



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY, MAY 18, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

Commissioners Present: J. Chadwick, F. Russo, P. Higgins, C. Andres, M. Palluzzi
Commissioners Absent: J. Vaiuso, C. Kelly, J. Lust
Staff Present: H. Smith-Town Planner, R. Stoecker-Assistant Town Planner, J. Acquino-Zoning Enforcement Officer

Chairperson Andres introduced the Commission and the Staff present.
Secretary Palluzzi read the Public Hearing Notice into the record.
Chairperson Andres then reviewed the Public Hearing Procedures.

REGULAR MEETING 7:00 P.M.

PUBLIC HEARINGS:

1. 26 Cherry Hill Road LLC-Applicant & Owner
26 Cherry Hill Road
Zoning Map Amendment/Master Plan Amendment-
PDD Modification
Application #17-3.2
A/R on 3/16/17, PH opened 4/20/17, PH continued from 5/4/17

Attorney Brian Stone (Pellegrino Law Firm) spoke in place of Attorney Bernard Pellegrino who was absent. He noted they are finalizing agreements with Ann Trappasso.

Tony Thompson (Plans Ahead) spoke next. He had panoramic photos of the site and reviewed them for the Commission.

H. Smith spoke briefly and recommended that there were a few missing items that should be completed by the Applicant before the Commission proceeds. He then read an email from the Town Engineer into the record.

Matthew Ducsay (Milone & McBroom) addressed some of the Commission's questions.

PUBLIC INPUT:

1. Jaycee Wyatt- She is opposed to this application. She attended the Board of Selectman Meeting recently and asked whether the town would be interested in acquiring this property, perhaps for open space.
2. Attorney Chris Smith-(Shipman & Goodwin) is representing Ann Trappasso. He noted they are currently working on the legal agreement and hope to have them completed soon. He requested that the Public Hearing remain open to the June 1, 2017 meeting so they can finalize the details of the agreement.

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3. Attorney Robert Harrington is representing the Branford Historical Society. He also requested that the Public Hearing remain open until the June 1, 2017 meeting.

Attorney Brian Stone agreed verbally to a 30 day time extension.

Chairperson Andres said this item will be continued to the June 1, 2017 Planning & Zoning meeting.

2. William C. Lyons-Applicant
Barbara R. Lyons-Owner
190 Damascus Road
Special Exception-Interior Lot
Application #17-3.4
A/R on 4/6/17, PH opened 5/4/17, PH continued from 5/4/17
3. William C. Lyons-Applicant
Barbara R. Lyons-Owner
190 Damascus Road
ReSubdivision-One (Interior) Lot
Application #17-3.3
A/R on 4/6/17, PH opened 5/4/17, PH continued from 5/4/17

Anthony Hendricks (Hendricks Associates) represented the Applicant and highlighted the application. He noted they had made some revisions to address some of the neighbors' concerns.

R. Stoecker reviewed the Staff Report. The Commission then had a brief conversation and asked a few questions.

PUBLIC INPUT:

1. Mr. Criscuolo-19 Patrick Lane- He is opposed to the application. He feels it will be opening a can of worms. His property abuts the applicants' property. He feels these applications will destroy the character of the area. He also noted there are water issues in the area and that should be considered.
2. Ron Glick-He said some of the Commission members were unsure of the location of this property. He had a map showing the exact location which he reviewed. He is opposed to these applications. He is requesting that the prospective house be reconfigured on the lot and he requested that there be no windows on the second floor of the prospective garage. He also said the applicant cut down many trees on his own property as well as three trees on the Glick property without permission. He is requesting that the applicant replace the trees he cut now so that the tree would have time to get established and start growing before the lot is sold and construction of a house would begin.

The Commission had a discussion.

Chairperson Andres closed the Public Hearing. The item was continued (both items 3 & 4) to the June 1 meeting.

