



PLANNING AND ZONING COMMISSION

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REVISED MINUTES PLANNING & ZONING COMMISSION THURSDAY, SEPTEMBER 7, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

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

Commissioners Absent: P. Higgins, C. Kelly

Staff Present: H. Smith- Town Planner, R. Stoecker- Asst. Town Planner, M. Martin- Clerk

Chairperson Andres introduced the Commissioners and the Staff.

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

Chairperson Andres then reviewed the Public Hearing procedures.

REGULAR MEETING 7:00 P.M.

PUBLIC HEARINGS:

1. Town of Branford-Applicant & Owner
30-48, 26, 28 Church Street
**Special Exception & Coastal Site Plan-Additional parking on
#26 & #28 Church St. (Community Center)**
Application #17-7.2
A/R 7/6/17, PH continued from 7/27/17, continuance to next meeting requested.

H. Smith stated the Town is requesting this item be continued to the next meeting. The Commission accepted additional time extension of 30 days in addition to the thirty-five days of time extension offered and accepted at the July 27th meeting. They continued the Public Hearing to its October 5 meeting at 7 pm at Branford Fire Headquarters.

2. 101 North Branford Rd., LLC-Applicant & Owner
101 & 115 North Branford Road
Special Exception- Industrial Building
Application #17-5.7
A/R 5/18/17, PH continued from 7/20/17-WITHDRAWN
3. Branford Building Supplies-(Vincent Giordano Jr.)-
Applicant & Owner
Buckley Rd. (G-9/000/013/00001)
Special Exception & Coastal Site Plan- Farm Planting/Grading
Application #17-6.6
A/R 6/15/17 & PH continued from 7/20/17

H. Smith stated the Town is requesting this item be continued to the next meeting.

The Commission accepted additional time extension of 65 days and continued the Public Hearing to its October 5 meeting at 7 pm at Branford Fire Headquarters

4. Peter Panaroni-Applicant & Owner
Zoning Regulation Amendment –
(Section 7.11) Contractor Business & Storage Yards
Application #17-6.8
A/R 6/15/17 & PH continued from 7/20/17

H. Smith stated this item was withdrawn today.

5. Donald Anderson-Executor-
(Estate of Anthony Papa)-Applicant & Owner
7-11 Mill Plain Road
Zoning Map Amendment
Application #17-7.1
A/R 7/6/17, PH set for 9/7/17

Attorney Nick Mingione (Fasano, Ippolito, Lee & Florentine) represented the Applicant. He highlighted the application, explaining that this parcel of land currently is zoned BR (Restricted Business), MF (Multi Family), and R1 (Residential1). This application is proposing to change the parcel to BR only.

N. Mingione then reviewed the zones of the neighboring parcels. He noted there are no proposed changes to the property and this change will have no effect on the neighborhood.

R. Stoecker reviewed the staff report.

Public input:

1. Katie Blanchett-spoke for her parents (Robert & Claudia Bradley of Mill Plain Rd.)- They own a single family home and they are concerned about the effect of this change on their property value.
2. Robert Bradley (Mill Plain Rd) He's concerned this will decrease his property value. He is opposed to this application.

Chairperson Andres closed the Public Hearing.

6. Tidal Basin LLC.-Attorney Gregg Burton, Agent-
Applicant & Owner
60 Maple St. & 2 & 5 Indian Neck Avenue &
4-6 Indian Neck Avenue
PDD & Zoning Map Amendment
Application #17-7.6
A/R 7/20/17 & PH set for 9/7/17--WITHDRAWN
7. Birbarie 139 West Main LLC. c/o
George Birbarie-Applicant & Owner
139 West Main Street
Special Exception-Motor Vehicle Sales/Repair
Application #17-7.7
A/R 7/20/17, PH set for 9/7/17

Jim Pretti - (Criscuolo Engineering) represented the applicant. He highlighted the Application, noting there are two buildings on the site. The application proposes removing the second story of the front building and site renovations such as new landscaping and repaving. A new drainage system will also

be installed. The rear building will not be renovated and will be used for storage and general car repairs.

Gary Dewolf- (Dewolf Architects, New Haven) reviewed the application, explaining the changes that are proposed including the new canopied entrance and front façade enhancements for the front building.

R. Stoecker reviewed the Staff Report.

The Commission had a brief discussion regarding landscaping along the Brooklawn frontage of the property, access to the site and where cars for sale would be located.

Public Input:

1. Bill Horne- 246 Pleasant Point Rd. - He said the rear building will be used for oil changes, is the building equipped with spillage containments? He reminded the staff that a reservoir is across the street.

Chairperson Andres closed the Public Hearing.

8. Union News of New Haven, Inc. c/o
Jeffrey C. Villano (President)-Applicant & Owner
23 Laurel Street
Special Exception- Conversion of first & 2nd Floor
Application #17-7.9
A/R 7/20/17, PH set for 9/7/17

Jim Pretti (Criscuolo Engineering) represented the applicant. He noted there are two buildings on the site. The front building is currently being renovated. The first floor will be converted to office space. The second and third floor will be apartments. The second building will continue to be two apartments. No changes are planned for that building.

