



# PLANNING AND ZONING COMMISSION

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**# D R A F T #**

**MINUTES  
PLANNING & ZONING COMMISSION  
THURSDAY SEPT. 19, 2019  
REGULAR MEETING 7:00 P.M.  
BRANFORD FIRE HEADQUARTERS  
45 NORTH MAIN STREET**

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

Commissioners Absent: P. Higgins, D. Dyer

Staff Present: H. Smith- Town Planner, R. Stocker- Asst. Town Planner,  
Attorney Danielle Bercury-Town Counsel, M. Martin-Clerk  
(arrived at 7:28 p.m.)

The meeting started at 7:00 p.m.

Chairperson Andres introduced the Staff and the Commission present.

Secretary M. Palluzzi read the Public Notice into the record.

Chairperson Andres reviewed the public hearing procedures.

## **PUBLIC HEARINGS:**

1. John Lauro-Applicant & Owner  
92 Rogers Street  
PDD/Master Plan Amendment  
**Application #19-8.2**  
**PH opened 9/5/19, continued to 9/19/19**

H. Smith explained this application stemmed from a homeowners request to enlarge a deck at a condo unit. This parcel was approved as a PDD (Planned Development District) several years so this application had to go thru the Public Hearing process to modify the previous Master Plan (part of the PDD approval) which shows the deck.

H. Smith requested that the Commission waive the requirement for a Site Plan because this is a minor modification. He said he had also proposed a condition if the Commission chose to approve this application allowing staff approval of any future minor deck additions in this PDD.

## PUBLIC INPUT:

None

**Chairperson Andres closed the Public Hearing.**

2. Stone Ridge Associates, c/o Patricia Owens-Applicant & Owner  
Liesel Lane Rear-Zoning Map Amendment R-1 to BL  
**Application #19-8.8**  
**A/R 9/5/19, PH set for 9/19/19**

Attorney Carl Porto was present as well as J. Pretti (Criscuolo Engineering). C. Porto represented the applicant and explained this property was purchased by North East Orthopedic Specialists, who currently have a large office at 84 North Main Street. This location will be an extension of that and will be a physical therapy center. They will purchase approximately 7,000 sq. feet of property in the rear of the building from the neighboring Stone Ridge Apartments and they plan to use it for additional parking.

J. Pretti then reviewed the Site Plan and noted that this small parcel that will be purchased will be changed from the current R-1 (residential) zoning to BL (Limited Business)

PUBLIC INPUT:  
None

**Chairperson Andres closed the Public Hearing.**

3. 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 set for 9/19/19**

Chairperson Andres explained this application is under 8-30G of the Ct. General Statutes. This means in the event of a denial or appeal w/conditions then it is the burden of the Planning & Zoning Commission to show that their decision is supported by substantial interest in public health, safety and other matters; and that those interests clearly outweigh the need for affordable housing and they cannot be addressed by reasonable changes to the plan.

Attorney Tim Hollister spoke first and noted his colleague Andrea Gomes was also present as well as Attorney Jay Pottenger.

He said his goal at the meeting was to complete the review of the Site Plan application. They hope to resolve the one remaining issue regarding the June 13th conditions of approval. He noted they had material to distribute to the Commission. There is a very slight revision of the emergency pullover which Mr. Sacco can explain later.

He reviewed by saying they have a set of resolved conditions, between the process of June 13 and today. On June 13 the Commission acted on the application and there were a couple conditions that were not made available at the time. They saw them after they were adopted and they were unclear in several respects.

In a June 21 letter, they asked for clarifications regarding several of the conditions of the June 13<sup>th</sup> approval which were provided by Town Counsel Bercury in a letter dated August 14. He said that based on the information provided in that letter the applicants are prepared to accept conditions 2a, 2b, 2n, 2r, and 5e of the June 13<sup>th</sup> approval as written. He also said they would be prepared to withdraw the paragraphs related to those conditions from the court appeal that was filed.

He repeated he doesn't think it's necessary for the Commission to rewrite the conditions to incorporate Atty. Bercury's letter. They are content that the August 14 letter be made part of the record, essentially as an attachment to the June 13 approval resolution as an available reference.