4. Christine Bonito-Applicant
171 Stony Creek LLC. - Owner
171 Stony Creek Road
Special Exception (Grading Plan) & CAM
Application #17-4.2
A/R 4/20/17, PH set for 5/18/17

M. Palluzzi is recusing herself from this application.

Gregg Fedus (Fedus Engineering) represented the applicant and gave a brief history of the project. The applicant is proposing to regrade an area of the property to create a flat usable lawn area.

R. Stoecker reviewed the Staff Report.

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PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

5. Robert Lillis-Martinez-Applicant
John D'Amato-Owner
83 School Ground Rd, aka
3 Research Drive (Unit 8)
Special Exception - Indoor Recreational Use (Fitness Training)
Application #17-4.3
A/R 4/20/17, PH set for 5/18/17

Robert Lillis-Martinez (Applicant) spoke briefly. This application is for a personal training studio. It will operate on an appointment only basis. There will be one other employee working with the applicant.

R. Stoecker reviewed the Staff Report.

PUBLIC INPUT:

No one spoke.

Chairperson Andres closed the Public Hearing.

6. Vincent Giordano-Applicant
Queach Corp. - Owner
434 East Main Street
Special Exception- (Contractor's Yard)
Application #17-4.4
A/R 4/20/17, PH set for 5/18/17

Vincent Giordano (Applicant) spoke and said the Giordano Construction Company is the contractor for the new Yale Science Building in New Haven. Part of the project involves a large amount of excavating. This application includes stockpiling a portion of the excavated material for the basement backfill. This material is specific to this project and needs to be kept separate because the material has been tested for specific compliance and tracking.

R. Stoecker reviewed the Staff report.

PUBLIC INPUT:

1. Perry Maresca-(Chairman of the Economic Development Commission) stated he in in support of the project. He noted the Giordano Construction Company has many ties with the town.

Chairperson Andres closed the Public Hearing.

The Commission took a 5 minute break.

Chairperson Andres spoke to the audience and said that the 2 Spring Rock Road application was just received by staff and will not be discussed at this meeting. Staff has not had a chance to review it. It will be discussed at the June 1 Planning & Zoning meeting once it has been referred to DEEP and the Town Attorney.

MINUTES: 05-04-17

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

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CORRESPONDENCE:

A letter regarding an amendment to the zoning regulations in North Branford. Rose Orchards is going to form a farm winery selling wine and beer.

RETURN TO TABLE:

1. Christine Bonito-Applicant
171 Stony Creek LLC. - Owner
171 Stony Creek Road
Special Exception (Grading Plan) & CAM
Application #17-4.2
A/R 4/20/17, PH set for 5/18/17

F. Russo made a motion to approve the application with the two conditions listed in the Staff Report.
P. Higgins seconded the motion which passed unanimously.

2. Robert Lillis-Martinez-Applicant
John D'Amato-Owner
83 School Ground Rd, aka
3 Research Drive (Unit 8)
Special Exception - Indoor Recreational Use (Fitness Training)
Application #17-4.3
A/R 4/20/17, PH set for 5/18/17

F. Russo made a motion to approve the applications with the five conditions listed in the Staff Report.
P. Higgins seconded the motion which passed unanimously.

3. Vincent Giordano-Applicant
Queach Corp. - Owner
434 East Main Street
Special Exception- (Contractor's Yard)
Application #17-4.4
A/R 4/20/17, PH set for 5/18/17

J. Chadwick made a motion approve the application with the conditions as amended by H. Smith.
M. Palluzzi seconded the motion which passed unanimously.

