



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION THURSDAY OCTOBER 1, 2020 REGULAR MEETING 7:00 P.M.

*To Be Held by remote technology as authorized by Executive Orders 7B and 7I.*

Commissioners Present: C. Andres, M. Palluzzi, J. Chadwick, J. Vaiuso, F. Russo  
M Liguori (arrived at 7:20 pm)

Commissioners Absent: P. Higgins

Staff Present: H. Smith-Town Planner, K.Piazza-Asst. Town Planner, M.Martin- Clerk

Chairperson Andres introduced the Commission and the staff present. He then reviewed the Public Hearing procedures.

K. Piazza reviewed the "zoom " meeting procedures.

### **PUBLIC HEARINGS:**

1. Mariners Landing, LLC,c/o Sal Marottoli-Applicant  
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner  
60 Maple Street  
3 Lot Resubdivision  
**Application # 20-6.2**  
**A/R 6/4/20, PH opened 7/16/20, continued to 10/1/20 from 9/17/20**  
**Public Hearing must close by: 11/17/20 (35 +90 days-EO 7I)**

Attorney Marjorie Shansky spoke first noting that Sal Marotelli, Robert Sachs, Mike Ott, Ken Borson, Ryan Chmielewski, and Dave Sullivan were also present. She requested that the applications be continued to the next meeting where she hoped they would complete their presentation.

H. Smith noted he spoke with J. Gaucher from DEEP and there are some outstanding issues. He stated for the record that the Applicant as well as the Commission received copies of the emails that were received in the office since the last Planning & Zoning meeting. The lighting plan was received yesterday and will need to be reviewed. He also needs to review the landscaping plan.

Chairperson Andres acknowledged that he received the 16 emails that were sent to the PZ Commission.

He stated that the Mariner's Landing Applications would be continued to the October 15, 2020 zoom meeting at 7 pm.

### **PUBLIC INPUT:**

1. Patty Austin-55 Riverwalk- She said Sal Marotelli did an excellent job there. Riverwalk is a beautiful community.
2. Judy Miller (Chair Of the S concern about the traffic the retail portion of this development will cause. The goal of the TOD is to make a comfortable place for walkers and bikers. She said this development should be linked to the Town Center.

3. Larry Albert -Wildwood Dr. – He said he was a resident of Branford for more than 50 years as well as a business owner. He thought the proposal was excellent, noting it was close to the train station and bus line. He was also in favor of the tax benefit for the town.

4. Matt White-(Stamford, CT) resident- He said he grew up in Branford and moved away because he felt Branford had nothing to offer young professionals. He said the project is good for young professionals that aren't ready to buy a house. And the tax benefit is a plus.

5. Jeanette Redensek- 33 Harding Ave- She said there is no question that Sal Marotoli is a developer with a quality project but this development is too big for the site. She noted it spells disaster for surrounding neighborhood. It will mean lots of cars and a great impact on the river. Also, this rea is the core of the historic area of Branford

6. Pat Dugan- She talked about the quality of life and noted that 2-3 years of construction is not quality of life. Nor is the density of the Mariners Landing project. She noted the development of Anchor Reef failed, She asked who the other partners in the project were. She asked why, in the middle of a pandemic, proposals of this magnitude are going on. She added that she had gone door to door and found that 16 of her neighbors were against the project. She asked the Commission to put the project on hold until regular meetings could be held again.

2. Mariners Landing, LLC, c/o Sal Marottoli-Applicant  
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner  
60 Maple Street  
PDD Modification/Master Plan Amendment- Mixed Use Development  
**Application # 20-6.3**  
**A/R 6/4/20, PH opened 7/16/20, continued to 10/1/20 from 9/17/20**  
**Public Hearing must close by: 11/17/20 (35 +90 days-EO 7I)**

3. Branford River Commons LLC c/o Kenny Horton-Applicant  
400 East Main Street Branford LLC-Owner  
392-404 East Main Street  
Special Exception- Office/Medical Building  
**Application # 20-7.1**  
**A/R 7/16/20, Public Hearing opened 9/17/20, continued to 10/1/20**

Mike Harkin (Harkin Engineering) spoke first representing the applicant. He noted that the revisions were made that were discussed at the previous meeting.

John Cunningham (Landscape Architect) discussed what trees will be used on the site.

PUBLIC INPUT:  
No one spoke.

K. Piazza reviewed the conditions of approval.

Chairperson Andres closed the Public Hearing.

