



PLANNING AND ZONING COMMISSION

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MINUTES PLANNING & ZONING COMMISSION THURSDAY JUNE 6, 2024 REGULAR MEETING 7:00 PM

This meeting was held remotely, solely via ZOOM.

Commissioners Present: C. Andres, J. Chadwick, F. Russo, S. Huttner, M. Liguori, M. Palluzzi, J. Vaiuso
Staff Present: H. Smith (Town Planner), E. Breining (Asst. Town Planner), M. Martin (Clerk)

Secretary F. Russo read the public hearing notice into the record.
Chairperson Andres reviewed the public hearing procedures.
Asst. Town Planner E. Breining explained how to participate in the public hearing.

PUBLIC HEARINGS:

1. Nuzzo Properties LLC c/o James J. Perito, Esq.- Applicant
Zoning Regulation Amendment- Remove Section 7.19.B.6 to delete the Twenty (20) event limit for the “Non-Agricultural Farm Events” Accessory Use in the Industrial Zones (IG-1 & IG-2)
Application #24-3.3
A/R 4/4/24 & PH opened 5/16/24 & continued to 6/6/24

Attorney Jim Perito represented the Nuzzo’s of Nuzzo Farm. He reminded the commission that at the last meeting, they spoke of the number of events that would be workable. If the applicants have to keep track of how many events are held and the number of people attending, it would be an accounting nightmare. They are requesting the number of events be removed altogether.

He then said they had previously talked about parking and noted that the applicants restriped the parking in the grassy area and have over 100 legal spaces, and noted that most of the time, they don’t even need to use the grassy area.

He also noted that many letters of support from neighbors were received, and he highlighted some of them. Also of note is that the police dept has not received any noise complaints from the neighbors. He added that there is no shooting range on the farm, nor do they shoot off fireworks since there are animals on the farm.

H. Smith added a few comments and reviewed the comments that were received from the South-Central region of governments (SCROG).

PUBLIC INPUT:

1. Joanne C.- Crossfield Rd, North Branford- She stated that she has complained about the noise to the police dept. several times. She noted that 3 blocks of families are affected by the noise. On Sunday’s gunshots can be heard all day as well as today. She hoped that the commission read all the letters that were received.
2. Perry Maresca-(Branford Economic & Business Dev Manager)- He noted that after the past May 16 meeting, he had concerns. So, he went to the farm and described it to the commission , noting that the building is gorgeous as well as the stone waterfall and the animals. He noted that the building is 3 football fields in length away from North Branford neighbors. He also mentioned that the Nuzzo’s donate a lot to the community and we need to support them. And he noted that in North Branford they don’t regulate how many events this type of venue can have.

Chairperson Andres spoke of the letters that were received from the neighbors.

The commission discussed this briefly and **Chairperson Andres closed the Public Hearing.**

2. Sue & Steffen Lunde-Applicants & Owners
32 Wood Road
Special Exception & CAM- Single Family Residence within 100 feet of a coastal resource & Grading (Sec. 6.8)

Application #24-4.3

A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24

Joe Wren, PE (Indigo Civil Engineering firm) represented the applicants and reviewed the site plan. He mentioned that the project architect (Denise Von Dassel) was also present and would speak.

He then displayed photos of the site and reviewed E. Breining (Asst. Town Planner) staff report. He also referred to the Town Engineer's comments.

He noted that he received a letter today from a neighbor who hired an attorney. He then displayed the letter and replied to their concerns.

Denise Von Dassel then spoke and talked of the various houses in the neighborhood and their sizes. She then displayed architectural drawings and reviewed them.

E. Breining briefly reviewed his staff report.

The commission had a brief discussion.

PUBLIC INPUT:

1. David Greenfield – 35 Wood Rd-he noted that the applicants have gone to great efforts to design the home but missed one thing. They have blocked the entire view of the water. A lot of neighbors are upset by this. From the neighbors' point of view, this is like putting up a giant billboard.
2. Gary Tomlinson- 50 Johnsons Point Rd- Her spoke of the trees and how they are protective of the trees.He referred to the zoning regulations and noted that the applicants could have given the trees more thought. It seems that they are not meeting the zoning regulations.
3. Virginia Stuermer- 44 Wood Rd.- She been a 40-year resident and feels privileged to live on the shore.
She noted one of the large oak trees survived the hurricane in 1938. She mentioned she has seen many projects in the neighborhood and in the past some of the neighbors have been lax about the trees. She said the house at 32 Wood is an iconic summer home. Many houses in the neighborhood have been modified but not torn down. She asked about the length of time for construction and blasting. She requested that the no blasting requirement be in writing. She said this is an amazing house and it would be a tragedy to see it go.
4. Ben Baker – 40 Wood Road- He said he is a retired architect, and this house is a classic Shore cottage with beautiful woodwork and millwork. He noted this house could be renovated or even moved. He stated that the new house should be harmonious with the area. He said the proposed house is like a wall, there is nothing like it in the neighborhood. He felt the commission should deny the application and urge renovation instead.

Jo Wren responded to some of the comments that were made.

Chairperson Andres closed the public hearing.

3. 4 Three Elms LLC-Applicant & Owner
4 Three Elm Road
Special Exception Modification & Coastal Site Plan-- Multifamily Residential (4 units)
Application #24-4.5
A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24
4. 4 Three Elms LLC-Applicant & Owner
4 Three Elm Road
Special Exception- Oversize Accessory Structure (Garage) over 15 feet in height
Application #24-4.6

A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24

5. 4 Three Elms LLC-Applicant & Owner
4 Three Elm Road
Special Exception Modification- Grading (Sec. 6.8)
Application #24-4.7
A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24

Chairperson Andres stated that public hearing items #3, 4 & 5 are continued to the 6-20-24 meeting per the applicants request.