There are a few small changes to the landscaping plan being proposed.

Joe Sepot (Joseph Sepot Architects) spoke next. He gave a brief history of the site and showed the Commission a few color photos and explained some of the changes that are planned including an exterior staircase. He noted, he is planning to do some historical research on the building to learn what was previously there and possibly bring out some of the previous details on the building.

R. Stoecker reviewed staff report.

Public input:

No one spoke. Chairperson Andres closed the Public Hearing

9. Charles Weber-Applicant & Owner
25-29 Business Park Drive
Special Exception-Retail Space (<3,000 sq. ft.)
Application #17-8.1
PH set for 9/7/17

Joe LePre- (JDL Construction) represented the applicant. Fastenal Corp. proposes to have a 3,000 sq. ft. retail use in 25 Business Park Drive (unit 1). Fastenal stocks, ships and sells fasteners, industrial supplies and maintenance products. He submitted a letter for the record showing Fastenal's sales.

R. Stoecker reviewed the staff report.

Public input:

No one spoke.

Chairperson Andres closed the Public Hearing.

Return to table:

1. Donald Anderson-Executor-
(Estate of Anthony Papa)-Applicant & Owner
7-11 Mill Plain Road
Zoning Map Amendment
Application #17-7.1
A/R 7/6/17, PH set for 9/7/17

H. Smith reviewed the zones in the surrounding area.
The Commission discussed it briefly.

J. Lust made a motion to approve the application and find it is consistent with the Comprehensive Plan of Zoning as well as the 2008 Plan of Conservation and Development, and set an effective date of October 1, 2017 as well as the finding that the zone change is consistent with the goals and policies of the Coastal Area Management Act. J. Chadwick seconded the motion which passed unanimously.

2. Birbarie 139 West Main LLC. c/o
George Birbarie-Applicant & Owner
139 West Main Street
Special Exception-Motor Vehicle Sales/Repair
Application #17-7.7
A/R 7/20/17, PH set for 9/7/17

J. Vaiuso made a motion to approve the application with the conditions listed on the staff report with the removal of Condition 1a and adding a notation regarding the sidewalk along West Main St. Rt. 1 frontage and changing Condition 8 to read: Construction of proposed sidewalk along Route 1 ROW shall be completed to Town of Branford standards with proper easements prior to the issuance of a certificate of zoning compliance or zoning authorization for a certificate of occupancy.

J. Chadwick seconded the motion which passed unanimously.

3. Union News of New Haven, Inc. c/o
Jeffrey C. Villano (President)-Applicant & Owner
23 Laurel Street
Special Exception- Conversion of first & 2nd Floor
Application #17-7.9
A/R 7/20/17, PH set for 9/7/17

M. Palluzzi made a motion to approve the application with the three conditions listed in the Staff Report. J. Lust seconded the motion which passed unanimously.

4. Charles Weber-Applicant & Owner
25-29 Business Park Drive
Special Exception-Retail Space (<3,000 sq. ft.)
Application #17-8.1
PH set for 9/7/17

J. Chadwick made a motion to approve the application with the three conditions listed in the Staff Report. M. Palluzzi seconded the motion which passed unanimously.

MINUTES: 07-20-17 & 7-27-17

J. Vaiuso made a motion to approve the July 20 Meeting Minutes as written. J. Chadwick seconded the motion which passed unanimously.

J. Chadwick made a motion to approve the July 27 Meeting Minutes as written. J. Vaiuso seconded the motion which passed unanimously.

CORRESPONDENCE:

1. H. Smith said correspondence was received from the CT Citing council regarding swapping antennae on the tower at 123 Pine Orchard Rd. and including the placement of other new equipment.
2. H. Smith said there is a pole on 3 Elm Road (Stony Creek) where a small cell wireless installation is proposed. He passed out a photo to the Commission. It was noted that the installation would be subject to review and approval of the CT Public Utilities Regulatory Authority(PURA) not the Ct Siting Council. The Commission directed staff to forward the correspondence to the Stony Creek Village Association.
3. H. Smith noted he received two letters in opposition to the decision of the Commission granting the extension of time for the Applicant to file the site plan for the PDD in the area by Exit 56. They are asking the Commission to rescind the vote and reverse the decision. The Commission discussed it briefly. Chairperson Andres said the Applicant should be notified of this request as well as the Town Attorney. This will be discussed at a future meeting when the Town Attorney has submitted his comments.

OLD BUSINESS:

1. Steven & Joanne Della Posta-Applicants & Owners
25 East Haycock Point Rd.
Coastal Site Plan-Single Family Residence
Application #17-7.5
A/R 7/20/17, Tabled from 7/20/17

Jim Pretti- (Criscuolo engineering) represented the Applicant. This proposal is to tear down the existing home and rebuild a new FEMA compliant home. They were approved by the Zoning Board of Appeals for the necessary variances.

R. Stoecker reviewed the staff report.

J. Chadwick made a motion to approve the application with the finding and condition listed on the Staff Report. J. Lust seconded the motion which passed unanimously.

