



PLANNING AND ZONING COMMISSION

1019 Main Street, PO Box 150, Branford, CT 06405
Tel: (203) 488 – 1255, Fax: (203) 315 – 2188

MINUTES PLANNING & ZONING COMMISSION THURSDAY SEPTEMBER 5, 2024 REGULAR MEETING 7:00 PM

This meeting was held remotely, solely via ZOOM.

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

Commissioners Absent: M. Liguori

Staff Present: H. Smith, E. Breining, M. Martin

The meeting started at 7:01 pm

Secretary Fred Russo read the public hearing notice into the record,
Chairperson Andres reviewed the public hearing meeting procedures.
E. Breining explained how to participate in the public hearings.

PUBLIC HEARINGS:

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
A/R 7/18/24 & PH opened 7/18/24 & continued from 8/7/24 with time extension
2. Faulkner Island Development, LLC-Applicant
Anthony J. Lasala (Trustee)-Owner
1201 West Main Street
Special Exception- Grading (Sec 6.8) for Motor Vehicle Service
Application #24-7.4
A/R & PH opened on and continued from 8/7/24

Items one and two were heard together.

Matt Bruton, PE (BL Companies) spoke first noting that the applicants were present as well as Mike Kurker(Traffic Engineer) He quickly reviewed the application and displayed a site plan and aerial photo.

Mike Kurker then displayed a power point with traffic information.

H. Smith added a few comments and displayed the Town Engineer memo and his memo.
The commission had a brief discussion.

Matt Bruton replied to some of them and noted he didn't think a peer review was needed.

PUBLIC INPUT:

1. Jacey Wyatt-She does not support this project. It is the wrong project for that location. Clear cutting is the wrong thing to do. Traffic is a problem there now. She offered a few alternative suggestions. She hopes the commission looks into this idea carefully since it is unsafe.
2. Michael Conte- (abutter)- This idea is unsafe, there are too many traffic issues there now. It will cause more accidents in that area. He asked the commission to look at the traffic patterns.
3. Eric Steinlauf- Branford resident- He asked about the pedestrian crossing and how wide it will be. He is not in favor of this . He also asked does this project contribute to the tax base in any meaningful way.

4. Adam & Jeff Kimberly- (Applicants) Spoke briefly about the take 5 brand and noted their family has been involved in the community for a long time. This is a family business. It is a fast and convenient way to get your oil change, it has limited services.
5. Jacey Wyatt thanked the applicants but noted this is not the right location for this business.

Mike Kurker responded to some of the comments .

Chairperson Andres asked the commission if they wanted to close the public hearing tonight. H. Smith noted that that a time extension may be needed from the applicant.

The commission discussed this and whether to have a peer review. The final consensus from the Commission and agreed a peer review is needed and a time extension.

The discussion continued and then they took a 10-minute break and returned at 8:45 pm. They continued to discuss this, and Matt Bruton made a different suggestion and that was discussed.

After a lengthy discussion, the property owner Jeff Kimberly spoke and said they are listening to the commission feedback and they will grant the 30-day time extension and agree to a peer review.

H. Smith suggested keeping the public hearing open and he will prepare an approval with findings and conditions for the 10-3-24 meeting .

C. Andres stated this item is continued to the 10-3-24 meeting with a 30-day time extension offered by the applicant and accepted by the commission. A peer review will also be conducted.

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 opened 7/18/24 & continued from 8/7/24 with time extension

4. Pent Road LLC, c/o Joe Lepre-Applicant & Owner
28 Kirkham St.(0 Elm St)
Special Exception & Coastal Site Plan -Grading (Sec. 6.8)
Application #24-7.3
A/R 7/18/24 & PH continued from 8/7/24

Items 3 and 4 were discussed together. The Applicant (Joe Lepre) spoke and reviewed the site plan.

E. Breining reviewed the staff report.

Commissioner M. Palluzzi recused herself from these 2 items.

PUBLIC INPUT:

1. Jacey Wyatt—She asked why the two structures are not on one lot and asked about possibly this property could be used as parking for train station.

Chairperson Andres closed the public hearings.

5. A & R LLC c/o Aman Ulah-Applicant
Fusco Branford Industrial c/o Louis R. Pepe-Owner
5 East Industrial Road
Special Exception- Gasoline filling Station & retail store above 3,000 sf
Application #24-8.2
A/R & PH set for 9/5/24

Chairperson Andres noted that this public hearing is opened and continued to the 10-17-24 meeting . The applicant granted a time extension which the commission accepted.

6. 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
A/R 7/18/24 & PH set for 9/5/24

Chairperson Andres noted that this public hearing is opened and continued to the 9-19-24 meeting. The applicant had to submit an additional application for grading. Both applications will be heard at the 9-19-24 meeting.

7. 0 East Main St. LLC c/o Patricia Robinson-
Applicant & Owner
80 East Main Street
Special Exception-Two Family Dwelling
Application #24-7.1
A/R 7/18/24 & PH set for 9/5/24

Attorney Ben Connor represented the applicant and reviewed the site plan. He noted that it is now a two-unit property with one unit residential and the other residential. The property owner would like both units to be residential. It would align with the surrounding residential neighborhood.

