



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY NOVEMBER 17, 2022 REGULAR MEETING 7:00 p.m.

This meeting was held remotely, solely via ZOOM.

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

Commissioners Absent: M. Liguori, J. Vaiuso

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

Chairperson Andres introduced the staff and Commission.

Secretary M. Palluzzi read the Public Hearing notice into the record.

Chairperson Andres reviewed the public hearing procedure and E. Breining explained how to participate in the public hearing.

PUBLIC HEARINGS:

1. Westford Real Estate Management LLC c/o-John Westford-Applicant
Jefferson Woods Community Inc. c/o Nally Sahiin-Owner
11-404 Jefferson Woods
Special Exception Modification- Construction of Additional Parking
Application #22-8.3
A/R 9/1/22 & PH opened & continued to 11/17/22

E. Breining noted the applicant granted a time extension to the 12-8-22 meeting.
The commission accepted the time extension.

This item is continued to the 12-8-22 meeting.

2. Daniel Rabin- Applicant
Amendments to Section 6.16 (Alternative Energy) and 4.18 to allow Large Scale
Ground Mounted Solar Arrays as currently defined in Section 2.2.
Application #22-10.1
A/R 10/6/22 & PH set for 11/17/22

Daniel Rabin spoke and explained this application is for large scale solar projects. He noted that there are questions about drainage and vegetation pertaining to the large units. He spoke briefly.

H. Smith reviewed the new regulations that the commission approved last May. He then reviewed the DEEP general permit for discharge of stormwater.

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

H. Smith recommended continuing this item to the 12-8-22 meeting
Which the commission agreed to.

3. 1171 Main St. LLC, c/o Attorney Time Lee-Applicant
1171 Main St. LLC-Owner
1159-1167 Main Street
PDD Modification –Changes to allowed uses in this PDD.
Application#22-10.3
A/R 10/20/22 & PH set for 11/17/22

Attorney Tim Lee represented the applicant and explained that this PDD has a potential new tenant. However, there is no list of commercial uses in the PDD. He stated the purpose of the application is to amend the PDD (Planned Development District) to add permitted uses. They would like to add: retail, medical offices, business offices and personal services (nail salon, hair salon, etc)

E. Breining reviewed the staff report.
PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

4. Marc Downes-Applicant & Owner
72 Sunset Beach Road
Special Exception for Grading (Sec 6.8) within 100 feet of a Critical Coastal Resource & CAM- for a Single Family Home
Application #22-10.4
A/R 10/20/22 & PH set for 11/17/22

J. Pretti (Criscuolo Engineering) represented the applicant and displayed the site plan. He explained the project entails raising the house and adding a small balcony.

E. Breining reviewed the staff report.

PUBLIC INPUT:

1. Paul Jenusaitis-76 Sunset Beach Road- He asked if there would be any change in the grade. He supports this project.

Chairperson Andres closed the public hearing.

5. 4 Three Elms LLC c/o Kurt Wittek-Applicant & Owner
4 Three Elm Road
Special Exception & Coastal Site Plan for further modifications regarding the renovation of a Two Family Dwelling.
Application #22-10.5
A/R 10/20/22 & PH set for 11/17/22

Attorney Jeff Beatty (Guilford) agent for the applicant said this project is the conversion of a 4 unit apartment building to a 2 unit dwelling.

Chuck Mandel- agent for the applicant spoke next noting this application satisfies the Coastal Site Plan requirement. They are reducing the gravel parking lot and making it

lawn area. They are proposing adding two garages on the west side. He highlighted the site plan.

John Cunningham (Landscape Architect) reviewed the landscaping plan.

Greg Nucci (Architect) reviewed the architectural drawings.

E. Breining reviewed his staff report. He then requested the public hearing be continued to the next meeting on December 8 in order to gather more information.

The commission had a discussion and asked a few questions.

The property owner Kurt Wittek was also present and said each unit would have 5 bedrooms.

PUBLIC INPUT:

1. Barbara Chesler- 8 Three Elms Rd. – she is a direct abutter. She asked about the grading and whether the utility pole will remain. She also asked about the plantings on the property line or will there be a retaining wall there.