4. Vox Church c/o Tom Holeva-Applicant  
131 Commercial Pkwy LLC c/o Robert Sachs-Owner  
131 Commercial Pkwy- Bldg. 4  
Special Exception- House of Worship  
**Application #20-8.4**  
**A/R 9/3/20 & PH set for 10/1/20**

Attorney Marjorie Shansky spoke first noting that Tom Holeva (Church CFO), Jim Pretti (Criscuolo Engineering), Justin Hopkins, Larry Appleton and Dave Sullivan (Milone & McBroom) were also present.

She noted that the Commission had requested a peer traffic review so they won't complete their presentation at the meeting tonight.

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

Justin Hopkins (Tecton Architects) then displayed and highlighted plans of the interior and exterior of the building.

David Sullivan reviewed the traffic study powerpoint.

Chairperson Andres noted this will be continued to the November 5, 2020 meeting.

Tom Holeva (Church CFO) spoke and said he was also a property owner in Branford. He stated that Justin Hendrick (Lead Pastor) was on the line as well.

He explained that the church has a unique approach in New England and they have other locations in Massachusetts as well.

Justin Kendrick said they broadcast from the College Street Music Hall in New Haven. He gave a brief overview of the church.

H. Smith noted that the Town Engineer had a few comments and he reviewed them.

#### PUBLIC INPUT:

1. Kurt Garceau- (Branford Homeowner & Church Member)-He said Vox Church is a good community with good people. He is happy they are coming to Branford. He is in favor of the project as well as many of his friends.

2. Mary Grande- 2 Squire Lane- She stated that the church is involved in numerous outreach programs in the community. They give back continuously and are a good church neighbor.

3. Jeffrey Hug- 24 Lakeview Dr. – He is a church member and said Vox Church is about community. They do a lot of volunteer work and various community events such as an Easter egg hunt, etc.He feels the church would be a great addition to the town and great for Branford businesses.

4. Lauren Roy-(Central Outreach Director)-She said the church believes in partnership and work with many local groups. She highlighted the various ways the church gives back to the community. She is also looking forward to supporting local businesses.

5. Dave Callahan- (Longtime Branford resident) He said the Branford Community reached out to his family 3 years ago when they were looking for his son in the river with the public vigil on the green and the memorial service. At that time, Vox Church reached out to the town and the residents . He said it will be a joy to have a building in Branford where we can have a hometown footprint and we can be on home turf.

6. Linda Marino-Montoya Dr. - She is a member of Vox Church and she is excited that they are coming to Branford.She said Vox is a great church.

H. Smith said it might be appropriate for the Commission to give a consensus or vote regarding the selection of the Peer Review Consultant. The request for proposals went out to five reputable traffic consultants and one response was received from Beta Group, which are well known and reputable.

Chairperson Andres polled the Commission and they were all in agreement to contract with the Beta Group.

The Commission then took a five minute break at 8:52 pm.

5. 375 Metro LLC & Metro Star Co. LLC, c/o  
Robert Smith- Applicants  
Metro 375 LLC & Jai Sai LLC-Owners  
367,373-375 & 377 East Main Street  
PDD/ Master Plan Amendment-Mixed Use Development  
**Application #20-8.9**  
**A/R on 9/3/20 & PH set for 10/1/20**
6. 375 Metro LLC & Metro Star Co. LLC, c/o  
Robert Smith- Applicants  
Metro 375 LLC & Jai Sai LLC-Owners  
367,373-375 & 377 East Main Street  
Site Plan - Mixed Use Development  
**Application #20-8.10**  
**A/R 9/3/20 & PH set for 10/1/20**

Attorney John Knuff (Broad St., Milford) represented the applicant and spoke first. He noted that although three applications for this project have been submitted, only two will be discussed tonight. The Regulation Amendment application will not be discussed at this meeting.

He went on to explain the project consists of 5200 sq ft commercial space and 144 residential units. He noted that also present was Bob Smith (Principal of Metro Star Co, LLC), Dave Golebiewski (TPA Design Group), John Wicko (Architect), and Dave Sullivan (Traffic Engineer).

Robert Smith spoke next and displayed a drone video of the site then a site plan. He stated there will be 144 residential units with 5 units classified as "affordable", a fitness center and a large community room. He also displayed architectural drawings.

Dave Golebiewski (TPA Design Group) reviewed the site plans.  
John Wicko (Architect) reviewed the architectural features of the project.  
Dave Sullivan highlighted the traffic report.

