



PLANNING AND ZONING COMMISSION

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Tel: (203) 488 – 1255, Fax: (203) 315 – 2188

MINUTES PLANNING & ZONING COMMISSION THURSDAY JULY 18, 2024 REGULAR MEETING 7:00 PM

This meeting was held remotely, solely via ZOOM.

Commissioners Present: Chuck Andres, Joe Vaiuso (arrived at 8:30 pm), Massimo Liguori, Sharon Huttner, Joe Chadwick, Fred Russo

Commissioners Absent : Marci Palluzzi

Staff Present: Harry Smith (Town Planner), Evan Breining (Asst. Town Planner) ,Michelle Martin (Clerk)

Chairperson Andres reviewed the public hearing procedures.

Secretary Fred Russo read the public hearing notice.

Evan Breining reviewed how to participate in the public hearing



PUBLIC HEARINGS:

1. 23 North Main LLC, c/o Dan Iammuno-Applicant & Owner
23 North Main Street
Special Exception-Automobile Washing and/or Lubricating & Detailing
Application #24-5.2
A/R 5/16/24 & PH set for 7/18/24

Jim Pretti (Criscuolo Engineering) represented the applicant and explained that the detailing business there is for the customers of the auto body shop. He displayed and reviewed the site plan. He noted that they are at the meeting to get the use approved and the site plan updates approved. She did a lot of research and gave a history of the property.

E. Breining reviewed the staff report. He noted that staff thought this was strictly a detailing business. He will meet with the applicant to review the parking .

PUBLIC INPUT:

1. Maureen Gerken- (25 No Main St. property owner)-She said she submitted a letter today to the PZ Dept. She is opposed to this application and has many concerns which are noted in the letter. There are many violations on this property, and she feels that the property owner should have to follow the regulations. She asked the commission to investigate this further .

Chairperson Andres noted that this item will be continued to the next meeting.

2. Faulkner Island Development LLC-Applicant
Anthony J. Lasala (Trustee)-Owner
1201 West Main Street
Special Exception & Coastal Site Plan - Motor Vehicle Service
Application #24-5.4
A/R & PH set for 7/18/24

H. Smith noted that a new plan has been submitted late in the day today. He hasn't had time to review it.

Tim Houle (BL Co., Civil Engineer) spoke and reviewed the site plan. He explained this proposal is for a drive thru oil change facility. This business is slightly different, you drive into the building

and stay in your car, and you get your oil changed. They will also do minor items such as wiper changes, etc. The site is under half an acre and is vacant land now. There are no wetlands on the site. They are currently before the Inland Wetlands commission for work in the upland review area. This will be a three-bay building with 10 parking spaces.

He then reviewed the stormwater information. He reviewed the first plan then reviewed the revised plan that was just submitted.

Jeff (Faulkner Island Development) replied to some of the comments that Tim Houle had just made.

Tim Houle then reviewed the revised plans and noted the changes that were made.

H. Smith (Town Planner)- made a few comments and noted that a special exception application will be coming in for grading (Sec. 6.8) and that will be discussed at the August 7 special meeting via zoom.

The commissioners had a brief discussion and made a few comments.

PUBLIC INPUT:

1. Michael Conte- 48 Rockledge Condo- He asked what is the business? The letter he received said washing, detailing. Etc. He then talked of blasting with Aldi and asked if they would blast? He also asked about the distance between the building and property line, buffer, traffic concerns.
2. Victoria Milner- 35 Rockledge Condo- she noted there are 14 oil change businesses in Branford. What makes this unique? She noted this is an extremely busy road.
3. Annette C. -41 Rockledge Condos- She said this business will be in her backyard and noted that traffic and congestion is awful now. And there is too much development in that area now.
4. Santha Rathnam-15 Rockledge Condo- She said there is too much congestion in that area and also said there are a lot of pedestrians and no sidewalks there. And there is a bus stop at the entrance to the condos. There is no need for this business .
5. Viola Guglielmi- 81 Main St.- She agrees with all the prior comments. She bought her house in 2006 when it was much quieter. She agrees that a traffic study is needed as prior suggested by one of the pz commissioners. This business is not needed and said on Fridays, there is bumper to bumper traffic.
6. Anne Airls- 11B Rockledge Condos- She agrees with the prior comments that the traffic is a concern. And this may bring the property values down. They need a buffer between them and Aldi and Chase Bank.
7. Jean Viel- 21 Rockledge condo- She agrees with all the prior concerns mentioned. She has had her condo fully renovated and does not want blasting. She asked about a buffer, security And asked how many trees will be cut down for this ?