The public hearing will be continued to the 12-8- meeting.

Attorney Beatty noted that the neighbor Peter Kusterer submitted a letter of support for this application.

6. Richard Pellitier-Applicant & Owner
56-58 Harrison Avenue
Special Exception Modification for changes to an existing Multi-Family
(Three Family) Dwelling
Application #22-10.8
A/R 10/20/22 & PH set for 11/17/22

WITHDRAWN

MINUTES: 11/3/22

J. Chadwick made a motion to approve the meeting minutes.

M. Palluzzi seconded the motion which passed unanimously.

H. Smith noted that the 7-21-22 meeting minutes were not previously approved and should be added to the agenda.

F. Russo made a motion to add the 7-21-22 minutes to the agenda.

S. Huttner seconded the motion which passed unanimously.

F. Russo made a motion to approve the 7-221-22 minutes.

J. Chadwick seconded the motion which passed unanimously.

CORRESPONDENCE:

No correspondence to discuss.

RETURN TO TABLE:

1. 1171 Main St. LLC, c/o Attorney Time Lee-Applicant
1171 Main St. LLC-Owner
1159-1167 Main Street
PDD Modification –Changes to allowed uses in this PDD.
Application#22-10.3
A/R 10/20/22 & PH set for 11/17/22

J. Chadwick made a motion to approve the application with the finding that it is consistent with the Plan of Conservation & Development and in accordance with the comprehensive plan of zoning with an effective date of 12-9-22.

S. Huttner seconded the motion which passed unanimously.

2. Marc Downes-Applicant & Owner
72 Sunset Beach Road
Special Exception for Grading (Sec 6.8) within 100 feet of a Critical Coastal Resource & CAM- for a Single Family Home
Application #22-10.4
A/R 10/20/22 & PH set for 11/17/22

F. Russo made a motion to approve the application with the conditions below:

FINDINGS:

1. The Coastal Site Plan is consistent with the goal 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. Prior to the start of construction the following shall be completed the satisfaction of the Zoning Enforcement Officer and maintained throughout the project:
 - a. Erosion control measures shall be installed and maintained throughout construction.

2. 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, 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.

S. Huttner seconded the motion which passed unanimously.

OLD BUSINESS:

1. KIOP Branford LLC, c/o Andy Lucibello (Agent)-Applicant & Owner
1025-1091 West Main Street
Site Plan- Modification of Parking Lot Lighting
Application #22-8.4
A/R 9/1/22 & tabled to 11/17/22

Marshall Tromberg (agent for the applicant) noted he submitted new lighting plans to The planning & zoning office that Tuesday. He displayed the lighting plan.

H. Smith then displayed the lighting plan and then a plan with his notes after his site visit. He then reviewed the staff report.

The commissioners asked some questions and had a lengthy discussion.
The consensus of the commission was to approve the staff recommendations that H. Smith reviewed.

S. Huttner made a motion to approve the applications with the conditions below:

1. Prior to the issuance of a Zoning Permit or the zoning authorization of the issuance of a building permit the plans shall be modified to the satisfaction of the Town Planner or his designee as follows:
 - a. Indicate on all sheets, and particularly in the luminaire schedule on Sheet SL 240, the use of light sources with a Correlated Color Temperature no greater than 3000 degrees Kelvin (K).
 - b. Clearly indicate on all plan sheets with specific notes, etc., and particularly in the luminaire schedule on Sheet SL 240, the use of the shielding shown on Sheet SL300 in detail 7 for all pole mounted fixtures.
 - c. The shielding proposed for the pole mounted fixtures shall be added to the wall mounted fixtures between the Wendy's property and the adjacent building.

- d. The light output from the two fixtures along the northern property line running from Alps Road into the adjoining property that is in a commercial use (Wendy's restaurant) (and the northern of fixture of the double headed fixture) should be reconsidered to ensure the elimination of the light spill.
- e. The fixture at the W. Main Street entrance to the parking lot noted as "EX-1" shall also be provided with a shield of equivalent function to that proposed for the new pole mounted lights or the fixture replaced with and additional "Kp-1" fixture and shield.
- f. The removal (and replacement if necessary) of all non-conforming building mounted lights on the building occupied currently by the Big Y and other commercial tenants.

