



PLANNING AND ZONING COMMISSION

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

**MINUTES
PLANNING & ZONING COMMISSION
THURSDAY NOVEMBER 18, 2021
REGULAR MEETING 7:00 P.M.
BRANFORD FIRE HEADQUARTERS
45 NORTH MAIN STREET**

Commissioners Present: J. Chadwick, F. Russo, C. Andres, M. Palluzzi, M. Liguori
Commissioners Absent: P. Higgins, J. Vaiuso
Staff present: H. Smith-Town Planner, E. Breining-Asst. Town Planner, M. Martin-Clerk

The meeting started at 7:13 p.m.
Secretary M. Palluzzi read the public hearing notice into the record.
Chairperson Andres reviewed the Public Hearing procedures.

Chairperson Andres stated that item #7 (11 Lot Resubdivision at 175 Cherry Hill Rd) the applicant has requested that this item be continued to the next PZ meeting which will be on December 9.

PUBLIC HEARINGS:

1. Robert Calderella-Applicant
Pamela Everitt-Owner
12 Sunrise Cove Camp
Special Exception & Coastal Site Plan-
Demo & Rebuild a Cottage
Application #21-7.5
PH opened 9/2/21 & continued to 11/18/21 (Time Extension granted)

The applicant has requested this item be continued to the December 9 meeting.

2. Nick Magnotta-Applicant
John & Rachel Brasile c/o Attorney Joseph Porto-Owners
54 & 60 North Main Street
Special Exception- Car Wash
Application #21-7.4
PH opened 9/16/21 & continued to 11/18/21

3. Nick Magnotta-Applicant
John & Rachel Brasile c/o Attorney Joseph Porto-Owners
54 & 60 North Main Street
Special Exception-for Grading (Sec 6.8) for a Car Wash
Application #21-9.1
PH opened 9/16/21 & continued to 11/18 /21

Attorney Joseph Porto spoke first and addressed some of the issues that were raised at the last meeting.

J. Pretti (Criscuolo Engineering) reviewed the revised site plan.

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Neal Wolinsky (SLR Consulting- Traffic Consultants) spoke next and reviewed the traffic information.

E. Breining reviewed the Staff Report.
The Commissioners asked a few questions.

PUBLIC INPUT:

1. Mr. Manning- 938 West Main St. - he noted he spoke at a prior meeting. He spoke of having free vacuums and the line it will cause. He also spoke of the memo from the fire dept. and when the traffic light turns red it will stop everything. He spoke of his car wash and he spends all day keeping people in line, etc. There will be exceptions in your day.

The Commissioners asked him a few questions.

J. Pretti spoke briefly about other car washes in town.

2. Owner of car wash at 379 East Main St. –He noted that taking a left hand turn is a nightmare. It is very hectic. He has an escape lane which is always full. He has 5 lanes that are not gated. He has constant problems with vacuums and always busy. Snow is a challenge to move and stack. People do wait for the vacuums. The car wash does back up often.
3. Jaycee Wyatt- 84 East Main St.-She said there will be many problems. The traffic will back up and block the exit for the fire trucks. She suggested the commission advise the applicant to redesign. She asked what the cost to build this is. Maybe they could look at other properties. She mentioned yelp and the problems there at the Hamden location. She started a petition to stop this project. She will submit it if the public hearing remains open.
4. Domonic Magnotta (Nick’s father) –He’s had 16 car washes and a car wash in Branford. There were no problems. He also has a car wash on Whalley Avenue and most people that vacuum do wash their cars. The winters are not as bad as they used to be. The fire chief didn’t miss anything. There is room in town for one more car wash. He spoke of yelp and how you see a lot of negative things there. There will also be a tax benefit for the town.

The Commission asked him a few questions.

H. Smith noted a time extension is needed for this application from the applicant. He also mentioned a traffic report was done by Dave Sullivan (PE).

The Commission decided to leave the public hearing open to the next meeting in order to read the materials submitted at the meeting.

Chairperson Andres also noted that additional information will be coming from the IW Commission.

Attorney Porto offered a time extension to the December 9 meeting which the Commission accepted. He would follow up with an email.

4. Branford Summit Apartments LLC c/o Frank Vigliotti-
Applicant & Owner
5 & 13 Summit Place
Zoning Map Amendment –To add to the Commerce Park (CP) Zone
Incentive Housing Overlay Zone (IHOD) designation to properties

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at above addresses.

Application #21-9.2

PH opened 10/7/21& continued to 11/18/21 (Time Extension granted)

5. Branford Summit Apartments LLC c/o Frank Vigliotti-
Applicant & Owner
5 & 13 Summit Place
Special Exception-Multi-Family IHOD Development
Application #21-9.3
PH opened 10/7/21& continued to 11/18/21 (Time Extension granted)

6. Branford Summit Apartments LLC c/o Frank Vigliotti-
Applicant & Owner
5 & 13 Summit Place
Special Exception for Grading (Section 6.8) associated with IHOD
Multi-Family Development
Application #21-9.5
PH opened 10/7/21& continued to 11/18/21 (Time Extension granted)

Items 4, 5 and 6 were heard together.