Tim Houle (BL Companies) replied to some of the comments made. He noted that they don't expect that there will be blasting, and he explained the use again and said that buffering is being planned.

Chairperson Andres noted that this item is continued to the 8/7/24 meeting via zoom at 7 pm.

H. Smith asked Chairman Andres if the commission would like to have the applicant do a traffic study and the consensus of the commission was yes. A traffic study should be done.

3. Pent Road LLC, c/o Joe Lepre-Applicant & Owner
28 Kirkham St.(0 Elm St)
Special Exception-Two Family Dwelling(s)
Application#24-5.9
A/R 6/6/24 & PH set for 7/18/24

Chairperson Andres explained that this item is opened and is continued to the 8/7/24

meeting since the applicant needed an additional special exception application for grading.

4. Linda Casanova-Applicant & Owner
68 Gould Lane
Special Exception-Accessory Apartment
Application #24-5.11
A/R 6/6/24 & PH set for 7/18/24

The applicant was present and stated that she is seeking approval for her accessory apartment .
E. Breining reviewed the staff report, noting the apartment is already there. She is also requesting a waiver of the survey requirement.
E. Breining reviewed the floor plan.

PUBLIC INPUT: No one spoke.

Chairperson closed the public hearing .

5. Kevin Rocco-Applicant & Owner
10 Wakefield Rd.
Special Exception & Coastal Site Plan-
Single Family Residence
Application #24-6.3
A/R 6/20/24 & PH set for 7/18/24

Jim Pretti (Criscuolo Engineering) represented the applicant and explained that this is a single-family demo and rebuild.
He then displayed and reviewed the site plan.

E. Breining reviewed the staff report.
PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

6. CP Branford LLC c/o Attorney John Knuff-Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc-Owner
329 East Main Street aka 325 East Main Street
PDD Master Plan
Application #24-6.4
A/R 6/20/24 & PH set for 7/18/24
7. CP Branford LLC c/o Attorney John Knuff-Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc-Owner
329 East Main Street aka 325 East Main Street
PDD Site Plan
Application #24-6.5
A/R 6/20/24 & PH set for 7/18/24
8. CP Branford LLC c/o Attorney John Knuff-Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc-Owner
329 East Main Street aka 325 East Main Street
Special Exception -Grading (Sec. 6.8)
Application #24-6.6
A/R 6/20/24 & PH set for 7/18/24
9. CP Branford LLC c/o Attorney John Knuff-Applicant
Stop & Shop Supermarket Co. aka Twiss Realty Co. Inc-Owner
329 East Main Street aka 325 East Main Street

3 Lot Subdivision

Application #24-6.7

A/R 6/20/24 & PH set for 7/18/24

Items 6,7,8 and 9 were discussed together.

Attorney John Knuff (Broad St, Milford) represented the applicant and reviewed the site noting that they were previously before the pz commission recently and withdrew it. They have revised the project and explained that Walgreens will remain the same, they will reuse the cinema building as self-storage and they are adding residential buildings. This is now a three-lot subdivision, not 4. The prior coffee shop/medical building has been eliminated. In its place, will be a building with commercial on the first floor and residential on the second and third floor. Instead of the prior plan with one large residential building, this plan has 3 smaller residential buildings instead. He noted that 20 % of the residential units will be affordable. They are also decreasing impervious coverage and have planned landscaping improvements.

