



# PLANNING AND ZONING COMMISSION

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## MINUTES PLANNING & ZONING COMMISSION THURSDAY, JANUARY 5, 2017 REGULAR MEETING 7:00 P.M. BRANFORD FIRE HEADQUARTERS 45 NORTH MAIN STREET

The meeting started at 7 P.M.

Commissioners Present: J. Vaiuso, J. Chadwick, F. Russo, P. Higgins, C. Andres,  
C. Kelly

Commissioners Absent: J. Lust, M. Palluzzi

Staff Present: H. Smith-Town Planner, R. Stoecker- Assistant Town Planner,  
M. Arbachouskas- Clerk

Chairperson Andres introduced the Commission and the Staff present.

F. Russo read the Public Hearing notice into the record.

Chairperson Andres reviewed the Public Hearing procedure.

H. Smith noted the agenda is slightly revised. Application #16-12.5 for the Moratorium is listed under New Business item one in error. It should be under Old Business item number six.

J. Chadwick made a motion to adopt the revised agenda. F. Russo seconded the motion which passed 5-0.

H. Smith noted that F. Russo and P. Higgins are seated in place of the two absent Commissioners (J. Lust & M. Palluzzi).

### REGULAR MEETING 7:00 P.M.

#### PUBLIC HEARINGS:

1. Solar City Corp. (c/o Robinson & Cole LLP.)  
Attorney Kenneth Baldwin-Applicant  
Town of Branford-Owner  
100 Tabor Drive  
Special Exception & CAM – for Solar-based electrical generating  
Facility to provide power to Town of Branford facilities  
Application #16-10.1  
**A/R 10/6/16, PH opened 11/17/16, Time Extension accepted,  
continued to 1/19/17**
2. 401 Main Street Realty Associates, LLC,  
c/o Bruno Ciccone (Member)-Applicant & Owner  
401 Main Street  
Special Exception Modification-P&M Deli  
Application #16-10.11  
**A/R on 11/3/16, PH opened 12/15/16, Time extension accepted, Continued until 1/19/17**
3. Kingsbrook Development Corp.  
c/o David W. Seymour, President-Applicant  
Branford Partners, LLC, c/o John M. Aversa, M.D., Member-  
Owner  
84 North Main Street  
Special Exception-Addition to an existing Medical Building  
**Application #16-12.2  
A/R 12/15/16, PH set for 1/5/17**

Jim Pretti (Criscuolo Engineering) represented the Applicant who was also present. He said the application is for an increase in the proposed addition from 5,280 s.f. to 8,184 s.f. as well as relocation of the dumpster and parking reconfiguration.

R. Stoecker reviewed the staff report.

H. Smith noted there are a few pine trees along the main street frontage that will be relocated. He clarified with the applicant that if they die, they would need to replace them. The applicant agreed they would.

**PUBLIC INPUT:**

1. Andrea Asterita- (One of the Directors of the condominium complex on Todd's Hill Rd. abutting the project site) Also with her was Mr. Johnson. They support the application. They have been good neighbors. The Applicant takes very good care of the property. She was asking the Applicant for evergreen plantings for a buffer zone.

Chairperson Andres closed the Public Hearing.

4. William DaSilva-Applicant  
DaSilva & Sons LLC.-Owner  
972 West Main Street  
Special Exception- Fitness Facility  
**Application #16-12.4**  
**A/R 12/15/16, PH set for 1/5/17**

William DaSilva (Applicant & Owner) spoke. The Application is for an approval of the change of use of the space. It was previously a retail space, now it will be a fitness facility (a circuit gym).

R. Stoecker reviewed the staff report.

**PUBLIC INPUT:**

No one spoke.

