



PLANNING AND ZONING COMMISSION

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MINUTES
PLANNING & ZONING COMMISSION
THURSDAY NOVEMBER 21, 2024
REGULAR MEETING 7:00

This meeting was held remotely, solely via ZOOM.

Commissioners Present: C. Andres, F. Russo, J. Chadwick, S. Huttner, M.Palluzzi

Commissioners Absent: M. Liguori, J. Vaiuso

Staff Present: E. Breining (Asst Town Planner), M. Martin (Clerk)

Chairperson Andres introduced the Commission and staff.
Secretary F. Russo read the public hearing notice into the record,
Chairperson Andres reviewed the public hearing procedures.
E. Breining reviewed how to participate in the public hearing.

PUBLIC HEARINGS:

1. Premier 200 North Main Realty LLC c/o R. Alvine-
Applicant & Owner
200 & 206 North Main Street
Special Exception- Automobile Service Facility
Application #24-8.4
A/R 9/5/24 & PH opened 10/3/24 & continued to 11/21/24
2. Premier 200 North Main Realty LLC c/o R. Alvine-
Applicant & Owner
200 & 206 North Main Street
Special Exception- Grading (Sec. 6.8)
Application #24-10.2
A/R10/3/24 & PH opened 11/7/24 & continued to 11/21/24

Items number one and two were discussed together.

Mike Ott (Sumer Hill Engineering) represented the applicant and noted that Mr. Alvine was also present at the meeting. Mike Ott said they addressed the commission's concerns that were discussed at the last meeting. They revised the landscape plan which he reviewed.

E. Breining reviewed the staff report.

He then reminded everyone how to participate in the public hearing.

PUBLIC INPUT:

1. Perry Maresca (Branford Economic Development) submitted a letter that was distributed to the commission that day by E. Breining.

Chairperson Andres closed the Public Hearings for #1 and #2.

3. Charles Watts-Applicant & Owner
38 Howard Avenue
Special Exception-Grading (Sec. 6.8) -Single Family Residence
Application #24-7.5
A/R 7/18/24 & PH set for 11/21/24 with Time extension

Chairperson Andres noted that this item is continued to the 12/19/24 meeting.

4. Phil Sullivan-Applicant & Owner
6 Buena Vista Rd
Special Exception-Accessory Structure
Application#24-9.7
A/R 10/17/24 & PH set for 11/21/24

J. Pretti (Criscuolo Engineering) represented the applicant and reviewed the site plan. He explained this application is for a barn and it is higher than the allowed 15 feet. He noted the second floor is for storage only. They went to the Stony Creek Architectural review board and received a favorable recommendation. He then displayed architectural drawings.

PUBLIC INPUT:

1. Chuck Hayden- 214 Thimble Island road- He is a neighbor and has no objection to the application.

Chairperson Andres closed the public hearing .

5. Melinda Formica-Applicant & Owner
21 Burr Street
Special Exception- Accessory Structure (Garage)
Application #24-10.1
A/R 10/17/24 & PH set for 11/21/24

J. Pretti (Criscuolo Engineering) represented the applicant and reviewed the site plan. He explained this is a unique site, a corner lot and this garage is over the 15 feet height requirement. He displayed the site plan.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing .

6. Madison Cassese-Applicant & Owner
43 & 49 Summer Island Road
Special Exception- Accessory Apartment
Application #24-10.5
A/R 10/17/24 & PH set for 11/21/24

Chairperson Andres noted this public hearing will open tonight and it's continued to the 12/19/24 meeting.

7. Brushy Plain Plaza, LLC-Applicant-
4-12 Brushy Plain Road
PDD/Master Plan Modification
Application #24-11.2
A/R 11/7/24 & PH set for 11/21/24

Attorney Tim Lee was not present yet, so the commission went on to the other items on the agenda until he arrived.

Attorney Tim Lee arrived and represented the applicant giving a brief history of the application. There are currently 71 residential units in this PDD, and 71 units have been issued CO's. However, due to a clerical error which was discovered during research for a refinance the record shows 61 units. This modification application is to clear up the error in language in the PDD.

E. Breining reviewed the staff report.

PUBLIC INPUT: No one spoke.

Chairperson Andres closed the public hearing.

RETURN TO TABLE:

S. Huttner is seated for J. Vaiuso who is absent.

1. Premier 200 North Main Realty LLC c/o R. Alvine-
Applicant & Owner
200 & 206 North Main Street
Special Exception- Automobile Service Facility
Application #24-8.4
A/R 9/5/24 & PH opened 10/3/24 & continued to 11/21/24
2. Premier 200 North Main Realty LLC c/o R. Alvine-
Applicant & Owner
200 & 206 North Main Street
Special Exception- Grading (Sec. 6.8)
Application #24-10.2
A/R10/3/24 & PH opened 11/7/24 & continued to 11/21/24

Chairperson Andres noted that the staff report is for both these applications.

J. Chadwick made a motion to approve both applications 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 proposed use of the property is consistent with the Special Exception Criteria per Section 9.8.F.

CONDITIONS:

1. All conditions of the previous approvals shall remain in full force and effect as they may still apply.
2. 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 to 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 fixture (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.
3. 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.

