



PLANNING AND ZONING COMMISSION

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DRAFT MINUTES PLANNING & ZONING COMMISSION THURSDAY NOV. 21, 2019 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

Comm. Present: J. Lust, J. Chadwick, J. Vaiuso, F. Russo, P. Higgins,
C. Andres, M. Palluzzi

Comm. Absent: D.Dyer

Staff Present: H. Smith-Town Planner, Attorney Danielle Bercury,
M. Martin- Clerk

Chairperson Andres introduced the Commission and the Staff present.

Secretary Palluzzi read the public hearing notice into the record.

Chairperson Andres reviewed the Public Hearing procedures.

PUBLIC HEARINGS:

1. Peter S. Kusterer-Applicant & Owner
3 Three Elms Road
Special Exception- Oversized Accessory Structure
Application #19-9.3
A/R 9/19/19 and PH continued from 11/07/19

Chairperson Andres noted the applicant needs to submit a landscape plan.
This is continued to the 12/5/19 meeting.

2. 339 West Main St. LLC, c/o Jeffrey Brandfon-Applicant & Owner
339 West Main Street
Special Exception-Installation of a parking lot
Application #19-9.4
A/R 9/19/19 and PH continued from 11/07/19

The applicant agreed to wait and have the Commission hear the Burban Drive application due to the large amount of people present for that application.

J. Pretti (Criscuolo Engineering) represented the applicant and explained this application is similar to the adjoining lot, which received approval. It is a car storage lot made with processed stone. He then reviewed the site plan.

H. Smith reviewed the Staff Report and asked a few questions.

The Commission had a brief discussion and asked a few questions. The Commission asked for additional information.

PUBLIC INPUT:

No one spoke.

This item is continued to the 12/5/19 meeting.

3. 65-99 Burban Associates LLC-Applicant & Owner
65-99 Burban Drive
Zoning Map Amendment-R-4 to R-1
Application #19-10.1
A/R 10/3/19 and PH set for 11/21/19

John Mancini and Chris Gagnon (BL Companies, Meriden, CT) were present. John Mancini explained there seems to be some misunderstanding regarding this application. **He said this application is WITHDRAWN.**

A new application will be submitted in the future.
Chairperson Andres suggested having a neighborhood meeting regarding the proposed project.

The Commission took a 5 minute break from 7:17 p.m. to 7:21 p.m. to allow the large number of people present for the Burban Drive application to leave.

4. SP Development LLC-Applicant & Owner
21 Summit Place
Special Exception- Incentive Housing Overlay District Apts.
Application #19-10.2
A/R 10/3/19 and PH set for 11/21/19

This item was CONTINUED to the 1/9/2020 meeting.

5. SP Development LLC- Applicant & Owner
21 Summit Place
Zoning Map Amendment-CP to IHOD
Application #19-10.3
A/R 10/3/19 and PH set for 11/21/19

H. Smith said the applicant is requesting the Public Hearing be opened and continued without testimony

This item was CONTINUED to the 1/9/2020 meeting.

6. James Primicerio—Applicant & Owner
80 Bradley Street
Special Exception- Two Family Residence

**Application #19-10.4
A/R 10/17/19 and PH set for 11/21/19**

J. Pretti (Criscuolo Engineering) represented the applicant and explained this application is for a two family house. They received the necessary variances. This is a duplex style house and fits in the neighborhood with parking in the front and back. He highlighted the site plan.

PUBLIC INPUT:

No one spoke.

H. Smith asked a few questions and reviewed the staff report.

Chairperson Andres closed the Public Hearing

MINUTES: 11/7/19

**J. Lust made a motion to approve the meeting minutes of 11/7/19.
J. Chadwick seconded the motion which passed unanimously.**

CORRESPONDENCE:

Correspondence regarding a cell tower upgrade at 123 Pine Orchard Rd.