John Schmitz-(Civil Engineer, BL Companies) spoke next and reviewed an aerial image. He then reviewed the site plan.

Josh Wheeler (Landscape Architect) reviewed the landscaping plan.

Salvatore Talamo (Sullivan Arch Group) spoke and reviewed the site plan and then the colored architectural renderings of each building.

H. Smith noted these drawings were new and needed to be submitted for the file.

Next speaker was Christopher Michalek (SGW Architects, Chicago, IL) He reviewed colored renderings of the self-storage building and the revisions to it.

The last speaker was Mike Kurker-(Traffic Engineer with BL Companies) He noted that he previously did a traffic study for this project, and he reviewed the changes that were made due to this new plan.

Attorney Knuff made some additional comments.

H. Smith noted a lot of the prior comments that were made have been addressed and he reviewed the site plan. He spoke of density and the number of units that were affordable. He then displayed the staff report.

The commission had a brief discussion.

Attorney John Knuff responded to some of the comments

PUBLIC INPUT: No one spoke.

Chairperson Andres stated that these applications are continued to the 8/7/24 meeting at 7pm via zoom.

The commission then took a 5-minute break at 10 :08 pm.

10. Anthony Capasso-Applicant
Anthony & Vincenzo Capasso-Trustees & Bernard A. Pellegrino-Trustee-Owners
66,76-82 Totoket Rd. & 0 Tweed Rd.
Four Lot Resubdivision & Coastal Site Plan
Application #24-6.8
A/R & PH set for 7/18/24

Chairperson Andres noted that this public hearing will be opened tonight and continued to the next meeting on 8/7/24 since the abutter notices were not mailed out on time.

11. Green Thumb Industries d/b/a Bluepoint Apothecary LLC c/o Maurica D. Miller-Applicant
Two dogs LLC c/o Mark A. Milano-Owner
471 East Main Street
Special Exception Modification-Cannabis Establishment Hybrid Retailer
Application # 24-6.9
A/R and PH set for 7/18/24

Maurica Miller (representing the applicant) spoke and explained that this application is eliminating the drive-through to expand and add more retail and storage space. They will add landscaping to the space where the drive thru is. She then addressed some of the staff comments.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

John Alves (Branford Police Dept.) noted there have been no issues at this location.

Chairperson Andres closed the public hearing.

MINUTES: June 6, 2024, June 20, 2024 & May 2, 2024

May 2, 2024- J. Chadwick made a motion to approve the minutes.

F. Russo seconded the motion which passed unanimously.

June 6, 2024-F. Russo made a motion to approve the minutes.

J. Chadwick seconded the motion which passed unanimously.

June 20, 2024-J. Vaiuso made a motion to approve the minutes.

M. Liguori seconded the motion which passed.

(J. Chadwick abstained)

CORRESPONDENCE: Cell tower equipment replacement at 123 Pine Orchard Rd
Notice from Town of East Haven, CT – Modified site plan review at 7
Charter Oak Avenue, East Haven, CT
Ltr from Stony Creek Assn to PZ Commission- Re: a change in the floor
area provision from 3500 sf to 2000sf.

RETURN TO TABLE:

12. Linda Casanova-Applicant & Owner
68 Gould Lane
Special Exception-Accessory Apartment
Application #24-5.11
A/R 6/6/24 & PH set for 7/18/24

F. Russo made a motion to waive the survey requirement.

J. Chadwick seconded the motion which passed unanimously.

J. Vaiuso made a motion to approve the application with the Finding & 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 of the zoning regulations.