H. Smith noted he sent Attorney Knuff a preliminary staff report. He also said a Special Exception application was received this afternoon for grading (Section 6.8 in the regulations). The Public Hearing for this application will be at the October 15 PZ Meeting. He then summarized the staff report and highlighted the site plan.

PUBLIC INPUT:  
No one spoke.

Chairperson Andres noted these applications will be continued to the 10/15/2020 zoom meeting at 7 pm.

7. David D'Atri-Applicant & Owner  
4 Three Elm Road  
Special Exception Modification & Coastal Site Plan-ADA Compliant Parking Area  
**Application #20-9.1**  
**A/R ON 9/3/20 & PH set for 10/1/20**

David D'Atri (Applicant) explained he had to make some modifications such as installing a sprinkler System, staircase modifications and the requirement for additional ADA parking.

Dale Simmons (Architect) stated why the 3 required ADA parking spaces are required.

Chuck Mandel gave a brief history of the project.

H. Smith reviewed the staff report. He also noted a 3 page letter was submitted by a neighbor along with emails from other neighbors.

**PUBLIC INPUT:**

1. Barbara Chesler-(neighbor) She said her first concern is on February 9 PZ meeting, the issue was set. Then, all of a sudden, new rules are being imposed. There seems to be a lot of confusing answers.

Chairperson Andres stated this application is continued to the 10/15 PZ meeting.

**MINUTES: 9/10/20 & 9/17/20**

J. Chadwick made a motion to approve the 9/10/20 meeting minutes as written.  
M. Palluzzi seconded the motion which passed unanimously.

J. Lust made a motion to approve the 9/17/20 meeting minutes as written.  
J. Chadwick seconded the motion which passed unanimously.

**CORRESPONDENCE:**

Nothing to discuss.

**RETURN TO TABLE:**

1. Branford River Commons LLC c/o Kenny Horton-Applicant  
400 East Main Street Branford LLC-Owner  
392-404 East Main Street  
Special Exception- Office/Medical Building  
**Application # 20-7.1**  
**A/R 7/16/20, Public Hearing opened 9/17/20, continued to 10/1/20**

K. Piazza reviewed the changes to the conditions on the staff report.

**J. Chadwick made a motion to approve the application with the Findings & Conditions 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.
2. 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 Site Plan Application

Requirements per section 9.6.

3. Subject to compliance with the conditions listed below, the Commission finds, that the applicant has demonstrated excellence in landscaping design per section 6.3.L(2) and waives the required front yard landscaping strip per section 6.3.F(1) and further permits the use of Okame Cherry Trees to satisfy the street tree requirements.

CONDITIONS

1. The temporary fencing, depicted on Sheet EC-1, shall be removed prior to the issuance of a certificate of compliance.
2. Construction debris shall not be stored onsite.
3. Prior to the commencement of any construction activity on the Property evidence shall be submitted to the satisfaction of the Zoning Enforcement Officer that the following has been satisfactorily addressed/established
  - a. All proposed soil and erosion controls, including fencing have been installed per sheet SD-1.
4. Prior to the issuance of a Zoning Permit or the zoning authorization for the issuance of a Building Permit the applicant shall submit for review and approval by the Zoning Enforcement Officer/Town Planner, etc. as may be specified below, the following:
  - a. Submittal of a Soil and Erosion Control Financial Guarantee in favor of the Town of Branford, pursuant to Section 6.8.F.1 of form, content and amount as determined by the Town Planner or Zoning Enforcement Officer as may be advised by the Town Engineer and/or Town Attorney, except that this financial guarantee shall not be in the form of a surety bond.
  - b. The note provided on Sheet LP-1 shall be amended to state "As defined by section 6.3.C.2 there any no significant trees located on the property".
  - c. The applicant shall provide written evidence that they have satisfactorily responded to any comments related to stormwater or erosion and sediment control from the Town Engineer.
  - d. A financial guarantee to ensure the survival of plant materials in favor of the Town of Branford pursuant to Section 6.3.M. (3) of form, content and amount as determined by the Zoning Enforcement Officer as may be advised by the Town Engineer and/or Town Attorney, except that this financial guarantee shall not be in the form of surety bond.
  - e. The landscaping plan shall be amended to clearly depict the location and number of each proposed tree, shrub or groundcover. Such plantings shall correlate to the planting schedule proposed on the landscaping plan, last amended 09/24/20.
  - f. The landscaping plan shall be stamped and sealed by a landscape architect and all the civil engineering plans shall be stamped a sealed by a professional engineer.
5. Prior to the issuance of a Certificate of Compliance the following shall be completed to the satisfaction of the Zoning Enforcement Officer:
  - a. Sidewalks as depicted on the Site Development Plan, last revised 9/21/20 shall be installed