**MINUTES: 12/15/2016**

F. Russo made a motion to approve the minutes as written. J. Vaiuso seconded the motion which passed unanimously.

**RETURN TO TABLE:**

1. Kingsbrook Development Corp.  
c/o David W. Seymour, President-Applicant  
Branford Partners, LLC, c/o John M. Aversa, M.D., Member-Owner  
85 North Main Street  
Special Exception-Addition to an existing Medical Building  
**Application #16-12.2**  
**A/R 12/15/16, PH set for 1/5/17**

The Commission had a brief discussion regarding the project and some minor wording changes to the conditions.

J. Chadwick made a motion to approve the Application with the nine conditions listed in the Staff Report and the two modifications discussed. F. Russo seconded the motion which passed unanimously 5-0.

2. William DaSilva-Applicant  
DaSilva & Sons LLC.-Owner  
972 West Main Street  
Special Exception- Fitness Facility  
**Application #16-12.4**  
**A/R 12/15/16, PH set for 1/5/17**

J. Vaiuso made a motion to approve the application with no conditions.

P. Higgins seconded the motion which passed unanimously 5-0.

**CORRESPONDENCE:**

1. Correspondence from the Ct. Siting Council regarding modification of a telecommunications facility located at 405 Brushy Plain Road.

H. Smith noted this is an antennae modification. No action is needed.

2. Correspondence from the Ct. Siting Council regarding installation of a back-up Generator located at 21 Acorn Road.

H. Smith noted he would obtain more information regarding this and report back to the Commission at a later date.

**OLD BUSINESS:**

1. John & Lisa Heerd-Applicants & Owners  
24 Sunrise Cove  
Coastal Site Plan  
Application #16-10.8  
**A/R 10/20/16, (Variance application continued To 12/20/16 ZBA Meeting), time extension accepted, Tabled to 1/19/17.**

2. Matthew Ginty, BNY Mellon N.A., Trustee  
Clarence D. Fleming Jr.-Charitable Remainder Unitrust-Applicant  
Town of Branford (James B. Cosgrove)-Owner  
2 Halstead Lane  
Coastal Site Plan  
Application #16-11.3  
**A/R on 11/17/16, Tabled to 1/19/17**

3. Tricia Robinson-(Total Learning Group)-Applicant  
Gary Dubin-Owner  
80 East Main Street  
Special Exception Modification-Professional Office  
Application #16-11.6  
**A/R 12/15/16, Public Hearing Waived, tabled from 12/15/16, Applicant has requested application be tabled to 1/19/17**

4. Pawson Point LLC, Arsalan Altaf (member)-  
c/o Attorney Kevin J. Curseaden -  
Applicant & Owner  
239 Pawson Road  
Modification to CGS Section 8-30G denial -  
Special Exception & Coastal Site Plan for Three Residential Affordable Housing Units  
**Application #16-12.1**

**A/R 12/15/16, PH set for 1/19/17**

5. John A. Matthews-Applicant  
Premier Realty Holdings, LLC,  
Robert Alvine, President –Owner  
155,165,175 North Main Street  
Special Exception-New Auto Dealership  
**Application #16-12.3**  
**A/R 12/15/16, PH set for 2/2/17**

**NEW BUSINESS:**

1. Planning & Zoning Commission- Applicant  
Zoning Regulation Amendment  
Moratorium- 2 & Multifamily Development  
For an additional six months in R-1 District  
**Application #16-12.5**  
**A/R and PH set for 2/2/17**
2. Mark Richter-Applicant  
ML Richter-Owner  
3 Thimble Islands Road  
Site Plan Modification-Exterior Cooler Relocation  
**Application #16-12.6**  
**To be A/R**

Mark Richter (Applicant) spoke. He explained last year they built an addition and now he would like to relocate the exterior cooler. They are also building a small shed for recycling as well as planting shrubs along the property line for the neighbor. He noted that the handicapped parking space and some landscaping was relocated because of the relocation of the cooler. He was approved by the Zoning Board of Appeals for the variances he required as well as a Coastal Site Plan approval.

R. Stoecker reviewed the Staff Report. He noted this application was presented informally to the Stony Creek Architectural Review Board and they had no issues with it.