CONDITIONS:

1. To reduce glare, any proposed lighting fixtures shall be demonstrated to meet the IES full cutoff definition unless they are emergency lights or very low-level accent lights (less than 900 lumen output-less than an incandescent 100-watt bulb). Fixed, not adjustable, arm mounts shall be used for all fixtures. The correlated color temperature of the light source for all exterior fixtures, either building or pole mounted, shall be equal to or less than 3000 Kelvin (K). Information on all building mounted and other site lighting shall be provided as necessary to demonstrate compliance with Section 6.7 and the Lighting Appendix referenced in this Section of the Zoning Regulations.
2. Prior to the issuance of any Certificate of Zoning Compliance or the zoning authorization for the issuance of any Certificate of Occupancy the following shall be completed to the satisfaction of the Town Planner or his designee:
 - a. The owner of the accessory apartment property must file a deed restriction on the land records requiring that the unit, if rented be rented at or below prices that would qualify the apartment as "affordable housing" as defined in CGS Section 8-30g. The deed restriction is to be reviewed by the Town Counsel or follow his approved format with evidence that the recording of executed deed is the deed restriction version approved by the Town Counsel or that follows his approved format.

J. Chadwick seconded the motion which passed unanimously.

2. Kevin Rocco-Applicant & Owner
10 Wakefield Rd.
Special Exception & Coastal Site Plan-
Single Family Residence
Application #24-6.3
A/R 6/20/24 & PH set for 7/18/24

F. Russo made a motion to approve the application with the Finding and Conditions below:

FINDINGS:

1. The Coastal Site Plan is consistent with the goal and policies of the Coastal Area Management Act (CGS Section 22a-92) and incorporates conditions and modifications necessary to mitigate adverse impacts on coastal resources and any future water dependent activities.

CONDITIONS:

1. Prior to the start of construction or the demolition of the existing single-family home, the following shall be completed the satisfaction of the Town Planner or their designee:
 - a. The applicant shall revise sheet 1 of 2 entitled "Proposed Site Plan" last revised on July 7, 2024 to show a stockpile area.
2. Prior to the start of construction or the demolition of the existing single-family home, the following shall be completed the satisfaction of the Zoning Enforcement Officer and maintained throughout the project:
 - a. Erosion control measures shall be installed and maintained throughout construction.

- b. As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.
3. To reduce glare, all fixtures shall be demonstrated to meet the IES full cutoff definition unless they are emergency lights or very low-level accent lights (less than 900 lumen output- less than an incandescent 100-watt bulb). Fixed, not adjustable, arm mounts shall be used for all fixtures. The correlated color temperature of the light source for all exterior fixtures, either building or pole mounted, shall be equal to or less than 3000 Kelvin (K). Information on all building mounted and other site lighting shall be provided as necessary to demonstrate compliance with Section 6.7 and the Lighting Appendix referenced in this Section of the Zoning Regulations.

J. Chadwick seconded the motion which passed unanimously.

4. Green Thumb Industries d/b/a Bluepoint Apothecary LLC c/o Maurica D. Miller-Applicant
Two dogs LLC c/o Mark A. Milano-Owner
471 East Main Street
Special Exception Modification-Cannabis Establishment Hybrid Retailer
Application # 24-6.9
A/R and PH set for 7/18/24

J. Chadwick made a motion to approve the application with the Finding and 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.F.

CONDITIONS:

1. To reduce glare, all fixtures shall be demonstrated to meet the IES full-cutoff definition unless they are emergency lights or very low-level accent lights (less than 900 lumen output – less than an incandescent 100-watt bulb). Fixed, not adjustable, arm mounts shall be used for all fixtures. The correlated color temperature of the light source for all exterior fixtures, either building or pole mounted, shall be equal to or less than 3000 Kelvin (K). Information on all building mounted light fixtures shall be provided including cut sheets with all model choices indicated and an updated photometric plan (Sheet LP-1) including an updated schedule providing information on the different types of fixtures (maker & model number, mounting height, lumens generated, etc.) and surface light level projections in foot-candles that are in compliance with the requirements of the Zoning Regulations.
2. To ensure continued compliance with the Zoning Regulations (Section 6.3) all landscaping must be maintained as an on-going requirement of this approval to ensure survival of the landscaping. Any landscaping element that does not survive or that becomes significantly damaged must be replaced in kind.
3. All conditions of previous approvals shall remain in full force and effect as they may apply.

