



PLANNING AND ZONING COMMISSION

1019 Main Street, PO Box 150, Branford, CT 06405
Tel: (203) 488 - 1255, Fax: (203) 315 - 2188

**REVISED MINUTES
PLANNING & ZONING COMMISSION
THURSDAY, MAY 17, 2018
REGULAR MEETING 7:00 P.M.
BRANFORD FIRE HEADQUARTERS
45 NORTH MAIN STREET**

Commissioners Present: J. Lust, J. Chadwick, C. Andres, M. Palluzzi, D. Dyer, P. Higgins
Commissioners Absent: F. Russo, J. Vaiuso
Staff Present: H. Smith - Town Planner, R. Stoecker - Asst. Town Planner, M. Martin- Clerk

Chairperson Andres introduced the staff and Commissioners present.
Secretary M. Palluzzi read the Public Hearing notice into the record.

REGULAR MEETING 7:00 P.M.

PUBLIC HEARINGS:

1. 250 North Main St. Branford LLC-Applicant
J & J Property LLC- (Owner of 244 North Main St.)
250 No Main St. LLC-(Owner of 250 North Main St.)
244 & 250 North Main Street
Special Exception- Retail Use building & (parking lot and associated site development, grading/excavation for site development and new traffic light)
Application #18-2.4
A/R 3/1/18 PH opened 4/5/18 & continued from 5/03/18

John Schmitz, P.E. (BL Companies) represented the Applicant. Also present were Fred Greenburg, P.E. (Traffic Engineer) and Dominic Caltruda (Landscape Architect), both of BL Companies, were also present.

J. Schmitz said additional information, including revised site plans, was submitted to the Planning Office a few days prior to the meeting. He then reviewed some of the recent site plans for the Commission as well as the landscape plans. Fred Greenberg (Traffic Engineer) noted he had submitted a supplement traffic report regarding the intersection of Chestnut and North Main Streets which he then reviewed.

The Commission asked a few questions.

Harry Smith read an email he received from M. Gilmore, a member of the public. He reminded the Commission that the revised plans (that had just been distributed to the Commission members) were just received in the office this week and that he cannot guarantee his updated Staff Report (also just distributed to the Commission members) covered everything. He said he would submit additional comments if necessary. He also noted that the Town Engineer has not had an opportunity to review the traffic information yet since it was just received yesterday (5/16/18) afternoon.

He then spoke about the landscaping plan. He said it was unclear from the revised site plans which if the existing trees noted would remain on the site, the plan sheet showing the locations of the existing trees was largely illegible, and it did not indicate what specific landscaping was proposed for area of the knoll to the right of the access drive which is proposed to be removed. He said more details are needed for the plantings that will remain on the site and are proposed to address the landscaping requirements. He concluded by saying that all of the information on the what landscaping is going to be proposed along the North Main Street/ Route 1 frontage currently on the wetlands mitigation sheets, landscaping plan, existing tree plan needs to be put into a unified whole so it is clear what is being proposed.

He then spoke of possibly of removing additional parking spaces to allow further lowering the height of the rock wall to possibly 20-25' to minimize or eliminate the removal of the large knoll at the northwest corner of the property straddling the I-95 r-o-w line. This would require some reduction in the square footage of the building. He said there are general statements regarding this in the Plan of Conservation & Development with which the Special Exception criteria require general conformance.

He said that the Commission might want to consider that if rock walls could not be used and retaining walls needed to be used instead, they would be limited to 8 feet in height. His thought was to remove the parking spaces on the north side and move the rock wall away from the knoll.

Chair Andres asked the applicant to develop a revised plan showing the changes that would result from limiting the rock walls to a height of 20-25'. J. Schmitz said he would discuss the possibility of developing this and decreasing the building size with his client.

H. Smith suggested the applicant grant a 30 day time extension to continue the public hearing. J Schmitz stated that on behalf of his client he was offering a 30-day time extension. The Commission accepted the time extension and continued the Public Hearing to the next Planning and Zoning meeting on June 7, 2017, at the Fire Headquarters building – 45 N. Main Street at 7:00 pm.