RETURN TO TABLE:

1. James Primicerio—Applicant & Owner
80 Bradley Street
Special Exception- Two Family Residence
**Application #19-10.4
A/R 10/17/19 and PH set for 11/21/19**

M. Palluzzi made a motion to approve the application with the conditions below:

- 1) Prior to the start of construction, the erosion control measures shall be installed to the satisfaction of the Zoning Enforcement Officer and maintained throughout the project.
- 2) Prior to the issuance of a zoning permit or the authorization for the issuance of a building permit, the following Site Plan revisions shall be addressed to the satisfaction of the Zoning Enforcement Officer or other staff of the Planning and Zoning Commission as may be indicated:
 - a) Verification of the installation and sufficiency of the erosion and sedimentation controls.
 - b) Provide a detailed Landscape Plan showing proposed landscaping and existing plantings to remain including location, size, species and amount of plantings for the site. The Landscape Plan shall include proposals for planting bed or foundation

landscaping, screening of headlight glare from the parking areas, tree adjunct to the rear parking area, and screening of the parking areas from abutting properties.

- c) The provision of permanent legal provisions to guarantee access to the parking area to the rear of the site acceptable to the Town Counsel will need to be provided and the provision of evidence that an executed, Town Counsel approved version of such legal provisions has been recorded on the Land Records of the Town Clerk.
 - d) The addition of a pedestrian walkway from the front parking lot the entrances to the two proposed dwelling units to Bradley Street.
 - e) Information showing approximately where electric, cable, telephone, service, etc. connections to the proposed two-family dwelling will be made and that they will be made by underground connections only if feasible.
- 3) To ensure continued compliance with the Zoning Regulations, landscaping must be maintained as an on-going requirement of this approval to ensure survival of all required landscaping shown on the approved plan. If the landscaping element does not survive or is irreparably damaged, it must be replaced in kind.
 - 4) No lighting with a light source greater than 900 lumens shall be installed without staff or Commission approval as may be appropriate. To reduce glare, all 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 shall be no greater than 3,000 degrees Kelvin.

J. Vaiuso seconded the motion which passed unanimously.

OLD BUSINESS:

1. Kris Shapiro- Applicant
49 Commercial Pkwy, LLC, Hamilton Branford LLC, Branford Property Development,
Rita Ann Sachs – Owners
49,81-111,131 Commercial Pkwy & 102 North Main Street
Zoning Regulation Amendment-Amendments to Section 4 to create a BL- Hybrid Rear
(BL-HR) Zoning District
Application #19-9.2
A/R 9/5/19 and PH closed 11/07/19, Tabled from 11/07/19

The Commission discussed this briefly.

H. Smith reviewed a draft Resolution for approval based on the consensus the Commission expressed during its deliberations.

J. Chadwick made a motion to adopt the Resolution for approval (below) with an effective date of December 10, 2019:

To be inserted later.

J. Lust seconded the motion which passed unanimously.

2. Kris Shapiro- Applicant
49 Commercial Pkwy, LLC, Hamilton Branford LLC, Branford Property Development,
Rita Ann Sachs – Owners
49, 81-111,131 Commercial Pkwy & 102 North Main Street
Zoning Map Amendment- BL to BL-HR
Application #19-9.1
A/R 9/5/19 and PH closed 11/07/19, Tabled from 11/07/19

H. Smith reviewed a draft Resolution for approval based on the consensus the Commission expressed during its deliberations.

J. Vaiuso made a motion to approve the Resolution for approval (below) with an effective date of December 11, 2019:

To be inserted later.

J. Chadwick seconded the motion which passed unanimously.

3. Beacon Communities Development LLC,
c/o Attorney Timothy Hollister-Applicant
Town of Branford Housing Authority- Owner
Application for a Site Plan Modification under CGS Section 8-30g Affordable
Housing Land Use for property located at 115 South Montowese Street
(Parkside Village I).
Application #19-8.11
A/R 9/5/19, PH closed 10/3/19, Tabled from 11/07/19
Time Extension for decision to 11/21/19 offered and accepted on 11/07/19.

J. Chadwick has recused himself.

Chairperson Andres said M.Palluzzi, C. Andres, F. Russo (seated for J. Chadwick),J. Vaiuso and J.Lust are sitting.

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H. Smith reviewed the resolution, page by page.
Attorney Danielle Bercury made a few comments.

