



## PLANNING AND ZONING COMMISSION

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

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### MINUTES

#### PLANNING & ZONING COMMISSION

THURSDAY OCTOBER 6, 2022

REGULAR MEETING **8:00 P.M.**

This meeting was held remotely, solely via ZOOM.

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

Commissioners Absent: S. Huttner, M. Liguori

Staff Present: H. Smith (Town Planner), M. Martin(clerk), J. Ellis (ZEO)

Staff Absent: E. Breining (Asst. Town Planner)

There was no Public Hearing notice to read into the record.

Chairperson Andres reviewed the meeting procedures.

H. Smith reviewed the procedures to participate in the public hearings.

#### 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 from 9/15/22**

J. Pretti (Criscuolo Engineering) assisted the applicant and displayed a site plan and photos. He showed where the parking was and noted that 17 parking spaces were previously added and the applicant was unaware that they needed to get a Special Exception approval.

H. Smith reviewed the staff report.

#### PUBLIC INPUT:

1. Peter Reilly (representing Mr. William Lupi) He agreed the main issues are lighting and landscaping. He displayed photos taken of Mr. Lupi's yard. He noted that the fence that was put up does not go all the way to the ground and it should to block the light and to give him privacy. He showed a photo that showed a large light shining in Mr. Lupi's yard.
2. Mr. Lupi spoke and said he agreed with Mr. Reilly's statements. He said his concerns were the gap in the fence and he would like the fence to be right at the ground for privacy. He referred to the green belt and said he is not happy with the way it looks now. He noted there is a lot of debris in his yard now and it's ugly. He hopes his concerns will be resolved.
2. Mr. Milano-He is concerned about the light, it lights up his entire back yard. He also said the fence does not block headlights now, he asked for it to be all the way to the ground.
3. John Fishman-Property Manager for Jefferson Woods) He noted he started working in May or June, after the fences were ordered. He said the area is on a slope and the fence can't be installed all the way to the ground. He said they wanted the fence at that height so snow can be pushed under the fence. He also said the height of the fence was measured so they wouldn't have the issue of the headlights.
4. Anna—She has been in the house behind the parking spaces and said the light shines in. She said people also congregate in that parking lot at 1 or 2 am.

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5. Mr. Lupi- His issue is, this procedure should have been taken care of a while ago. He noted that the snow issue is not his problem. He noted that these parking lots were put in without the proper procedure. If he didn't start clearing his property, none of this would be coming to light.

Chairperson Andres reviewed what the issues were and suggested continuing this item to the next meeting.

Jim Pretti (Criscuolo Engineering) will talk with the management company for possible solutions and report back at a future meeting.

Anna- She referred to the comment that was made saying that they would go back and ask the owner if they would be willing to make the modifications that the neighbors are asking for. She noted that Jefferson Woods did something they were not supposed to do. And if they say no, that's not right. The neighbors are affected by their actions. If the prop owners are not willing to resolve this, then there will be issues.

**This item is continued to the 11-3-22 meeting.**

**MINUTES: 9/15/2022**

**J. Chadwick made a motion to approve the meeting minutes as written.**

**F. Russo seconded the motion which passed unanimously.**

**CORRESPONDENCE:**

Correspondence received from SCROG (South Central Regional Council of Governments) re: a petition for Text Amendments to the Zoning Regulations that they received from the Town of East Haven.

**OLD BUSINESS:**

1. Bryan Dougherty-Applicant & Owner  
616-626 Leetes Island Road  
Special Exception-(Section 6.8) Grading (associated with the construction of a Barn)  
within 100 feet of an Inland Wetland  
**Application #22-7.5**  
**A/R 7/21/22 & PH continued to 10/20/22 from 9/1/22 with a time extension**
2. 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 from 9/15/22**  
  