What is left is condition 5c and 5d. The June 13 letter asks for a recorded deed restriction to ensure that the emergency vehicle pullover area would be maintained and never modified without approval from the Fire Marshal, the police chief and the Commission. He said he understood that the approval of a deed restriction on Town Property which would require approval from the RTM. He stated they do not wish to go to the RTM. It is a political body, not a land use agency. The RTM turned down the Melrose access even though the applicants had offered that voluntary as an accommodation and envisioned it as a win/win for the town. But after the June 13<sup>th</sup> condition was adopted, a member of the RTM expressed that one of the purposes was to get the matter back to the RTM and not to approve it. So, they don't wish to participate in that process.

He stated the deed restriction for the emergency pullover is simply not necessary. All that is needed to achieve the stated purpose is the site plan condition which he read from the August 26 application on page 3.

They are asking the commission to consider one of three options: One is to leave the site plan as is and revise the text of 5c and 5d. The second option is to try to eliminate the issue by revising the site plan to move the pullover area completely onto Parkside property so there is no use of town property or deed restriction.

In response to the Fire Marshal's letter, they have proposed a revision that basically makes the pullover area longer and slightly wider (the sq. footage is minimal) and still on the Parkside property.

David Sacco (TPA Design Group) spoke next. He provided copies of a revised plan to the commission and then reviewed it. They have included turning analysis as well.

Mr. Hollister said there is also a memo from Mr. Versteeg in the packet.

H. Smith reviewed his staff report.

Chairperson Andres asked a few questions as well as the Commission.

**PUBLIC INPUT:**

1. Damien Platosh- South Montowese St.-He thanked the Commission for all their work. The neighborhood felt the health and public safety concerns recited by the board could not be resolved by reasonable accommodations, although some were adopted as conditions for approval. The thinking has been the neighborhood can't fight Goliath. He compared the neighbors efforts to those of Beacon; noting they engaged Yale University Law School to fight on behalf of the for profit developer. He said the neighbors couldn't afford to hire traffic experts or fire experts, etc. He repeated this is the wrong location for this project. The current configuration of the Sliney Road access to such close proximity to Indian Neck and South Montowese Street is a traffic hazard. He looked at traffic patterns at the intersection of Sliney Field and South Montowese Street and counted cars going thru it and he noticed that most cars were not stopping at the stop signs. He said this is a public safety issue. He also noted that South Montowese Street is listed as the most dangerous road in Branford. He also said that people will park wherever they want to as evidenced because they don't stop at stop signs as they should. This is why deed restrictions are needed. He noted that usually applicants with 8-30G apps like deed restrictions. But when it comes to public safety and when it's for vehicle access for a fire truck, then they don't like it. He said this project is too big for this property. He said the Town shouldn't give its property to a for-profit developer for a project that will negatively impact the neediest folks in our town. He stressed; think safety, think safety. He stated the applicant got their conditional approval and the conditions should be kept as they are.
2. Barbara Whalen -115 South Montowese St.-She said, she is a senior with a disability and a resident of Parkside .She said Beacon has not disclosed to them where they will be relocated during construction and they have not seen any plans because the Branford Housing Authority had a meeting but no plans were shown to them . She noted that Merritt Properties has done nothing to take care of the buildings there. The buildings need some TLC. Some of the residents are not happy having to move somewhere and then move again. She said they don't take any of the seniors' suggestions into account. She said most residents don't want to move, they are happy where they are.
3. Todd Petrowski- 67 South Montowese St. - He asked the question that was previously talked about; what would happen if the town put up a cement wall on that property He said he met with Harry Smith and a few others and was told you could do whatever you want on your property and he wanted an answer from Attorney Hollister to that question. Chairperson Andres said the applicant would have an opportunity to respond later. Mr. Petrowski said he felt Jamie Cosgrove dropped the ball on this item numerous times. He stated in April 2018, a petition was formed to remove Doug Dennes from the BHA and he was afraid to do this based on a lawsuit and felt this was funny because CT is an "at will" state, whether you are an employer or not. He then let him stay on past his term long enough to re-sign a 3year contract with Beacon. He then assigned a new Chairman who is present at the meeting and would speak later. Mr. Petrowski said he thought the

excuses that were given are ridiculous. He spoke of the town taking the ball field over years ago under squatters rights because the town maintained it. He is embarrassed by what's been going on. He spoke of Diana Ross (Inland Wetlands Dept.) and how he asked her to come and look at the site and she refused. Carolyn Sires then paid for a study out of her own money and that study found vernal pools and endangered species. Then Diana Ross wanted to get involved. He spoke of the limited amount of parking spaces to the number of units.

