



PLANNING AND ZONING COMMISSION

1019 Main Street, PO Box 150, Branford, CT 06405

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

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

Commissioners Absent: D. Dyer

Staff Present: R. Stoecker- Asst Town Planner, H. Smith- Town Planner,
M. Martin- Clerk

Chairperson Andres introduced the Commission and the Staff Present. He then reviewed the Public Hearing procedures.

PUBLIC HEARINGS:

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 Map Amendment- BL to BL-HR
Application #19-9.1
A/R 9/5/19 and PH continued from 10/17/19

Michele Carlson P.E. (BL Companies) was present along with John Schmitz Project Manager, BL Companies) and spoke for John Mancini who was unable to attend the meeting. They submitted wording revisions to the Commission and she reviewed them. H. Smith noted this information was previously submitted at the last meeting. She then highlighted the large maps of the proposed map amendment. As well as reviewing the traffic numbers.

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

Michele Carlson noted there was information submitted today from Fasano, Ippolito Lee & Florentine, LLC(Attorneys at Law) which the Commission received copies of.

Jeff Shapiro-(one of the property owners) spoke next. He responded to the attorney's letter noted above. He disagreed that this was spot zoning as mentioned in the letter. He said he had the correct wording needed in his application and the justification for this application is clear.

PUBLIC INPUT:

1. Shirley McCarthy- Stated she supports this application saying its smart growth and development. She commended the Town Planner for his work. She urged the Commission to not rush with their decision. She trusts the Commission will take the long view.
2. Janet Reisman-(699 East Main St.) distributed her letter to the Commission and said she opposes this application; stating this is a dangerous step and could set a dangerous precedent. She went into detail for her reasons. She felt once the precedence is in place a developer could use this in other places in Branford. She spoke of a fulfillment center and how it does not fit in Branford. She asked why can't the current zone be amended or the zone be changed?

Chris Shapiro- (Applicant)- replied to the public comments. He agreed with Shirley McCarthy's comments. He is trying to find a less traffic use for the property. He has been working with the town and his vision for the area will bring jobs to the town and generate less traffic.

Chairperson Andres closed the Public Hearing for both of these applications.

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 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 continued from 10/17/19
3. 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 10/17/19

Peter Kusterer (Applicant) spoke and explained that he was previously approved by the Zoning Board of Appeals for the barn. He explained the application is for a detached barn, it can't be attached to the house because space needs to be reserved for the septic system . He noted he also has a petition with 36 signatures in support of the application. The barn will house some of his boats.as well as assist with his need for storage space that doesn't flood. He agreed to do landscaping wherever it is visible from the road. He displayed both exterior and interior drawings of the barn.

R. Stoecker reviewed the Staff Report.

H. Smith noted for the record that this application is except from a coastal site plan review because it's an accessory structure.

PUBLIC INPUT:

1. David D'Atri—(neighbor across the street) spoke and said Peter has done a good job trying to accommodate the neighbors. He said the building is beautiful. He supports the application and it will clean the up the site.
2. Paul Cassella- (neighbor up the hill) He asked what the surface is? Peter said it will be lawn. He clarified that there will be no boat storage behind the barn.
3. Barbara Chessler- (8 Three Elms Rd.)-She said she has been asking Peter to move the dumpster for 3 years and it's still not done. She said that she supports the barn and is sad to see the 3 trees taken down. She requested that the ZBA requirements a be completed before a building permit is issued.
4. David Connell- (26 Prospect Rd) - He is speaking as a creeker, which he loves and said Peter does contribute to the community down there. He said he thinks Peter has a hardship in finding storage that doesn't flood. He supports this project and hopes the neighbors can work out the details.

Chairperson Andres reviewed the application with the Commission saying he issue is the landscaping requirements in the regulations. He also said the Applicant should complete all the requirements stated by the Zoning Board of Appeals before he applies for a building permit for this barn.

The Commission discussed this briefly and recommended the Applicant obtain a plan showing the boat storage and landscaping details.

The commission had a discussion.

This item is continued to the 11-21-19 meeting.

4. 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 10/17/19

H. Smith said this item needs Inland Wetlands approval first.

This item is continued to the 11-21-19 meeting.

MINUTES: 10/17/19

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

CORRESPONDENCE:

1. Correspondence regarding an antenna swap at 405 Brushy Plain Road.
2. Correspondence regarding an antenna swap at 123 Pine Orchard Road.

3. Notice of tentative approval for a permit submitted for Domestic Wastewater Treatment Plant.

RETURN TO TABLE:

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 Map Amendment- BL to BL-HR
Application #19-9.1
A/R 9/5/19 and PH continued from 10/17/19
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 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 continued from 10/17/19

The Commission discussed these applications and asked the Town Planner (H. Smith) to draft a resolution for approval.

These 2 applications are TABLED until the 11-21-19 meeting.

OLD BUSINESS:

1. 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 10/17/19

**Chairperson Andres said Town Staff is working on a draft resolution.
This item is TABLED until the 11-21-19 meeting.**

2. 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

3. 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
4. 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
5. 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
6. 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
7. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 & 300 Leetes Island Road
Special Exception-(Lot 2 of a 3 Lot Resubdivision)
Application # 19-10.7
A/R 10/17/19 and PH to be set for 12-5-19
8. Giumas LLC, c/o Massimo Liguori-Applicant & Owner
292 & 300 Leetes Island Road
Special Exception-(Lot 3 of a 3 Lot Resubdivision)
Application # 19-10.9
A/R 10/17/19 and PH to be set for 12-5-19
9. 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
10. 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

NEW BUSINESS:

1. 165-195 Main St. 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 to be set

The Commission A/R and set the PH for 1-9-2020

2. 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 to be set 12-5-19

3. 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 to be set

The Commission A/R and set the PH for 1-9-2020

API-Sycamore, LLC c/o Victor Cassella-Applicant & Owner
8 Sycamore Way
Special Exception Modification-Lighting modification

H. Smith explained this item needed to be added to the agenda. This application
is a modification to a previously approved Special Exception from July 11, 2019.

The applicant seeks to allow 20 foot high parking lot light poles rather than the
approved 16 foot high poles.

M.Palluzzi made a motion to add PZ#19-11.2 to the agenda.

J. Chadwick seconded the motion which passed unanimously.

M.Palluzzi made a motion to waive the Public Hearing.

J. Vaiuso seconded the motion which passed unanimously.

**M. Palluzzi made a motion to approve the application.
J. Lust seconded the motion which passed unanimously.**

OTHER BUSINESS:

1. Bond Release- 84 North Main Street-

**J. Chadwick made a motion to approve the release of the \$7500.00 bond.
J.Lust seconded the motion which passed unanimously.**

2. Bond Release- 26 Summer Island Road-

**M. Palluzzi made a motion to release a portion of the bond in the amount of \$1,446.00.
J.Lust seconded the motion which passed unanimously**

3. Schedule of Meetings for 2020

H. Smith distributed a draft schedule of dates and asked the Commission to review them. This will be discussed at the next meeting.

4. Discussion- Election of Officers

Chairperson Andres said he is willing to continue as the Chairperson.
Commissioner F. Russo volunteered to canvas the regular members to see if there is any interest in the position of Vice Chair or Secretary.

5. Planner's Report

H. Smith said he will be approving a few minor Site Plan changes. He will provide More information regarding these at the next meeting.

P. Higgins left the meeting at 9:42 p.m.

The meeting adjourned at 9:48 p.m.