NEW BUSINESS:

1. Raffaele Aschettino-Applicant
Raffaele & Lucia Aschettino-Owners
101 Sunset Beach Road
Coastal Site Plan –Single Family Residence
Application #17-8.2
To be A/R

Tabled to the October 5 meeting. A related variance request needs to be approved by the Zoning Board of Appeals first.

2. 110 North Main LLC-Applicant
110 North Main LLC & Elm City Mfg. Jewelers, Inc.-Owners
110 & 112 North Main Street
Site Plan- Retail Store
Application #17-8.3
To be A/R

The Commission Tabled this application to the October 5 meeting.

3. CSC Enterprises -Applicant
Branford Hills Realty Associates-Owner
189 Alps Road
Special Exception-Nursing Home Addition
Application # 17-9.1
The Commission A/R and set a Public Hearing for October 5.
4. 101 North Branford Rd. LLC,-Applicant & Owner
101 & 115 North Branford Road
Special Exception- Industrial Building
Application #17-9.2

H. Smith noted this Application is replacing the previous Application that was withdrawn. The Commission A/R and set a Public hearing for October 5.

OTHER BUSINESS:

1. Request for a (5) year extension for the completion of work at Anchor Reef Club of Branford (60 Maple Street).

H. Smith noted this is an extension of a Site Plan Approval. This was previously approved on December 6, 2012 and it will expire December 6, 2017.

J. Lust made a motion to approve the 5 Year Extension. J. Viauso seconded the motion which passed unanimously.

2. CGS Section 8-24 Referral- Improvements to parking and access at Sliney Field.

H. Smith gave a brief history of the previous recent 8-24 Referral for access to this area and said the Recreation Director and the Fire Marshall were present to explain this Section 8-24 Referral.

Alex Palluzzi (Town of Branford Recreation Director) spoke first. He explained the town took ownership of Foote Park and some of the biggest problems they have are access to the ballfields, drainage off the rear parking lot and parking. He had a large aerial photo which he pointed out the area that would add 50 additional parking spaces including 6 handicapped parking spaces.

Shaun Heffernan (Fire Marshal) explained the previous proposal and how it differed from this proposal. He said this one creates good flow thru the property and into Foote Park providing designated parking that also defines clear driveway for emergency service vehicles to use. It will close the existing access from South Montowese St. for car traffic but leaves it open for walking and biking. This is good for emergency access for Foote Park and improves parking at Sliney Field.

J. Viauso made a Positive 8-24 Referral for the improvements to parking and access to Sliney Field. This was seconded by J. Chadwick and passed unanimously.

3. Request for bond return for 14 Lanphier Cove Road Subdivision-Application # 08-5.4

H. Smith had a drawing in which he explained the approval requirement for 10 street trees planned for the three lots; two were then taken out of the plan via a modification. Eight trees were then planted but only six survived. Two trees still need to be planted to replace those and the ZEO is recommending retaining a portion of the bond for the cost of the two trees that didn't survive and return a portion of the bond for the six trees that were planted. The amount that will be returned is \$4500.00 for the six trees that were planted with \$1500.00 being retained for the two trees that need to be replanted.

J. Lust made a motion to approve a partial bond return of \$4500.00 M. Palluzzi seconded the motion which passed unanimously.

4. Request for Interpretation of Section 6.13.C.2 (Height of retaining walls)

H. Smith read Section 6.13.C.2 from the Zoning Regulations and reviewed it for the Commission. The Commission then discussed their interpretations. The final consensus was that the Retaining Wall consists of only the portion that actually retains earth.

5. Review of Annual Report Draft

J. Chadwick asked H. Smith to add additional wording about the Plan of Conservation and Development consultant selection.

**J. Chadwick made a motion to approve the draft report as amended.
J. Lust seconded the motion which passed unanimously.**

6. Planner's Report

a. TOD Study Update Presentation-Scheduled for Sept. 26-

H. Smith noted that the Town Center Revitalization Review Board and the Economic Development Commission will be invited to attend.

b. POCD Update-

H. Smith said a contract was executed with Planometrics and he handed out a draft schedule to the Commissioners for their review. He mentioned there were 2 approaches to managing the update of the POCD that have briefly been discussed previously. One was have the Planning & Zoning Commission manage it directly and the other choice is have a Steering Committee. Whichever group does it would be the sounding board for the consultant. H. Smith recommends the Steering Committee option and explained why. The Commission discussed this briefly and concurred with using a Steering Committee. The Consultant would like to speak on October 19 before the Planning & Zoning Meeting (possibly at 6pm) to do a recap of the Plan of Conservation & Development and review the schedule and scope going forward. The goal is to have a revised draft complete by June 2018 and a Public Hearing in November 2018. He asked the Commissioners if any of them would be interested in being part of the Steering Committee and if the draft schedule was agreeable to the Commission. The Commission concurred with the draft schedule and the three members of the Commission on the TOD Steering Committee agreed to continue with the new POCD Steering Committee. (Joe Chadwick, Marci Palluzzi and John Lust.

The meeting adjourned at 9:45 p.m.