F. Russo seconded the motion which passed unanimously.

OLD BUSINESS:

NEW BUSINESS:

1. Jacunski Architects LLC c/o Brian Humes-Applicant
Town of Branford- Owner

33 Laurel Street
Site Plan – Branford Police Headquarters
Application#24-6.10
To be A/R

Brian Humes (Jacunski Arch LLC) spoke and explained that there is inadequate parking on the police dept. site. He displayed and reviewed the site plan and explained the improved parking plan.

Tom Linden (Architect) He spoke of a few minor changes that were made to the plan.

Officer John Alves (Branford PD) talked of stie security.

E. Breining reviewed the staff report.

H. Smith displayed the existing conditions plan and talked of trees on the site.

J. Chadwick made a motion to approve the application with the Findings and 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 number of parking spaces proposed by the applicant meets a determined number of required spaces based on the requirements applicable to comparable uses, reliable documentation provided by the applicant or others and/or national standards.

CONDITIONS:

1. Prior to the start of construction, the issuance of a zoning permit or the zoning authorization of the issuance of a Building Permit the following shall be addressed to the satisfaction of the Town Planner or his designee:
 - a. The applicant shall revise sheet L-1.2 entitled Site Layout Plan to show the relocation of the proposed entrance on Laurel Street to be outside of the existing significant tree's dripline or in such a location within the dripline based upon a recommendation from a CT certified arborist.
2. Prior to the start of construction, the issuance of a zoning permit or the zoning authorization of the issuance of a Building Permit the following shall be addressed to the satisfaction of the Zoning Enforcement Officer:
 - a. Erosion control measures shall be installed and maintained throughout construction, and any supplemental measures installed that are deemed necessary by the Zoning Enforcement Officer.
3. As may be directed by the Zoning Enforcement Officer, necessary measures to control any dust generated by fill brought into the site or movement of earth material on site shall be implemented.
4. To reduce glare, all fixtures shall be demonstrated to meet the IES full cutoff definition unless they are emergency lights or very low-level accent lights (less than 900 lumen output- less than an incandescent 100-watt bulb). Fixed, not adjustable, arm mounts shall be used for all fixtures. The correlated color temperature of the light source for all exterior fixtures, either building or pole mounted, shall be equal to or less than 3000 Kelvin (K). Information on all building mounted and other site lighting shall be provided as necessary to demonstrate compliance with Section 6.7 and the Lighting Appendix referenced in this Section of the Zoning Regulations.

F. Russo seconded the motion which passed unanimously.

2. 80 East Main St. LLC c/o Patricia Robinson-
Applicant & Owner

80 East Main Street
Special Exception-Two Family Dwelling
Application #24-7.1
To be A/R & PH to be set

3. Elrac LLC c/o Attorney Bernie Pellegrino-Applicant
AJGG Realty LLC c/o Paul Minichino- Owner
4 Liesl Lane
Special Exception- Automobile Leasing
Application #24-7.2
To be A/R & PH to be set

4. Pent Road LLC, c/o Joe Lepre-Applicant & Owner
28 Kirkham St.(0 Elm St)
Special Exception-Grading (Sec. 6.8)
Application #24-7.3
To be A/R & PH to be set

OTHER BUSINESS:

1. Financial Guarantee reduction: Subdivision /Open Space Residential Development -47 Gould Ln.
F.Russo made a motion to approve the bond reduction.
J. Chadwick seconded the motion which passed unanimously.
2. Referral of an application for a use variance from ZBA for 9 Business Park Drive
This will be discussed at the 8/7/24 meeting
3. Planner's Report
Nothing was discussed to the lateness of the hour.

The meeting adjourned at 11:26 p.m.