OLD BUSINESS:

1. Joel Laub- Applicant
LAM Properties (Thomas Holeva)-Owner
998 West Main Street
Special Exception- Car Sales
Application #17-5.1
A/R 5/4/17, PH set for 6/1/17
2. Wayne Sandford- Applicant
Branford Electric Railway Association-Owner
46-52 Alex Warfield Road
Special Exception- Wood Shop
Application #17-5.2
A/R 5/4/17, PH set for 6/1/17
3. Mitchell Koff- Applicant
RCG Associates, LLC. (Lori Pascarella)-Owner
151 West Main Street
Site Plan-Fast Food Restaurant
Application #17-5.3

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A/R 5/4/17, Tabled to 5/18/17

H. Smith noted this application has been WITHDRAWN in writing.

NEW BUSINESS:

1. Stonewall Lane Associates LLC.-
Charles F. Shelton Jr. (Managing Member)-Applicant
Andrew Porto-Owner
10 Cedar Street
Special Exception Modification- Office Building
Application #17-5.4
To be A/R

The Commission A/R and set a Public Hearing for 6/15/17

2. KIOF Branford,LLC-Applicant & Owner
1025-1091 West Main Street
Site Plan Modification- New Lighting
Application #17-5.5
To be A/R

The Commission A/R and Tabled to 6/1/17

3. Alex Vigliotti (Vigliotti Construction Co.)- Applicant & Owner
99 Cherry Hill Road
Subdivision Modification
Application #17-5.6
To be A/R

Jim Pretti (Crisuolo Engineering) represented the applicant. He said the Subdivision was originally approved in 2016. This application is for modifications to the original grading and drainage plan. Conditions encountered during construction have revealed that the original plans are not sufficient to handle the water on the site. He reviewed the modifications and the Commission discussed it.

J. Chadwick made a motion to approve the application with the conditions listed on the Staff Report. M. Palluzzi seconded the motion which passed unanimously.

4. Michael J. Bennett, (Bennett & Smilas Associates, Inc.-Applicant
101 North Branford Rd., LLC-Owner
101 & 115 North Branford Road
Special Exception- Industrial Building
Application #17-5.7
To be A/R and PH to be set

The Commission A/R and set a Public Hearing for 6/15/17

5. David I. Scheer-Applicant & Owner
2 Spring Rock Road
Coastal Site Plan Modification
Application #17-5.8
To be A/R

The Commission A/R and Tabled to 6/1/17

6. 35 Jefferson Road LLC, c/o Jeffrey Brandfon (member)-Applicant & Owner
35 Jefferson Road
Special Exception –Storage Trailer
Application #17-5.9

The Commission A/R and set the PH for 6/15/17

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OTHER BUSINESS:

1. Zoning Enforcement Update

Jennifer Acquino (Zoning Enforcement Officer) gave an update of the number of Enforcement cases she had processed since January 1, 2017. She currently has 49 active enforcement cases. She has processed 130 permit applications and has done 91 onsite inspections related to building permits. She noted she is part of the blight task force that Jaime Cosgrove has created in lieu of a blight ordinance. Typically, she will check in weekly with the regular offenders to see how things are progressing. Currently, there is one enforcement case that has risen to the level of issuing citations and fines. She briefly reviewed the case for the commission. But she also noted that even though she has issued fines, it doesn't guarantee the violation will be corrected. The Commission discussed this.

She stated the main reason she attended the meeting is to discuss a violation problem that is ongoing. This involves car dealers and used car dealers in town not complying with the zoning regulations and their site plan approvals. She then reviewed the number of car dealerships in town and the number of violations. The main violation tends to be the location of cars parked on the site, which causes safety and circulation issues. It also causes further issues with the dealers in town that do comply with the regulations and their site plan. She said there are ways the commission may suggest different procedures for zoning violators or perhaps looking at car dealers from a regulation standpoint. The commission then discussed possible solutions to the violation problems.

2. Planner's Report

H. Smith reminded the Commission the first Transit Oriented Development (TOD) Study workshop is May 22 at the Canoe Brook Senior Center and the following one will be June 22, 2017 at the Fire Headquarters.

3. R-1 Zoning Regulation Amendment Update

Nothing was discussed on this topic

Meeting was adjourned at 10:01 p.m.