H. Smith said he has received revised plans and he is hoping he can approve them administratively. **This is Tabled to the Oct 20 meeting.**
3. Matthew & Stephanie Milano-Applicants & Owners  
125 Thimble Islands Road  
Special Exception & Coastal Site Plan-Grading for a Single Family Home  
**Application #22-9.1**  
**A/R 9/15/22 & PH set for 10/20/22**
4. 819 East Main St. LLC c/o Marjorie Shansky-Applicant  
Sullivan Farm LLC, c/o Jim Sullivan-Owner  
819-841 East Main Street  
Special Exceptions-Research Laboratory, General Office, and Section 6.8 (grading within 100

feet of an inland wetland)

**Application #22-9.3**

**A/R 9/15/22 & P/H set for 10/20/22**

5. HV Retail Development LLC c/o Patrick Hicks- Applicant & Owner  
1151 West Main Street  
Site Plan modification- Bank & Grocery Store  
**Application #22-10.2**  
**To be A/R**

**This item has been WITHDRAWN.**

**NEW BUSINESS:**

1. Metro 375 LLC, c/o Robert H. Smith Jr.-Applicant & Owner  
367,373-375,377,383 East Main Street  
PDD Master Plan Modification  
**Application #22-9.4**  
**To be A/R & PH set for 10/20/22**
2. Metro 375 LLC, c/o Robert H. Smith Jr.-Applicant & Owner  
367,373-375,377,383 East Main Street  
PDD Master Site Plan Modification  
**Application #22-9.5**  
**To be A/R**

This item will be discussed with Application #22-9.4.

3. Pasquale & Barbara Ruocco-Applicants & Owners  
45 Pine Orchard Road  
Special Exception for an Accessory Apartment  
**Application # 22-9.7**  
**To be A/R & PH to be set**
4. Matthew & Stephanie Milano-Applicants & Owners  
125 Thimble Islands Road  
2 Lot Subdivision & Coastal Site Plan  
**Request for a 90-day Time Extension to the time to file the Mylar for the subdivision.**

H. Smith noted that there was a conservation easement offered to satisfy the open space requirement and an offer to dedicate some land to the town to supplement land at the end of the trolley trail. Those two offers need to go to the RTM as well as review by the town counsel. The applicants ran out of time.

**F. Russo made a motion to grant the 90 day time extension to file the mylar.**  
**J. Chadwick seconded the motion which passed unanimously.**

**OTHER BUSINESS:**

1. New Zoning Enforcement Officer  
H. Smith introduced Jane Ellis and gave a brief summary of her background. Jane had some audio issues and was not able to speak. H. Smith asked the commission to authorize Jane as the Zoning Enforcement Officer for the Planning & Zoning commission. He explained that she is in training and but he is comfortable with appointing her.

**F. Russo made a motion to appoint Jane Ellis as the Zoning Enforcement Officer for**

**The Planning & Zoning Commission.**

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

2. Sunrise Cove Camp- PDD replacement by Residential 2 (R2) zoning  
H. Smith reviewed this item by noting that a while back, the residents of Sunrise Cove Camp wanted to winterize and expand their cottages. There was a question raised whether the PDD still applies there. The PDD was established a while ago and in 2015 the Planning & Zoning Commission did a zoning map amendment and deleted the PDD and put R2 zoning back in place there.

Chairperson Andres reviewed what H. Smith just spoke of.

H. Smith said they need a motion from the Commission that they agree with the Town Attorney that the PDD was deleted in 2015 and is no longer part of our zoning map.

**F. Russo made a motion that the Commission agrees with the town Attorney's opinion that the 2015 map adoption deleted the prior PDD.**

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

3. Planner's Report

H. Smith said he was asked by Peter Hentschel (RTM member) and Chairman of the Coastal Vulnerability Group to distribute a report they composed to the Planning & Zoning Commission. He knows that commissioner Fred Russo did review it. Mr. Hentschel is asking the rest of the commissioners to review it and perhaps have a joint session with the commission and perhaps have a question and answer period and discuss what their group has been working on.

H. Smith will resend the report to the commission again.

Commented [MM1]:

H. Smith also noted that the old Days Inn Property looks beautiful. This is the Metro Star project and the developer, Bob Smith recently got and award presented by the Forestry Commission.

The meeting adjourned at 9:20 p.m.