M. Palluzzi seconded the motion which passed unanimously.

2. Phil Sullivan-Applicant & Owner
6 Buena Vista Rd
Special Exception-Accessory Structure
Application#24-9.7
A/R 10/17/24 & PH set for 11/21/24

F. Russo 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 proposed use of the property is consistent with the Special Exception Criteria per Section 9.8.F.

CONDITIONS:

1. This approval exclusively applies to the construction of a detached garage that includes a second floor not to be used as an Accessory Apartment or an additional unit. No change in use from the approved single-family home is a part of this application and the addition of any units or an accessory apartment would need to be approved by the Planning & Zoning Commission.
2. Prior to the start of construction, the following shall be completed to the satisfaction of the Zoning Enforcement Officer:
 - a. Erosion control measures shall be installed and maintained throughout construction, if deemed necessary.

- 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, 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.
4. Per the positive recommendation given by the Stony Creek Architectural Review Board on November 6, 2024:
 1. Any future mechanical equipment shall be located on the rear of the proposed accessory structure and shall be screened from view from the street.
 2. Board and batten siding shall be used on the front and western side of the accessory structure as depicted on the submitted elevations.
 3. All lighting shall be night sky compliant.

J. Chadwick seconded the motion which passed unanimously.

1. Melinda Formica-Applicant & Owner
21 Burr Street
Special Exception- Accessory Structure (Garage)
Application #24-10.1
A/R 10/17/24 & PH set for 11/21/24

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

FINDINGS:

2. 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:

5. This approval exclusively applies to the construction of a detached garage that includes a second floor not to be used as an Accessory Apartment or an additional unit. No change in use from the approved single-family home is a part of this application and the addition of any units or an accessory apartment would need to be approved by the Planning & Zoning Commission.
6. Prior to the start of construction, the following shall be completed to the satisfaction of the Zoning Enforcement Officer:

- a. Erosion control measures shall be installed and maintained throughout construction, if deemed necessary.
 - 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.
7. 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.

J. Chadwick seconded the motion which passed unanimously.

8. Brushy Plain Plaza, LLC-Applicant-
4-12 Brushy Plain Road
PDD/Master Plan Modification
Application #24-11.2
A/R 11/7/24 & PH set for 11/21/24

F. Russo made a motion to approve the application with the Findings and Conditions below with an effective date of 12/1/2024.

Findings:

1. The Commission finds that the proposed modification to the Planned Development District at 4-12 Brushy Plain Road uses as proposed in this application are consistent with and conforms to Section 5.4 of the Zoning Regulations, Section 9.10.F of the Zoning Regulations, the Comprehensive Plan of Development of the Town of Branford (the "Comprehensive Plan") and that the 2019 Plan of Conservation and Development of the Town of Branford (the "POCD") has been considered in the rendering of a decision on this application.

Conditions:

1. All previous conditions of approval shall remain in full force and effect as they may apply.

J. Vaiuso seconded the motion which passed unanimously.

MINUTES: 11/7/24

- S. Huttner made a motion to approve the meeting minutes as written.**
J. Chadwick seconded the motion which passed .

CORRESPONDENCE:

A cell tower antennae swap at 180-184 North Main Street.

OLD BUSINESS:

1. John J. Panzella-Applicant & Owner
67 Cedar Street
Special Exception Modification-Residential addition
Application #24-11.1
To be A/R & PH to be set

Staff will set the public hearing.

NEW BUSINESS:

1. M & V LLC-c/o Mark Andreucci- Applicant
Mary Keegan (Trustee)- Owner
72 Hilltop Drive & 43 Totoket Rd
3 Lot Subdivision
Application #24-11.3
To be A/R
2. 5 Pin Oak Drive, LLC c/o David DeMaio-Applicant & Owner
5 Pin Oak Drive
Special Exception- Contractors Business & Grading (Sec. 6.8)
Application #24-11.4
To be A/R & PH to be set

Staff will set the public hearing.

OTHER BUSINESS:

1. Subdivision Financial Guarantee (Bond) Establishment (Modification of previously set Amount that was never posted)- 175 Cherry Hill Rd

E. Breining reviewed this bond establishment for street improvements.
The final amount of the bond is \$202,242.80

F. Russo made a motion to establish the bond.

M. Palluzzi seconded the motion which passed unanimously.

2. Approval of 2025 Meeting Schedule

S. Huttner made a motion to approve the 2025 meeting schedule.

M. Palluzzi seconded the motion which passed unanimously.

3. Planner's Report

E. Breining reminded the commission it was the annual time of year to choose officers. Normally, one of the alternates will poll the group for nominations. S. Huttner volunteered to do that. The commission will need to vote on the officers at the December meeting.

Chairperson Andres said he received an email from the First Selectman asking the

commission

To appoint Evan Breining as the Interim Town Planner until a new planner is hired.

F. Russo made a motion to appoint E. Breining as the Interim Town Planner.

J. Chadwick seconded the motion which passed unanimously.

Chairperson Andres reminded the commission that they will still take Harry Smith out to dinner and wish him well at some point soon. He is waiting for possible dates that will work for Harry.

More info to come.

Chairman Andres then spoke of the possibility of hybrid meetings in the future, and he asked the commissioners for their input. Most of the commissioners were happy to stay with zoom for now.

The meeting adjourned at 8:10 pm.