Attorney Nick Mingione represented the applicant and spoke first. He highlighted the applications and gave a presentations. He spoke of the prior approvals. The applicant has been meeting with staff to address their concerns.

Ryan Macovy- SLR Consulting- highlighted the site plan.

Ray Sullivan (Sullivan Architectural Group) spoke next and reviewed the architectural drawings.

H. Smith reviewed the staff report and noted that staff is not aware of any complaints with phase 1 or 2 of this project except for a question of a light glaring that was addressed.

He noted that the third set of plans have addressed any concerns he had. He recommended that the Commission close the public hearing. He will have an approval drafted if need by the Dec 9 meeting.

PUBLIC INPUT;

1. Maryann Amore- 23 Pompano Ave- across the street from the project. She is a neighbor and a newly appointed RTM member. She had spoken in favor of the zone change for the phase 1 of the project. She hasn't seen the drawings so she can't comment on that. She asked how many units are being proposed. Marci told her its 20% of the units are affordable. She would like to see more affordable housing units. As a rep of the 4th district they are the densest district in town. She would like to be able to work with the property manager to enable more people in the dense district there to be part of the town.
2. Perry Maresca- He is no longer chair of the economic dev comm. He is pleased with the project so far. He is happy that there will be affordable housing units.

Chairperson Andres closed the public hearing.

The Commission took a 5 minute break.

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7. BC Investment Property LLC, c/o Bruno Ciccone-
Applicant & Owner
175 Cherry Hill Road
11 Lot ReSubdivision
Application #21-8.1
A/R 9/2/21 & PH set for 11/18/21 (Time Extension granted)

Chairperson Andres stated again this item is continued to the 12/9/21 meeting.

8. Lindsey Shaffner-Applicant
KIOP Branford LLC, c/o Kimco Realty, Nicholas Brown (VP)-
Owner
1025-91 West Main Street
Special Exception-Indoor Recreation (Gym)
Application #21-10.8
A/R 11/4/21 & PH set for 11/18/21

Lindsey Shaffner spoke and explained she wants to open a F45 gym. It is high intensity workouts that are only 45 minutes.

The franchise started in Australia and there are now 2800 worldwide.

They are in the Branhaven plaza and will be open 7 days a week.

She has requested a waiver of the site plan requirement since she is not proposing any exterior changes to the site.

E. Breining reviewed the Staff Report.
The Commission asked a few questions.
PUBLIC INPUT: No one spoke.

Chairperson closed the Public Hearing.

MINUTES: 11/4/2021

- F. Russo made a motion to approve the meeting minutes as written.**
- M. Palluzzi seconded the motion which passed unanimously.**

CORRESPONDENCE:

1. A referral from the town of North Branford for a zoning regulation change.
2. Cell tower changes to equipment on Sylvia Street.
3. Cell tower changes to equipment on Acorn Road.

RETURN TO TABLE:

1. Lindsey Shaffner-Applicant
KIOP Branford LLC, c/o Kimco Realty, Nicholas Brown (VP)-
Owner
1025-91 West Main Street
Special Exception-Indoor Recreation (Gym)
Application #21-10.8
A/R 11/4/21 & PH set for 11/18/21

M. Palluzzi made a motion to approve the application with the Finding and Condition below:

FINDINGS:

1. Subject to compliance with the conditions listed below, the Commission finds, based on the testimony and application materials presented, that the proposed use of the property is consistent with the Special Exception Criteria per Section 9.8.F.

CONDITIONS:

1. Prior to the issuance of a Certificate of Zoning Compliance or the zoning issuance of Certificate of Occupancy, the following should be addressed to the satisfaction of the Town Planner or his designee.
 - a. Confirmation in writing that no changes to the existing exterior lighting (parking lot/site lighting as well as building mounted) is proposed as part of the work associated with this approval.

J. Chadwick seconded the motion which passed unanimously.

OLD BUSINESS:

1. Cherry Hill Estates, LLC c/o Joe Mineri-
Applicant & Owner
26 Cherry Hill Road
PDD/Master Plan Amendment Modification
Application #21-10.3
A/R 10/21/21 & PH set for 12/9/21
2. Cherry Hill Estates, LLC c/o Joe Mineri-
Applicant & Owner
26 Cherry Hill Road
Special Exception Modification-Grading (Sec 6.8)
Application #21-10.4
A/R 10/21/21 & PH set for 12/9/21
3. Cherry Hill Estates, LLC c/o Joe Mineri-
Applicant & Owner
26 Cherry Hill Road
Site Plan Modification-Multi Family Residential
Application #21-10.5
A/R 10/21/21 & PH set for 12/9/21
4. Planning & Zoning Commission- Applicant
Zoning Regulation Amendment
Moratorium-Cannabis Establishments
For twelve (12) months in all zoning districts
Application 21-11.3

A/R 11/18/21, PH set for 12/9/21

NEW BUSINESS:

1. Goodsell Point, LLC c/o Sal Marottoli-
Applicant & owner
61, 65-71, 67 & 73 Goodsell Point Rd
Site Plan/CAM - Mixed Use Development – (Marina & Residential)
Application #21-10.9
A/R 11/4/21
2. Goodsell Point, LLC c/o Sal Marottoli-
Applicant & owner
61, 65-71, 67 & 73 Goodsell Point Rd
Special Exception for Grading (Section 6.8) for a Mixed Use Development –
(Marina & Residential)
Application #21-10.10
A/R 11/4/21
3. 61 Burban Associates LLC, c/o Joseph Iamunno (Manager)-
Applicant & Owner
61 Burban Drive
PDD/Master Plan
Application #21-11.4
To be A/R
4. 61 Burban Associates LLC, c/o Joseph Iamunno (Manager)-
Applicant & Owner
61 Burban Drive
Site Plan –
Application #21-11.5
To be A/R
5. Demi Capobianco-Applicant & Owner
8 High Plain Road
Special Exception Modification (Section 6.8) - Single Family Home
Application #21-11.6
To be A/R

E. Breining explained this application is for regrading for a single family. The applicant does not want to erect a split rail fence around the Inland Wetlands per the condition of their prior approval. They have worked with IW Dept. and E. Breining is recommending the removal of the wording of that condition from the approval.

F. Russo made a motion to waive the Public Hearing.

J. Chadwick seconded the motion which passed unanimously.

M. Palluzzi made a motion to modify the wording of condition #2 as annotated in the decision letter that was discussed at the meeting and distributed earlier tonight.

F. Russo seconded the motion which passed unanimously.

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6. Branford Land Development LLC c/o Ed Crowley-
Applicant & Owner- 5 Indian Neck Avenue
Marine Systems Inc. c/o Christopher Anderson-
Applicant & Owner- 50 Maple Street
5 Indian Neck Ave & 50 Maple Street
Site Plan Modification
Application #21-11.7
To be A/R

H. Smith explained this application is for a proposed addition to the patio area.

This item is TABLED to the 12/9/21 meeting.

7. FSI Acquisitions LLC c/o John Knuff-Applicant
Zoning Regulation Amendment
Amend 6.6E to add BL-HR (BL- Hybrid Rear) zone to table
Application #21-11.8
To be A/R

8. FSI Acquisitions LLC c/o John Knuff-Applicant
Hamilton Branford LLC-owner of 81-111 Commercial Pkwy
49 Commercial Pkwy LLC-owner of 49 Commercial Pkwy
Special Exception- Grading (Section 6.8)
Application #21-11.9
To be A/R & PH to be set

9. FSI Acquisitions LLC c/o John Knuff-Applicant
Hamilton Branford LLC-owner of 81-111 Commercial Pkwy
49 Commercial Pkwy LLC-owner of 49 Commercial Pkwy
Special Exception- Warehouse Distribution, E-commerce &
Fulfillment Centers
Application #21-11.10
To be A/R & PH to be set

Items 7, 8 and 9 are for the Amazon Fulfillment Center.
The Public Hearing will be in January 2022.

OTHER BUSINESS:

1. Bond Release - Commercial Pkwy (Vox Church)
Tabled to the 12/9/21 meeting.
2. Referral from Zoning Board of Appeals for a Use Variance at 15 Church Street
Joe Lepre who was the applicant at the ZBA meeting was present in the audience.
The zoning regulations provide for a referral from the Zoning Board of Appeals to the
Planning & Zoning Commission for a use variance which is a variance to allow a use on a
particular piece of property that's not otherwise allowed. The applicant is applying for a
variance for a small commercial building at the end of Church Street and Meadow Street
to an apartment. It's coming before the planning & zoning commission because the

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regulations say if there is application for a use variance the commission can offer their comments to the Zoning Board of Appeals.

Joe Lepre spoke next saying he recently purchased this property which is zoned IG-1. There is also an additional 2 family house on the lot. He would like to use the small commercial building as an apartment. He went before the zba that week and they reacted positively to it, although no formal vote was taken. They will vote on it at their next meeting.

The Commission discussed this briefly.

M. Palluzzi recused herself from this item.

The Planning & Zoning Commission concluded that they have no objection to this.

H. Smith will compose a short memo and submit it to the Zoning Board of Appeals.

3. 2022 Meeting Schedule

J. Chadwick made a motion to adopt the proposed 2022 meeting dates as their actual meeting dates with the addition of an * after December 8.

M. Palluzzi seconded the motion which passed unanimously.

4. Planner's Report

H. Smith noted there is a roll out of a housing survey in respect to the Affordable Housing Plan. An email is circulating and he encouraged the Commission to take the survey and encourage others to do it as well.

Chairperson Andres reminded them that the election of officers will be at the next meeting.

M. Palluzzi suggested perhaps having a vice chair commission.

M. Liguori will poll the commissioners to see if anyone is interested in a position of either Chair or Secretary.

The meeting adjourned at 9:41 p.m.