6. Paula Murphy-Applicant & Owner
35 East Main Street
Special Exception- Accessory Apartment
Application #24-4.8
A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24

Continued to the 6-20-24 meeting per the applicants request.

7. 31-33 Flax Mill Road LLC, c/o Kevin O' Neill-
Applicant & Owner
33 Flax Mill Road
Special Exception- Grading (Sec. 6.8)
Application #24-4.9
A/R 5/2/24 & PH set for 6/6/24

This item and # 8 were heard together.

Jim Pretti (Criscuolo Engineering) represented the applicant and reviewed the history Of the site. This application is for parking of school buses for the bus company. The building on the site will be used for office space. He reviewed the site plan.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

8. 31-33 Flax Mill Road LLC, c/o Kevin O' Neill-
Applicant & Owner
33 Flax Mill Road
Site Plan -Off-Street Parking Facility
Application #24-4.10
A/R 5/2/24 & PH set for 6/6/24 (with associated application for Special Exception above)

MINUTES: May 16, 2024

J. Chadwick made a motion to approve the May 16, 2024 minutes.

F. Russo seconded the motion which passed.

(J. Vaiuso abstained)

CORRESPONDENCE: none

RETURN TO TABLE:

1. Nuzzo Properties LLC c/o James J. Perito, Esq.- Applicant
Zoning Regulation Amendment- Remove Section 7.19.B.6 to delete the Twenty (20) event limit for the "Non-Agricultural Farm Events" Accessory Use in the Industrial Zones (IG-1 & IG-2)
Application #24-3.3
A/R 4/4/24 & PH opened 5/16/24 & continued to 6/6/24

The commission discussed this briefly. J. Vaiuso wanted it noted for the record that he did listen To the prior meeting on BCTV.

F. Russo made a motion to approve the application to delete Section 7.19.B.6 with an effective date of June 26, 2024 with the finding that is consistent with the Plan of Conservation & Development and it's in accordance with the comprehensive plan of zoning.

J. Chadwick seconded the motion which passed unanimously.

2. Sue & Steffen Lunde-Applicants & Owners
32 Wood Road
Special Exception & CAM- Single Family Residence within 100 feet of a coastal resource & Grading (Sec. 6.8)

Application #24-4.3

A/R 4/18/24 & PH opened 5/16/24 & continued to 6/6/24

The commission discussed this, and they reviewed the proposed conditions.

E. Breining is requesting more information regarding the conditions of approval.

He will have completed conditions for the next meeting on June 20, 2024.

F. Russo encouraged the neighbors to look into the historical significance of the house.

3. 31-33 Flax Mill Road LLC, c/o Kevin O' Neill-
Applicant & Owner
33 Flax Mill Road
Special Exception- Grading (Sec. 6.8)

Application #24-4.9

A/R 5/2/24 & PH set for 6/6/24

4. 31-33 Flax Mill Road LLC, c/o Kevin O' Neill-
Applicant & Owner
33 Flax Mill Road
Site Plan -Off-Street Parking Facility

Application #24-4.10

A/R 5/2/24 & PH set for 6/6/24 (with associated application for Special Exception above)

M. Palluzzi made a motion to approve the applications with the Finding and Conditions below:

FINDINGS:

1. Subject to compliance with the conditions listed below, the Commission finds that the applicant has demonstrated excellence in landscaping design per section 6.3.L(2)

CONDITIONS:

1. Prior to the start of construction, 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.

2. Prior to 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 the proposed plantings on Sheet LA-1 entitled "Proposed Landscaping Plan" to show additional plantings in the front yard area.
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.

OLD BUSINESS:

1. 23 North Main LLC, c/o Dan Iammuno-Applicant & Owner
23 North Main Street
Special Exception-Autobody Repair
Application #24-5.2
A/R 5/16/24 & PH set for 6/20/24
2. Planning & Zoning Commission-Applicant
Zoning Regulation Amendment-
Modify Sections 2.2,3.3 & 7.6 Re: Family & Group Childcare Homes to conform to PA 23-142
Application #24-5.3
A/R 5/16/24 & PH set for 6/20/24

NEW BUSINESS:

1. 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
To be A/R & PH to be set

Staff will set the public hearing.
2. East Main Street (American Polyfilm Inc) c/o Matthew Cassella –
Applicant & Owner
755 East Main Street
Site Plan Modification-Addition to building for Manufacturing Use
& change/reduction to parking
Application #24-5.7
To be A/R

Staff will set the public hearing.

3. Sean Jeffery-Applicant & Owner
22 Beechwood Road
Special Exception- Oversized Accessory Structure
Application #24-5.8
A/R & PH set for 6/20/24

4. 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
To be A/R & PH to be set

Staff will set the public hearing.

5. Linda Casanova-Applicant & Owner
68 Gould Lane
Special Exception-Accessory Apartment
Application #24-5.11
To be A/R & PH to be set

Staff will set the public hearing.

OTHER BUSINESS:

1. Bond Release- 211 Montowese Street
F. Russo made a motion to approve the bond release.
M. Palluzzi seconded the motion which passed unanimously.
2. Bond Establishment- 245 East Main Street
M. Palluzzi made a motion to establish the bond.
J. Chadwick seconded the motion which passed unanimously.
3. Planner's Report
H. Smith noted that the landscape subcommittee had their second meeting.
More information will follow.

Chairperson Andres noted that he would like to hold hybrid meetings in the future if possible.
That will need to be looked into further and ask IT Dept. for assistance.

The meeting adjourned at 10:33 pm.