4. James Cavanaugh- (Resident and President of the Parkside Resident Association). He noted that change is difficult for older people. Change is apprehension filled. He is reporting a change in the Residents Association position relative to redevelopment. He said previously the Association supported the redevelopment of Parkside primarily due to the health and safety benefits. The residents now support fixing the existing structure rather than building a new one. The Association urges the Housing Authority to undertake an evaluation of the structures currently at Parkside and the funding sources necessary to repair them as well as a study of the current rent structure. Another factor in this decision is the necessity created by the project for some residents to move twice. Also, the requirement that the units will be open to the elderly and the disabled as well as families with children is an additional concern. He said the majority of tenants don't believe the promise that rents won't increase. He stated there was a meeting on Tuesday evening and an informal vote was taken. He stated that 30 people were present out of the 48 residents that live there now.
5. Christine- (a 9 year resident). She said that the residents that were voting have no clue as to what needs to be done at Parkside. The problems can't be fixed with a Band-Aid. There are things that cannot be fixed. It needs to be renovated, there is a difference. There are big problems. She was not part of the vote and she doesn't want to move or see the wildlife be destroyed or blasting but something needs to be done with the property.
6. Mark Collello- He stated he is a newly appointed commissioner of the Housing Authority (4 weeks ago). He said he does not have a lot of information yet. He has not had any cooperation from the property manager (Merritt Properties) or Beacon Development, outside of one conversation with Attorney Hollister, and receiving a one sentence document which they consider a contract to represent BHA. He has made several requests to Merritt Properties and they have not provided him with any information. The Housing Authority is ignoring the new commissioners. He urged the Commission to table this item until the new Commissioners on the HA can obtain more information. He has been to Parkside and met with the residents. He agrees with the prior speaker, that yes, the buildings need renovation but does a 40 year old building need to be knocked down? He has been a contractor for 27 years and feels these buildings do not need to be knocked down. They do need ADA compliance and upgrades. He asked the Commission to wait so they have the opportunity to review what is going on and what their real intentions are.
7. Carolyn Sires- She said, here we are again since 2016. We are playing see saw with the town and the Commissioners. She understands the idea of the fire trucks going thru but we need to look at the population. The reaction time for seniors and children if a fire truck comes should be considered. She said there is never just one fire truck that comes out; it is an ambulance, police and fire Departments that

comes out. The reality is if a fire truck goes in, how will they get out? She said the Commission has done the right thing for 4 years now. Why would we give Beacon the opportunity to say they don't want to go thru the RTM?

8. David Clark-(Resident of Parkside 2) He said it seemed more like an election than a hearing. He said he's sure the Little League would welcome an expanded parking lot where the existing one is now. Parkside Village 1 is in need of renovation and it seems that it is a little immature to say that a new project will be developed. He stated it seems like a location issue and a new project there is infeasible. Certainly, the buildings are in need of TLC as some prior speakers said. It's a location issue and a new project there is infeasible? The buildings are in need of TLC.

Chairperson addressed Attorney Bercury and said he understands we have received some new information this evening, as well as modifications to the plan. The Fire Marshal needs to review the modifications and the report and send comments back to the Commission. We are not going to close the Public Hearing this evening.

Attorney Danielle Bercury stated it is her understanding that the Fire Marshal (Shaun Heffernan) is available to attend the October 3 Planning & Zoning Meeting.

Atty. Hollister- He said his clients are frustrated. They submitted the application on August 26<sup>th</sup> and just got the Fire Marshal's comments this week. He said he emailed a reply to H. Smith today and that this is a tiny change. They did everything the Fire Marshal has asked and provided some additional comments in reference to some of the statements just made by members of the public.

He said the Fire Marshal won't allow a fence to go up preventing access by Fire Vehicles to the Town's property adjacent to the emergency vehicle pull-off area.

There was further discussion and comments by the T. Hollister, H. Smith and the Commission about the need for a deed restriction or other legal instrument to ensure the availability of the access to the proposed pull-off area. Questions were also raised about the obligation of an adjoining property owner (in this case the Town or a future owner of its property) to maintain its property in a condition necessary to provide emergency access for the benefit of the Housing Authority. C. Andres said in the absence of any documentation from the Town that it agreed to so encumber its property or join the application as a co-applicant or consenting property owner, the Commission crafted a condition to address the issue as required by CGS Section 8-30g.