J. Lust made a motion to adopt the Resolution and Attachments with the changes stated by H. Smith.

J. Vaiuso seconded the motion which passed 3-2.

M. Palluzzi and F. Russo voted against the motion.

4. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception- Interior (Rear) Lot (Lot 1 of a 3 Lot Resubdivision)
Application # 19-10.5
A/R 10/17/19 and PH set for 12/5/19
5. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception-(Lot 2 of a 3 Lot Resubdivision)
Application # 19-10.7
A/R 10/17/19 and PH set for 12/5/19
6. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
Special Exception-(Lot 3 of a 3 Lot Resubdivision)
Application # 19-10.9
A/R 10/17/19 and PH set for 12/5/19
7. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 Leetes Island Road
3 Lot Resubdivision
Application # 19-10.6
A/R 10/17/19 and PH set for 12/5/19
8. Nuzzo Properties LLC, c/o Anthony & Audra Nuzzo-
Applicants & Owners
736 East Main Street
Special Exception- Accessory Uses: Non-Agricultural Farm Events
Application # 19-10.8
A/R 10/17/19 and PH set for 12/5/19
9. Justin Gargano, c/o Thimble Island Brewery Co.-
Applicant & Owner
Zoning Regulation Amendment –The addition of a new accessory use
“Food preparation for on-site consumption with a manufacturing facility that produces
food or beverage that is also sold at retail for on-site consumption to the IG-2 zone is
proposed.
Application#19-10.11
To be A/R & PH set for 12/5/19
10. 165-195 Main Street Branford LLC c/o
Kevin Curry –Applicant & Owner
165 & 195 Main Street
Special Exception-Convenience Store
Application#19-10.10
To be A/R & PH set for 1/9/20

1. Vigliotti Construction c/o Frank Vigliotti-Applicant
Estate of Daniel P. Cosgrove c/o Susan Barnes- Owner
99 Todds Hill Road
ReSubdivision (15 lot)
Application #19-11.1
To be A/R & PH set for 1/9/20

NEW BUSINESS:
OTHER BUSINESS:

1. Discussion - Short term residential rentals (airbnb)

J. Vaiuso left at 8:48 p.m.

Chairperson Andres said there was a request from the public for this discussion. Chairperson Andres gave a brief history of short term rentals, noting they are common in waterfront areas. He noted people are concerned about property taxes and they rent out their homes for additional income, but there could be potential problems such as: noise, parties, etc.

He said that the Commission adopted a Resolution regarding the definition of “family” and “dwelling unit” in 2014; which he reviewed. .

A few people in the audience spoke and said they rent out their home for additional income but they monitor the renters and have strict rules.

Chairperson Andres noted that we have a policy that’s an interpretation of the regulations and the policy also relies on the neighbors to keep the property owners informed of any issues. Most people like the Airbnb’s when operated responsibly.

2. Discussion - Signage, landscaping and other enforcement issues along Rt. 1

H. Smith said this has been a long term issue. There has been a gradual increase in nonconforming signs along Rt 1. He noted that the Public Works department has been removing the illegal signs on town property and its right of way. He said we address issues as they come up.

He spoke of various ways to address the problem. He said he thought prior to any overall enforcement effort the business community and public in general should be informed about what type of signs are allowed and that the enforcement “sweep” would be comprehensive and phased. He said he would plan on talking with the EDC, Rotary and other business groups, and the media prior to starting the enforcement sweep.

H. Smith said this can be addressed in 2020. He will speak with the Zoning Enforcement Officer to see if the goal for the clean-up could be the Spring of 2020.

3. Schedule of Meetings for 2020

M. Palluzzi made a motion to approve the 2020 Planning & Zoning Meeting schedule.

J. Chadwick seconded the motion which passed unanimously.

4. Planner's Report

H. Smith referred to the email he sent to the Commission asking if they were available for a brief Special Meeting on December 12 to discuss the Anchor Reef project.

Everyone is available except P. Higgins.

The meeting will be held at the Fire Headquarters at 7 p.m.

5. Bond Establishment- 221 West Main Street

H. Smith said there was a bond establishment request that was received after the agenda was posted. It is for landscaping at 221 West Main Street for \$11,900.00.

J. Lust made a motion to add it to the agenda.

M. Palluzzi seconded the motion which passed unanimously.

J. Lust made a motion to approve the bond establishment of \$11,900.00.

J. Chadwick seconded the motion which passed unanimously.

H. Smith noted that F. Russo will poll the Commissioners for the upcoming election of officers to see if anyone else is interested in a position.

The meeting adjourned at 9:38 p.m.