PUBLIC INPUT:

1. Pam Roy-60 Featherbed Ln.-She said she has concerns about the sidewalk. Are the wetlands going to be filled in? She read from the North Main St. Management Plan written in 2008 by The South Central Region of Council Governments. The plan looked at traffic, and mentioned traffic volume and crashes.
 2. Kate Galambos- She asked what the plan for the roadway is. Also, is it wise to put a traffic light at a curve? She urged the commission to consider the long range plan for the roadway. She asked why do we have to cut the rock down, it has been there millions of years. Why couldn't the developer work around it? Why are we knocking down our natural resources? Because we can, and that's not a good enough reason.
 3. Janet Reisman-699 East Main St.-She pointed out that the days in which the traffic study was done was awful pouring rain so the numbers can't be correct. Who would want to be out in that kind of weather? She also asked if Branford High School was considered in the study.
 4. Dave Pandolfi-(Owner of United Tire)-adjunct property owner-He said he understands the traffic issue but the property has been an eyesore and something has to be done to improve it.
 5. Steve Mazzacane- he asked how many linear feet is above the 25 foot on the slope.
-
2. John Bencivengo Jr.-Applicant
Johnathan Smith- Owner
560 East Main St. (Chowder Pot)

Special Exception- Trailer Storage
Application #18-3.3
A/R 4/5/18 & PH set for 5/17/18

John Bencivengo (Applicant) submitted the certified mail receipts into the record. R. Stoecker explained that John is the recent owner of the Chowder Pot restaurant. In the past, storage trailers were permitted on the site for two years and that time has lapsed. They propose no issue with any of the neighbors. He then explained where the trailers are located on the site.

The Applicant is asking for a two year extension to keep the storage trailer on the site so he can save money to build a storage shed. The trailer will be used for storage of restaurant equipment and furniture.

PUBLIC INPUT:

No one spoke.
Chairperson Andres closed the Public Hearing.

3. Total Estates LLC ,c/o Joshua Onofrio-Applicant & Owner
119 Cedar Street
Special Exception-Multi Family
Application #18-4.5
A/R 3/15/18 and PH set for 5/17/18

H. Smith stated the applicant is requesting this item be Tabled to the June 7 PZ meeting.

4. Joseph T. & Barbara A. Mascari-Applicants & Owners
1179 Main Street
Special Exception & Coastal Site Plan-Two Family Structure
Application#18-4.7
A/R 4/19/18 & PH set for 5/17/18

Jim Pretti (Criscuolo Engineering) was present with Joe Sepot (Sepot Architects, Branford). He reviewed the site plan which is a two family raised structure. This would follow the demolition of the present blighted building currently on the site.

Joe Sepot spoke next stating that this structure is a raised house with the parking underneath. It would keep with the character of the neighborhood and would greatly improve the site.

R. Stoecker reviewed the Staff Report.

PUBLIC INPUT:

1. Mary Frances Booth –(Board member of neighboring condominiums) She asked about the size of the shrubs to be planted, stating that she is concerned that people will cut thru the area to get to the new units. She is also concerned about parking since that is an ongoing problem.
2. Jennifer Ryan-resident of neighboring Commons Condominiums) she asked where all the workers would park during the construction of this new house. Would the construction companies be aware of where they should and should not park? She added that she is pleased with the project.

Chairperson Andres closed the Public Hearing.

MINUTES: 5/03/18

P. Higgins made a motion to approve the meeting minutes as written. J. Lust seconded the motion which passed unanimously.

CORRESPONDENCE:
None

Return to table:

1. John Bencivengo Jr.-Applicant
Johnathan Smith- Owner
560 East Main St. (Chowder Pot)
Special Exception- Trailer Storage
Application #18-3.3
A/R 4/5/18 & PH set for 5/17/18
D. Dyers voted for J. Viauso who was absent.

D. Dyers made a motion to approve the application with the condition that all the conditions from the previous approval remain in effect. J. Lust seconded the motion which passed unanimously.

2. Joseph T. & Barbara A. Mascari-Applicants & Owners
1179 Main Street
Special Exception & Coastal Site Plan-Two Family Structure
Application#18-4.7
A/R 4/19/18 & PH set for 5/17/18

M. Palluzzi made a motion to approve the applications with the finding and the conditions below:

FINDING:

The Coastal Site Plan is consistent with the goals 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.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.
- 2.The installation of erosion controls shall be inspected by the Zoning Enforcement Officer prior to start of construction.

J. Chadwick seconded the motion which passed unanimously.

OLD BUSINESS:

1. Adam Spilka-Applicant
Adam Spilka & Patricia Murphy-Owners
26 Summer Island Road
Coastal Site Plan-Single Family Home
Application #18-4.6
Tabled from 4/19/18

Mark Young- (Waldo Associates) represented the applicants. He highlighted the application which is the demolition of the existing house and construction of a new FEMA compliant house in the same location.

R. Stoecker reviewed the Staff Report.

The Commission had a brief discussion and asked a few questions.

J. Chadwick made a motion to approve the application with the finding and the condition below:

FINDING:

1) The Coastal Site Plan is consistent with the goals 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.

CONDITION:

1) Prior to the start of demolition and construction, the sedimentation and erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer.