Atty. Bercury reviewed the requirements of the Town Charter regarding the questions raised about the Town property.

Chairperson Andres stated that the Public Hearing was continued until the October 3<sup>rd</sup> regular meeting of the Commission to be held at the Fire Headquarters building.

The Commission took a short break at 8:48 p.m. and returned at 8:56 p.m.

**MINUTES: 9/5/2019**

**J. Lust made a motion to approve the 9/5/19 meeting minutes as written.  
J. Chadwick seconded the motion which passed unanimously.**

**CORRESPONDENCE:**

H. Smith said the following items were received:

1. A letter from Wayne Cooke which was distributed to the Commission at the meeting.
2. A notice for a Zoning Regulation text change in East Haven for which a Public Hearing will take place on Oct. 3, 2019.
3. A notice from East Haven that they are amending portions of their regulations .A Public Hearing will be held Nov. 6, 2019.
4. A letter from the Connecticut Siting Council regarding an equipment swap for a Cellular Tower at 10 Sylvia Street.
5. A letter regarding an equipment swap for a Cellular Tower at 50 Maple Street.

**RETURN TO TABLE:**

1. John Lauro-Applicant & Owner  
92 Rogers Street  
PDD/Master Plan Amendment  
**Application #19-8.2**  
**PH opened 9/5/19, continued to 9/19/19**

**M. Palluzzi made a motion to approve the application and waive the requirement for a Site Plan with the following condition:**

1. Staff may review and approve all minor adjustments (less than 25% of the deck area) to the remaining decks in this PDD (which, for the purpose of future applications, the Commission considers to not constitute an increase in the “dimensional elements”) for compliance with the PDD and the other applicable sections of the Zoning Regulations.

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

2. Stone Ridge Associates, c/o Patricia Owens-Applicant & Owner  
Liesel Lane Rear-Zoning Map Amendment R-1 to BL  
**Application #19-8.8**  
**A/R 9/5/19, PH set for 9/19/19**

**J. Lust made a motion to approve the application with the Finding that it’s consistent with the Plan of Conservation & Development and the Comprehensive Plan with an effective date of October 10, 2019.**

**M. Palluzzi seconded the motion which passed unanimously.**

**OLD BUSINESS:**

1. Audra Nuzzo- Applicant  
Zoning Regulation Amendment-Addition of new Accessory Use to a Farm use (by Special Exception) "Non-Agricultural Farm Events"  
**Application #19-6.1**  
**A/R 6/6/19, PH closed on 7/25/19, tabled from 7/25/19, Decision due on 9/26/19**

H. Smith reviewed the proposed final drafts of modifications to the last revised version of the text amendments to the Zoning Regulations proposed by the applicants. The Commission suggested two minor additional changes

**J. Chadwick made a motion to approve the proposed Zoning Regulation Amendment below with the two changes mentioned and the finding that it is consistent with the Plan of Conservation & Development and the Comprehensive Plan of Zoning with an effective date of October 10, 2019.**

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

2. The Peter Hentschel Revocable Trust, c/o  
Peter Hentschel (Trustee)-Applicant & Owner  
30 School Street  
Special Exception-Excavation/grading within 100 feet of a wetland  
(accessory structure)  
**Application #19-8.4**  
**A/R 9/5/19,PH set for 10/17/19**
3. Bausch & Stroebel Machine Co. Inc.  
c/o Oliver Schmidt-Applicant & Owner  
10 Thompson Road  
Site Plan Modification-Change to building footprint/building use/parking layout  
**Application #19-8.7**  
**A/R 9/5/19, Tabled to 9/19/19**

J. Pretti (Criscuolo Engineering) represented the applicant. Also present was the applicant Oliver Schmidt.

He explained there was a prior approval in 2015 and this application changes the building footprint slightly. There are no changes in the landscaping. They are seeking to have the parking requirement amended as part of the approval.



H. Smith reviewed his staff report and proposed modifications to the submitted Site Plan modifications as well as a request by the applicant to waive the requirement for landscaped island every fifteen parking spaces along the perimeter of the parking lot in view of excellence in landscape design. He also reviewed a proposal for the Commission to establish a 1 space per 1,000 sq. ft. of gross floor area parking requirement per Section 6.5 D.2 (Table Note #1) of the Zoning Regulations for this computer aided, robotic-assisted manufacturing.