2. For the wall mounted fixtures not addressed in Condition 1c above the shielding proposed for the pole mounted fixtures shall be added or a sufficient demonstration made that they will not create glare or direct light off property.

3. To reduce glare, any additional future light 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 (CCT) of the light source for any additional future exterior light fixtures, either building or pole mounted, shall be equal to or less than 3000 degrees Kelvin (K).

F. Russo seconded the motions which passed unanimously.

2. 94 East Main Street LLC, c/o Stacy Ruwe-Applicant & Owner
94 East Main Street
Special Exception & Coastal Site Plan -Construction of (3) Two Family Dwelling Units
Application #22-10.7
A/R 11/3/22 & PH set for 12/8/22
3. Matthew Reale-Applicant & Owner
0 Bartholomew Road
Special Exception & Coastal Site Plan-Oversized Accessory Structure
Application #22-10.9
A/R 11/3/22b & PH set for 12/8/22
4. Branford Land Development LLC c/o Attorney Megan Miles-
Applicant & Owner
5 Indian Neck Avenue
PDD/Master Plan Modification -Addition of Building with Brewery
Tanks to Existing Facility.
Application #22-10.12
A/R 11/3/22, Public Hearing waiver to be requested.

5. Branford Land Development LLC c/o Attorney Megan Miles-
Applicant & Owner
5 Indian Neck Avenue
PDD Site Plan Modification-Addition of building with Brewery Tanks to Existing Facility.
Application #22-10.13
A/R 11/3/22

Attorney Meghan Miles represented the applicant for Applications 22-10.12 & 22-10.13 and explained that these two applications are for 2 brewery tanks that will be in a small building addition. She is requesting a waiver of the public hearing on the PDD/Master Plan Modification application (PZ#22-10.12) since this is a minor application. She displayed a drawing of the proposed building and tanks.

The commission discussed this briefly.

M. Palluzzi made a motion to waive the public hearing.

F. Russo seconded the motion which passed unanimously.

Chairperson Andres noted that these two applications will be discussed at the December 8 meeting.

6. Paul Crisci-Applicant & Owner
65 Sunset Beach Road
Coastal Site Plan- Modifications to existing Single Family dwelling to bring it Into compliance with FEMA regulations.
Application #22-10.14
A/R 11/3/22

This item is Tabled to the 12-8 meeting.

7. Michael Sullivan-Applicant
Martha Squires Jenkins & Elizabeth McConahy Jenkins-Owners
24 Summer Island Point
Coastal Site Plan- Modifications to existing Single Family dwelling to bring it Into compliance with FEMA regulations
Application #22-10.15
A/R 11/3/22

This item is Tabled to the 12-8 meeting.

NEW BUSINESS:

1. BC Investment Property LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
11 Lot Resubdivision
Application #22-11.2
To be A/R & PH to be set

The Public Hearing is set for 1/5/23

2. BC Investment Propertys LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior Rear (Lot #5)
Application #22-11.3
To be A/R & PH to be set

The Public Hearing is set for 1/5/23

3. BC Investment Propertys LLC c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
Special Exception- Interior Rear (Lot #2)
Application #22-11.4
To be A/R & PH to be set

The public hearing is set for 1/5/23.

4. Alan & Cynthia Brooks-Applicants & Owners
91 Stannard Avenue
Special Exception- Grading (Sec 6.8) for a home addition
Application #22-11.5
To be A/R & PH to be set

OTHER BUSINESS:

1. Planner's Report

H. Smith talked of the possible joint meeting of the commission and the Coastal vulnerability working group and he asked the group if they would be available for a meeting on December 1? Most of the commissioners said they were available. H. Smith said he would speak to the other group and get back to the commission with further details.

2. Approval of 2023 Meeting Schedule

H. Smith reviewed the meeting schedule.

J. Chadwick made a motion to adopt the 2023 meeting dates as set forth in the memo that H. Smith just reviewed.

F. Russo seconded the motion which passed unanimously.

The commissioners briefly discussed the upcoming election of officers will be voted on at the 12/8/22 meeting.

The meeting adjourned at 10 p.m.