D. Dyer seconded the motion which passed unanimously.

2. 26 Cherry Hill Rd, LLC- Applicant & Owner
26 Cherry Hill Road
ReSubdivision-(2 Lot)
Application #18-4.8
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18.

3. 26 Cherry Hill Rd, LLC- Applicant & Owner
26 Cherry Hill Road
Zoning Map Amendment/Master Plan Amendment-
PDD Modification
Application #18-4.9
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18.

NEW BUSINESS:

1. 330 E. Main St. Associates, LLC. c/o
Chris Zane-Applicant & Owner
330 East Main Street
Site Plan-Bank fit-up inside existing building
Application #18-5.2
To be A/R

Jim Pretti (Criscuolo Engineering) briefly explained that this site was previously approved for a bank space. The Town Engineer is concerned with the current plan due to possible conflicts of traffic stacking to use the ATM with traffic circulating around parking lot, etc.

H. Smith recommended this item be Tabled to the June 7 Planning & Zoning Meeting to give the applicant time to address the Town Engineer's concerns .

2. Robert Regel-Applicant
Zoning Regulation Amendment-Amendments to
Section 2.2 and 6.12 regarding Site Triangle definition &
driveway requirements
Application #18-5.3
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18.

3. Doug Anderson & Anderson Wilcox-Applicants
Stewart & Doris Nodelman-Owners
5-7 Euclid Street
Special Exception & Coastal Site Plan
Application #18-5.4
To be A/R & PH to be set

H. Smith said the Applicant is requesting the PH for 6/7/18.

The Commission A/R and set the Public Hearing for 6/7/18.

4. Alex Vigliotti- Applicant & Owner
121 North Main Street
Zoning Map Amendment-Change proposed from R-1 zone to BL zone
Application #18-5.5
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18.

5. Sachem Capital Corp., c/o John Villano-
Applicant & Owner
698 Main Street
Special Exception Modification
Application #18-5.6
To be A/R

R. Stoecker explained this is a modification to the exterior only. The Town Center Revitalization Board approved it. A new Architect is working on this application and he is trying to keep the changes consistent with the Town Center. The changes include a different brick color and minor adjustments to window treatments and molding.

M. Palluzzi made a motion to waive the Public Hearing. J. Lust seconded the motion which passed unanimously.

M. Palluzzi made a motion to approve the application with the condition that all previous approvals shall remain in effect. D. Dyer seconded the motion which passed unanimously.

6. Bryan D'Orlando-Applicant
Michael D'Orlando-Owner
62 Damascus Road
Special Exception (Accessory Apartment)
Application #18-5.7
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18

7. Digestive Disease Associates,c/o
Christopher Illick, M.D.-Applicant
687 Main Street LLC- Owner
657-697 Main Street
Special Exception-Medical Office
Application #18-5.8
To be A/R & PH to be set

The Commission A/R and set the Public Hearing for 6/21/18

8. Dennis Pantani-Applicant
Paul Bruno- Owner
8 Louis Drive
Special Exception & Coastal Site Plan –Grading
Application#18-5.9
To be A/R & PH to be set

The Applicant is requesting the Public Hearing be 6/7/18.
The Commission A/R and set the PH for 6/7/18.

OTHER BUSINESS:

1. Planner's Report

H. Smith said the draft of the Plan of Conservation & Development(POCD) prepared by the Town's consultant as reviewed and modified by the POCD Steering Committee should be finished next week. When it is completed, it will be on the website.
There will be a public meeting to receive comments about the draft on June 13 at the Blackstone Library at 7 p.m.

2. Bond Release - 48 Harding Avenue

H. Smith said there was written approval by the Town Engineer for this.

J. Chadwick made a motion to release the bond subject to the Town Engineer's approval.

J. Lust seconded the bond which passed unanimously.

3. Interpretation of manufacturing & processing use for indoor cultivation of plant materials

R. Stoecker said some inquiries are coming into the office. He noted that Branford has a medical marijuana dispensary .He said four communities in Ct have growing facilities and they package the product there, then distribute it to other dispensaries. He said they all used the manufacturing industrial uses to permit the medical marijuana facilities with a Site Plan.

He noted that they used previous manufacturing facilities.

The Commission had a brief discussion.

The general consensus was that this use (Medical Marijuana Growing Facility) should be categorized as "Assembly, Manufacturing and Processing" (Section 4.8.L.line 2) which requires a site plan approval process in the Industrial zones under the existing Zoning Regulations.

4. Cash Bond(\$500.00) acceptance for a driveway apron at 35 Old Quarry Road

J. Chadwick made a motion to accept the bond. J. Lust seconded the motion which passed unanimously.

Adjournment at 9:31 pm