**M. Palluzzi made a motion to approve the application with the Findings and Modifications and Administrative Requirements listed below:**

Findings:

1. The Commission finds, per Section 6.5.D.2 Table Note #1, that a parking standard of one parking space per every 1,000 sq. ft. of gross floor area for this computer-aided, robotics assisted manufacturing facility is warranted based on the documentation presented by the applicant's engineer, staff, and previously testimony regarding the nature of the operations proposed in this facility.
2. The Commission finds that a waiver per Section 6.3.L.2 of the parking lot landscaped islands required by Section 6.3.K.4 every fifteen feet for parking bays on the perimeter of a parking lot is warranted by excellence in landscape design.

Modifications and Administrative Requirements:

1. Prior to the issuance of a Zoning Permit or the authorization for the issuance of a building permit, the following shall be addressed to the satisfaction of the Zoning Enforcement Officer or other staff as may be indicated:
  - a. Modified Site Plans may be submitted for the review and approval of the Town Planner, to reduce the number of parking spaces to that number required to meet a one parking space per 1,000 sq. ft. of gross floor area requirement and to modify the stormwater detention basin to reduce any impact to the large maples proposed for retention along the western property line.
  - b. Changes to address comments #'s 5, 7, 8, and 12 (regarding seal/stamp and live signature of the professional who prepared the architectural plans) in a staff report regarding this application as prepared for the September 19, 2019 meeting of the Planning and Zoning Commission by Town Planner Harry Smith to his satisfaction.
2. No outdoor storage of materials is allowed without further approval of the Planning and Zoning Commission.
3. Based upon a request submitted by the applicant's engineer an extension to the time permitted to complete construction authorized by this Site Plan modification to September 3, 2025 is approved.
4. All requirements of the October 2, 2015 Site Plan approval of Application #15-7.6 shall remain in full force and effect as they may still apply.

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

4. 3 Liesel Lane LLC.-Applicant & Owner  
3 Liesel Lane/Liesel Lane Rear  
Stone Ridge Associates, c/o Patricia Owens-Applicant & Owner  
Liesel Lane Rear  
Subdivision Modification-lot line change  
**Application #19-8.9**  
**A/R 9/5/19, Continued to 9/19/19**

J. Pretti (Criscuolo Engineering) represented the applicant and explained this lot line revision. They will be creating a new curb area to provide landscaping and add trees. They are improving the exterior of the building.

R. Stoecker reviewed his Staff Report.

**J. Lust made a motion to approve the application.**

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

5. 3 Liesel Lane LLC.-Applicant & Owner  
3 Liesel Lane/Liesel Lane Rear  
Site Plan Modification- Changes to site including addition of parking  
**Application #19-8.10**  
**A/R 9/5/19, Continued to 9/19/19**

R. Stoecker reviewed the Staff Report, noting this use is changing from a car dealership to a medical office.

**J. Vaiuso made a motion to approve the application with the conditions below:**

- 1) Prior to the issuance of a Certificate of Zoning Compliance for the issuance of a Certificate of Occupancy the following shall be addressed to the satisfaction of the Zoning Enforcement Officer:
  - A) Any non-compliant pole lighting and building lighting on site shall be replaced with compliant fixtures.
  - B) All proposed new or replacement lighting must be compliant with requirements for full cut off fixtures which would require either International Dark-Sky Association (IDA) Dark Sky Approved certification, IES full-cut-off designation, or "BUG" ratings that demonstrate an equivalent performance for the fixtures provided. Cut sheets for the fixtures shall be submitted for approval by Town Planner or designee. If an LED light source is proposed it shall have a Correlated Color Temperature (CCT) of no more than 3,000 degrees. Adjustable mounting brackets on all lighting fixtures are prohibited.
  - C) A modified Landscape Plan shall be submitted and reviewed and approved by the Town Planner for side landscape strips, street trees, parking islands, and foundation plantings detailing type of species, spacing, and size.

