



TOWN OF NORTH BRANFORD

TOWN HALL, 909 FOXON ROAD, NORTH BRANFORD, CONNECTICUT 06471
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MINUTES REGULAR MEETING NORTH BRANFORD PLANNING & ZONING COMMISSION

Thursday, May 18, 2023 – 6:30 pm
Town Hall, 909 Foxon Road, North Branford

1. **CALL TO ORDER:** Chairman Nowak called the meeting to order at 6:30 p.m.
2. **PRESENT:**
 - Robert Nowak, Chair
 - William Galdenzi, Vice Chair, absent
 - Tricia Mase, Member
 - Ron Siena, Member
 - Charles Rubano, Member
 - Scott Lanza, Alternate Member
 - Barry Ponder, Alternate Member, absent

 - David Perkins, Town Planner
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES:**
 - October 6, 2022 - continued
 - Member Rubano made a motion to approve the meeting minutes of January 5, 2023, seconded by Member Siena and passed 3 – 2 (Abstain, Mase & Lanza)
 - April 20, 2023 - continued
 - May 4, 2023 - continued
4. **PUBLIC HEARING AND POSSIBLE ACTION**

SEATED: Nowak, Mase, Siena, Rubano and Lanza

A. **Application #2023-1 – 280 Branford Road, Unit #10**

Special Use Permit request under Section 54, Schedule A, Line C-5, to allow for the operation of a tavern where alcoholic beverages will be sold and consumed on the premises. *Applicant: Lawrence Shipman, Agent for Norman MacDonald*

Member Rubano read the legal notice into the record. Attorney Larry Shipman stated this is an application to open a bar/tavern at 280 Branford Rd. This would occupy a former restaurant space in the IGA plaza. The regulation requires a special permit and

there will be no exterior construction. All work will be done on the interior such as four top tables and constructing a bar. There is no plan for a restaurant currently. Parking requirements are satisfied. The application is consistent with the Plan of Conservation and Development. Norm MacDonald stated the hours of operation are 12 p.m. to 12 a.m. Wednesday thru Saturday. Mailings were submitted to the file.

Marion Parsaye, 2501 Foxon Rd, in favor.

Member Siena made a motion to close the public hearing on Application #2023-1, 280 Branford Road, Unit #10, seconded by Member Rubano and passed 5 – 0.

Member Rubano moved to approve Planning and Zoning Application #2023-1, Special Use Permit request under Section 54, Schedule A, Line C-5 to allow for the operation of a tavern where alcoholic beverages will be sold and consumed on the premises in Unit#10 at 280 Branford Road (Map 12, Lot 68), B-2 zone, Applicant: Lawrence Shipman, Agent for Norman McDonald, as described in the submitted application including a proposed floor plan:

with the following standard condition: 2 (see below).

Reasons for the approval include:

- The proposed indoor food and beverage service use is permitted in the Business (B-2) zone.
- The access to the proposed use is not changing, therefore no additional curb cuts are being created on Route 80 or onto local roads.
- There is adequate parking for this use in the existing plaza.
- Adding a new business to Town helps the local economy.

Standard Conditions

2. That this approval shall be null and void if construction /site improvements are not completed within five (5) years of this approval date/effective date unless time is extended by Commission approval as allowed by the Connecticut General Statutes.

Seconded by Member Mase and passed 5 – 0.

5. OLD BUSINESS

A. Application #2023-2 – 140 Old Post Road

Subdivision of parcel into three (3) residential lots – “Garden Estates at Old Post Road”.
Owner: The Domenico Gentile Family Trust/Applicant: Mario Landino

This application is correcting a problem that exists by separating the parcel into three lots. There were two houses built on one lot. No waivers are needed because there is no construction. The applicant agreed to pay the fee in lieu of open space.

Member Rubano moved to approve Planning and Zoning Application #2023-2, Subdivision of 140 Old Post Road into three lots. As proposed, and expressly with the conditions contained within this motion, the proposed subdivision meets the requirements of the North Branford Subdivision Regulations, as amended. The plans approved for 140 Old Post Road, Owner: The Domenico Gentile Family Trust/Applicant: Mario Landino are as contained in submitted application documents and shown on plan entitled "Proposed Subdivision Garden Estates at Old Post Road, 140-126 Old Post Road, 67A/24, North Branford, Connecticut" prepared by Nafis & Young Engineers, Inc, dated May 3, 2023,

with the following standard conditions:

6. That Record Mylar Map submitted for signature and for filing with the Town Clerk shall be accompanied with three (3) paper copies for filing with the Planning and Zoning Department. The record mylar map shall be recorded in the Town Clerk's Office within 90 days of the expiration of the appeal period. Failure to record within 90 days will null and void this subdivision approval unless 90-day time extensions are granted by the Commission as allowed by the Connecticut General Statutes.
14. The Town Planning Department's assigned House Street Addresses for each of the lots shall be added to the record subdivision prior to the PZCs' map endorsement and the map filing on the North Branford Land Records. Excess land to be 120 Old Post Road.
15. The Record Subdivision Map shall have an added note to read: "Payment in lieu of Open Space shall be paid to the Town of North Branford at the time of the sale of each of the Lots 120, 126, 140 Old Post Road. The total payment amount is \$45,000 (\$15,000 for each lot) and shall be paid in accordance with Section 314. J.D. of the North Branford Land Subdivision Regulations.

And the following special conditions:

23. Waiver of Section 31 (Bus Waiting area), Section 315 (Access to lots), Section 324 (Sidewalks) and Section 325 (Curbs) of the North Branford Subdivision Regulations
24. Relocation of non-conforming shed.

Seconded by Member Mase and passed 5 – 0.

6. NEW BUSINESS - none

7. OTHER BUSINESS

- Cannabis and other Zoning Regulations updates - Town Council will be reviewing the regulation and will place in on their agenda before the expiration in October.

8. TOWN PLANNER'S REPORT

- Application Receipt & Scheduling: Regular meeting June 1, 2023 – no applications currently.

Commissioners discussed state regulation regarding no minimum size for homes. Town Planner Perkins discussed a possible development on the Honeywell site and how the regulations will apply. He asked whether the commission would like the developer to come before the commission and how the commission feels about how many units should be allowed per acre.

Northford Center Overlay – Town Planner Perkins brought up the issue of promoting businesses without sidewalk boards, banners, etc. but stay within the regulations.

Member Mase made a motion to amend the agenda to add the following and seconded by Member Siena and passed 5 – 0.

Refund of Bond – 440 Totoket Rd – Member Rubano made a motion to release the bond in the amount of \$3,350.00, seconded by Member Mase and passed 5 – 0.

9. ADJOURNMENT: 7:55 p.m.

Member Siena made a motion to adjourn, seconded by Member Mase and passed.

Respectfully submitted,

Janet Crean
Recording Secretary

Robert Nowak
Chairman