**J. Vaiuso seconded the motion which passed unanimously.**

**OLD BUSINESS:**

1. Tidal Basin, LLC., c/o Edward Crowley-Applicant & Owner  
4-6 Indian Neck Avenue  
PDD Modification/Master Plan Amendment- Residential Development as a use in place  
of an approved hotel use  
**Application #20-5.4**  
**A/R 6/4/20, PH closed on 9/17/20, Tabled from 9/17/20**
2. Tidal Basin, LLC. c/o Edward Crowley-Applicant & Owner  
4-6 Indian Neck Avenue  
Site Plan Modification & Coastal Site Plan- Residential Development as a use in place  
of an approved hotel use  
**Application #20-5.3**  
**A/R 6/4/20, Tabled from 9/17/20**  
**Decision Required by Date: same as Application #20-5.4**
3. Mariners Landing LLC, c/o Sal Marottoli-Applicant  
Anchor Reef Club at Branford, LLC c/o J. Ziegler-Owner  
60 Maple Street  
Site Plan & Coastal Site Plan- Mixed Use Development  
**Application # 20-6.1**  
**A/R 6/4/20, Tabled from 9/10/20, Continuance to 9/17/20 requested by applicant**  
**Decision Required by Date: same as Application #20-6.3**

Chairperson Andres stated that the Tidal Basin applications will be discussed together  
with the Mariners Landing Applications.

4. Statewide Development LLC, c/o  
Robert Pesapane-Applicant & Owner  
41 Brainerd Road  
Special Exception- Grading  
**Application #20-8.11**  
**A/R on 9/3/20 & PH to be set**

**WITHDRAWN**

5. The Queach Corp. c/o Vincent Giordano-Applicant & Owner  
434 East Main Street  
Special Exception-General or Business Office and Grading per section 6.8  
**Application #20-8.6**  
**A/R on 9/3/20 & PH set 10/15/20**
6. 375 Metro LLC & Metro Star Co. LLC, c/o  
Robert Smith- Applicants  
Zoning Regulation Amendment to Section 5.4.E (Maximum Bldg. Height)  
**Application #20-8.12**  
**A/R on 9/3/20& PH set for 10/15/20**

**NEW BUSINESS:**

1. Cherry Hill Estates, LLC, c/o Joseph Mineri (Member)-  
Applicant & Owner  
26 Cherry Hill Road  
Special Exception for Grading & Earth Removal (Section 6.8)  
**Application #20-9.2**  
**To be A/R & PH to be set**

**The Commission A/R and set the PH for 10/15/20**

2. ABCS Properties, LLC, David Chew (Member) –  
Applicant & Owner  
802 East Main Street  
Special Exception- Garage Renovation to a dwelling unit  
**Application #20-9.3**  
**To be A/R & PH to be set**

**The Commission A/R and set the PH for 10/15/20**

3. SP Development LLC, c/o Alex Vigliotti(Member) –  
Applicant & Owner  
21 Summit Place  
Site Plan & Landscape Modifications  
**Application #20-9.5**  
**To be A/R**

**The Commission decided this is a staff approval.**

4. Statewide Development LLC, c/o  
Robert Pesapane-Applicant & Owner  
41 Brainerd Road  
Special Exception- Grading- (Lot 2)  
**Application #20-9.6**  
**To be A/R & PH to be set**

**Chairperson Andres stated that the Public Hearing for this application along with 20.9-7 and 20-9.8 will be determined at the 10/15/20 meeting.**

5. Statewide Development LLC, c/o  
Robert Pesapane-Applicant & Owner  
41 Brainerd Road  
Special Exception- Grading-(Lot 3)  
**Application #20-9.7**  
**To be A/R & PH to be set**

6. Statewide Development LLC, c/o  
Robert Pesapane-Applicant & Owner  
41 Brainerd Road  
Special Exception- Grading-(Lot 4)  
**Application #20-9.8**  
**To be A/R & PH to be set**

7. Roger Lowlicht-Applicant & Owner  
19 Laurel Street



Special Exception- Multi Family Unit  
**Application #20-9.9**  
**To be A/R & PH to be set**

**The Commission A/R and set the PH for 10/15/20.**

**OTHER BUSINESS:**

1. Planner's Report