- D) Applicant shall provide the cut sheets or other information documenting that any existing outdoor lighting complies with Sect. 6.7 Outdoor Lighting and lighting Appendix.
  - E) Documentation that the new use has been reviewed and approved by the WPCA with respect to any increased flow into the sanitary storm it may generate.
- 2) To ensure continued compliance with the Zoning Regulations, landscaping must be maintained as an on-going requirement of this approval to ensure survival of all required landscaping shown. If the landscaping element does not survive or is irreparably damaged, it must be replaced in kind.
  - 3) No additional signage or new or replacement lighting shall be installed without Planning or Zoning Commission approval, or that of its staff whichever may be appropriate, for compliance of the proposed signage or lighting with the Zoning Regulations.
  - 4) The existing drainage system shall be examined by the applicant for any needed maintenance or repairs and any action be noted on the Site Plans to the satisfaction of the Town Engineer.

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

6. 1064 Main Street LLC, c/o Alex Vigliotti –Applicant & Owner  
1032-1064 Main Street  
Special Exception – Convert 2<sup>nd</sup> floor Office Space to Residential Apartments  
**Application #19-8.12**  
**A/R 9/5/19, PH set for 10/3/19**
7. 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 & PH set for 10/17/19**
8. 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- BL to BL-HR  
**Application #19-9.2**  
**A/R 9/5/19 & PH set for 10/17/19**

**NEW BUSINESS:**

1. Peter S. Kusterer-Applicant & Owner  
3 Three Elms Road  
Special Exception- Accessory Structure  
**Application #19-9.3**  
**To be A/R and PH to be set**

**The Commission set the Public Hearing for 10-17-19.**

2. 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**  
**To be A/R and PH to be set**

**The Commission set the Public Hearing for 10-17-19.**

#### **OTHER BUSINESS:**

1. INFORMAL REVIEW of a CONCEPTUAL PLAN - Expansion of Summit Place Incentive Housing Overlay District. Alex Vigliotti - SP Development/Nicholas Mingione, Esq. and Steve Dietzko of Milone and MacBroom.

Attorney Len Fasono (Fasono, Ippolito, Lee, & Florentine) and Steve Dietzko (Milone & McBroom ) were present representing the applicant.

Attorney Fasano explained a few years ago they came before the Commission with an application for affordable housing units in the Summit Place area. They had 2 existing buildings and had proposed to have 3 buildings at one. The Commission suggested they start with the two buildings and see how that project goes. If they the buildings were substantially filled and they could show that the site is working, then they could come back and seek approval for the third building. He said the two buildings are filled and now they want to build the third building.

He noted that when all three buildings are complete, the state will look at this as an affordable housing project and the town may be eligible for funding under the Incentive Housing (or HOME) program.

H. Smith noted that the Town never became formally registered in this program, possibly due to the elimination of the funding from the state. Attorney Fasano advised that the program may be refunded

Steve Dietzko (Milone & MacBroom) reviewed colored aerial photos for the Commission and Said it is a vacant parcel now but they are proposing a single building with 56 apartment units as well as a detached clubhouse and playground with a series of sidewalks connecting all 3 buildings. The building will be 3 stories. He had colored sketches of the exterior of the building.

The Commissioners and staff asked a several questions.

## 2. Informal Discussion-Goodsell Point Road Marina

Jim Pretti (Criscuolo Engineering) was present with Sal Marotelli (Oakwood Development).

Sal Marotelli said Goodsell Point Marina is a beautiful property that has fallen into disrepair. The marina has not been in operation for several years now.

His idea is to take purchase the marina and bring it back to life .He would rehab the current marina, build a new service building and clubhouse and then as a PDD (Planned Development District) build 16 detached homes. He would purchase the marina property and approximately 5 acres of the neighboring property.

The Commissions asked a few questions and offered suggestions.

## 3. Definition of Building Height (Section 2.2)

H. Smith said this question stemmed from the new Hampton Hotel that is proposed in place of the Branford Motel.

This question is regarding the definition of building height in Section 2.2 of the Zoning Regulations. He referred the Commission to a copy of an excerpt from the Zoning Regulations with the definition in question.

The definition reads, in part: *“The average pre-existing (pre-development) grade measured at the base of the building or structure (average ground level) to the level of the highest roof of the building or highest feature of the structure. . .”*

The question is: What does “pre-existing (pre-development) grade mean in this context? Does it mean the grade before the proposed development or the grade prior to any development on the property? The Commission consensus was that the term referred to the grade of the property before the proposed development not before it had been altered by human beings.

## 4. Planner’s Report

No additional report was offered.

The meeting adjourned at 10:57 p.m.