Branford LLC c/o John Knuff- Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc.-Owner
329 East Main Street aka 325 East Main Street
Special Exception- Grading (Sec. 6.8)
Application #24-2.7
A/R 2/15/24 & PH set for 3/21/24

NEW BUSINESS:

1. 35-37 Harrison House LLC c/o Rachel Kelly-
Applicant & Owner
35-37 Harrison Avenue
Special Exception- Proposed residential dwelling units
Application #24-2.9
To be A/R & PH to be set

Staff will set public hearing

2. 35-37 Harrison House LLC c/o Rachel Kelly-
Applicant & Owner
35-37 Harrison Avenue
Special Exception- Grading (Sec. 6.8)
Application #24-2.10
To be A/R & PH to be set

Staff will set public hearing

3. AJGG Realty LLC c/o Paul Minichino (Manager)-
Applicant & Owner
4 Liesl Lane
Special Exception- Car Rental
Application # 24-3.1
To be A/R & PH to be set

Staff will set public hearing

OTHER BUSINESS:

1. Request for bond release for 65 Dorchester Lane
F. Russo made a motion to approve the bond.
J. Chadwick seconded the motion which passed unanimously.
2. Request for bond establishment for 115 Thimble Islands Rd.
M. Palluzzi made a motion to establish the two bonds.

F. Russo seconded the motion which passed unanimously.

3. Planner's Report

H. Smith noted hasn't begun work on the regulation amendments that were discussed before the Holidays since he hasn't been in the office on a full time basis but he will be working on them Soon.

Chairman Andres then gave a brief summary of the landscape regulations, noting that there was a proposal to amend the landscape regulations last year and the application was withdrawn since the applicant thought it may be denied.

Then the planning & zoning commission brought it up again in February deciding to form a new committee that would work on revisions. Sharon Huttner and Fred Russo expressed interest in working on the committee. Chairperson Andres recommended Marci Palluzzi to be on the committee since she had the background and education and is a landscape architect. Fred Russo suggested that the new committee that was to be formed have some diversity, it represented the development community as well as pz commissioners .F. Russo agreed that Marci Palluzzi be on the committee. Joe Chadwick suggested doing this in a phased approach. Then there was a discussion of who should be on the committee? Is it a balanced group?

Harry Smith said he agreed with Marci's comments to Michelle that the prior meeting minutes should reflect more of what Chairperson Andres just talked about.

H. Smith then spoke of the people he has reached out to for this new committee. He spoke with Shirley McCarthy who was a prior applicant and she agreed to join as well as Perry Maresca and he also agreed. Also, Elena Cahill of the Economic Development Commission and Greg Robbins (Commercial Real Estate), Jaymie Frederick (Inland Wetland Director) and Patrick Sweeney (Botanist & member of Forest Commission & Environment Commission) and they all agreed to join. He suggested that as the group meets, that would be some interaction with the planning & zoning commission and some reports back so that there is an ongoing dialogue as to what's going on. He recommended listing some of the concerns that were raised at the prior public hearing and start a discussion there. This is a great opportunity for dialogue as to what should be in the regulations.

Chairperson Andres recommended Marci Palluzzi be on the committee and Sharon Huttner as well and the Commission agreed and made a few comments.

M. Palluzzi suggested maybe having a legal perspective.

H. Smith gave a few comments as to how many meetings to start with and the meeting topics.

Parry Maresca noted that there is not a civil engineering firm on the list such as Criscuolo or John Mancini (BL Companies) or another company that has come before the commission. H. Smith will reach out to one of them.

H. Smith said we will use Marci Palluzzi's suggestions to revise the prior minutes and approve the minutes at the next meeting.

The meeting adjourned at 8:30 pm