J. Chadwick made a motion to approve the application with the finding and the four conditions listed in the Staff Report. F. Russo seconded the motion which passed unanimously 5-0.

3. JB515,LLC c/o Jeffrey Brandfon-Applicant & Owner  
515 West Main Street  
Site Plan Modification- Drainage Relocation  
**Application #16-12.7**  
**To be A/R**

Jim Pretti (Criscuolo Engineering) represented the applicant. He explained the site plan approved in 2015 was completed with the exception of the relocation of the stormwater drainage pipe. It was left in place and the foundation was built over it. The Town Engineer has reviewed the proposed change to the site plan to not require the drainage pipe relocation and has no issues with it. The Applicant does not wish to relocate the drainage pipe at this time.

R. Stoecker reviewed the Staff Report. He said a note should be added to the Site Plan that if any future circumstances arise that requires the relocation of the drainage pipe then it could be done without further Commission approval.

H. Smith noted a condition should be added stating all conditions of previous approvals shall remain in effect.

J. Vaiuso made a motion to approve the application with the two conditions stated. P. Higgins seconded the motion which passed unanimously 5-0.

4. Tomasz Wycech-Applicant  
JF Branford Properties, LLC-Owner  
880 West Main Street  
Site Plan Modification- Restaurant w/drive thru-(Burger King)  
**Application #16-12.8**  
**To be A/R**

H. Smith noted that some additions need to be made to the plan. Technically, it's a Special Exception Modification Application. The Applicant has requested a waiver of the Public Hearing. He said the project started out with only interior modifications and gradually increased with exterior changes as well. This will not impact the neighboring properties.

J. Vaiuso made a motion to waive the Public Hearing. This was seconded by P. Higgins and passed unanimously 5-0.

This application was tabled to the January 19 meeting.

5. David Silberkleit-Applicant  
Tin Can LLC- Owner  
59 North Harbor Street  
Site Plan- Bulk Storage  
**Application #17-1.1**  
**To be A/R**

R. Stoecker noted this is one of the few Quonset huts remaining. The Applicant stores small cars. He obtained approval for the change of use as well as variance approvals. This is the Site Plan application. The Applicant needs to obtain the Town Center Revitalization Review Board approval.

#### **OTHER BUSINESS:**

1. CGS 8-24 – Referral regarding potential granting to the South Central Regional Water Authority of an easement from the Town over property it owns located at Piscitello Drive for installation and maintenance of a water main to connect Piscitello Drive to Laurel Hill Road.

H. Smith explained the water service area ends on Queach Road. This granting of the easement was part of a Regional Water Authority project that would resolve pressure issues and provide water service to residents on Queach, Laurel Hill Road and Piscitello Drive. The reason for the CGS 8-24 referral is that the Water Company was going to run the water line at the end of Piscitello Drive. However, they can't do that because there's an open space/conservation Easement near the end so they decided to go thru two town owned properties along Piscitello Drive.

When the survey was reviewed it showed the two properties directly abut each other and there is only a drainage easement over them. The Town of Branford will have to grant the Regional Water Authority an Easement to install the water line. He also said the water tank at the end of the water service area on Brushy Plain Road will no longer be needed at the end of the project.

F. Russo made a motion to send a positive CGS 8-24 report to the RTM and/or the Board of Selectman. J. Chadwick seconded the motion which passed unanimously 5-0.

2. Planner's Report

H. Smith noted that proposals will be coming in shortly for the POCD and the Transit Oriented Development Study.

H. Smith also mentioned that he received an invitation to the Planning Commission Annual Dinner and noted that Chairperson Andres is the guest speaker.

Chairperson Andres mentioned the upcoming Seminar held in March at Wesleyan University. He explained it's an all-day event with some of the top land use attorneys in the state speaking throughout the day on several topics. He encouraged the Commissioners to attend, if possible. The meeting adjourned at 7:57 p.m.