E. Breining reviewed the staff report.
Commissioner M. Palluzzi has recused herself from this item.

PUBLIC INPUT:

1. Jacey Wyatt-(next door neighbor)- She supports this project. She is glad to have it Residential again.
2. Mike & Jan Giordano-(neighbors)- He supports this being changed to residential.
3. Eric Steinlauf- neighbor- he is also in support of this.

Chairperson Andres closed the public hearing.

MINUTES: July 18, 2024 & August 7, 2024

F. Russo made a motion to approve the 7-18-24 minutes as written.
J. Chadwick seconded the motion which passed.

J. Vaiuso made a motion to approve the 8-7-24 minutes as written.
F. Russo seconded the motion which passed.

RETURN TO TABLE:

1. 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 opened 7/18/24 & continued from 8/7/24 with time extension

M. Palluzzi recused herself from this application and application 24-7.3.

S. Hutner is seated for her.

F. Russo made a motion to approve the application with the Findings 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, the following shall be addressed to the satisfaction of the Town Planner or his designee:
 - a. The applicant shall alter sheet A101, A102 & A200 respectively entitled "Foundation & First Floor Layout," "2nd Floor & Roof Layout" & "Elevations" to incorporate the recommendations the Town Center Revitalization Review Board made at their July 10, 2024 meeting.
2. To ensure continued compliance with the Zoning Regulations, landscaping must be maintained as an on-going requirement of this approval to ensure survival of all required landscaping shown on the approved plan. If the landscaping element does not survive or is irreparably damaged, it must be replaced in kind.
3. 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 addressed to the satisfaction of the Town Planner or his designee in consultation with the Town Engineer:
 - a. The applicant shall amend the "Emergency Response Plan" received on August 9, 2024 to include an off-site location to park vehicles during an emergency event from the Branford Train Station to a site outside of the flood zone.
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.

J. Vaiuso seconded the motion which passed unanimously.

2. Pent Road LLC, c/o Joe Lepre-Applicant & Owner
28 Kirkham St.(0 Elm St)
Special Exception & Coastal Site Plan -Grading (Sec. 6.8)
Application #24-7.3
A/R 7/18/24 & PH continued from 8/7/24

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

CONDITIONS:

1. Prior to the start of construction, the following shall be addressed to the satisfaction of the Town Planner or his designee:
 - a. Prior to the start of construction, the following shall be addressed to the satisfaction of the Town Planner or his designee.
2. 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.

J. Vaiuso seconded the motion which passed unanimously.

3. 0 East Main St. LLC c/o Patricia Robinson-
Applicant & Owner
80 East Main Street
Special Exception-Two Family Dwelling
Application #24-7.1
A/R 7/18/24 & PH set for 9/5/24

J. Chadwick made a motion to approve the application with the Condition below:

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 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

CORRESPONDENCE:

H. Smith noted that a letter was received from Attorney Keith Ainsworth regarding a pending Special Exception application for 38 Howard Avenue. He suggested that this item not be discussed tonight but at the public hearing for this.

OLD BUSINESS:

1. 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 opened 7/18/24 & closed 8/7/24

Chairperson Andres briefly reviewed these applications which are heard together. He noted that the public hearings were closed at the last meeting and H. Smith (Town Planner) has been working on the resolutions.

H. Smith then reviewed each resolution

J. Chadwick made a motion to approve and adopt the resolution with the revisions discussed with an effective date of 9-30-24.

M. Palluzzi seconded the motion which passed 4-1.

2. 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 opened 7/18/24 & closed 8/7/24

3. 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 opened 7/18/24 & closed 8/7/24

F. Russo made a motion to approve Application #24-6.5 and Application #24-6.6 with the Findings and Conditions discussed with an effective date of 10-1-24.

J. Chadwick seconded the motion which passed 4-1.

4. 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 opened 7/18/24 & closed 8/7/24

F. Russo made a motion to approve the 3 lot Subdivision with the Findings and Conditions as discussed with an effective date of 10-1-24.

M. Palluzzi seconded the motion which passed 4-1.

5. 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 9/19/24

NEW BUSINESS:

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
To be A/R & PH to be set

Staff will set the public hearing.

2. Alexander Grindley-Applicant & Owner
179 Pawson Road
Special Exception-Accessory Apartment
Application #24-8.5
A/R & PH set for 9/19/24
3. Alexander Grindley-Applicant & Owner
179 Pawson Road
Special Exception-grading (Sec. 6.8) for an Accessory Apartment
Application #24-8.6
A/R & PH set for 9/19/24
4. Elrac LLC c/o Attorney Bernard Pellegrino-Applicant
AJGG Realty LLC c/o Paul Minichino-Owner
4 Liesl Lane
Special Exception- Grading (Sec. 6.8) for Automobile Leasing
Application # 24-8.7
A/R & PH set for 9/19/24
5. Sonia Shannon-Applicant & Owner
9 East Main Street
Special Exception- Two Family Residential
Application #24-8.8
To be A/R & PH to be set

Staff will set the public hearing .

OTHER BUSINESS:

1. Bond Establishment- 66,76-82 Totoket Road & 0 Tweed Road
J. Chadwick made a motion to approve the bond establishment.
J. Vaiuso seconded the motion which passed unanimously
2. Bond Establishment- 60 Maple St. (Mariners Way)
F. Russo made a motion to approve the bond establishment.
J. Vaiuso seconded the motion which passed unanimously.
3. Planner's Report – Nothing was discussed

The meeting adjourned at 10:45 pm