



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, September 7, 2023 – 6:30 pm
Town Hall, 909 Foxon Road, North Branford

1. **CALL TO ORDER:** Chairman Nowak called the meeting to order at 6:35 p.m.

ROLL CALL

Robert Nowak, Chair
William Galdenzi, Vice Chair
Tricia Mase, Member
Ron Siena, Member
Barry Ponder, Alternate Member
Scott Lanza, Alternate Member, absent

David Perkins, Town Planner

2. **PLEDGE OF ALLEGIANCE**

3. **MINUTES**

- Member Galdenzi made a motion to approve the revised meeting minutes of August 17, 2023, seconded by Member Mase and passed 5 – 0. Minutes revised as followed: Minutes to show five votes instead of six and under New Business 7C, last line to be deleted.

4. **OLD BUSINESS**

A. **Appl. #2023-9 – Zoning Map Amendment – 730 Forest Road**

Amend the North Branford Zoning Map to change the parcel from R-40 to B-1. *Owner: Aneillo & Lia Saulino/Applicant: Aneillo Saulino*

Public hearing was closed and commission will deliberate tonight the three components which are, spot zoning, POCD and comments from the Town Planner. Town Planner Perkins sent the commission information on spot zoning for review. Chairman Nowak read into the record Town Planner Perkins memo dated 9/5/23 regarding the rules of spot zoning. Members discussed the definition of abandonment. Town Planner Perkins stated cases have dictated that it needs to be formally abandonment by making a purposeful act such as a signed affidavit or using it as a conforming property rather than non-

conforming. Members discussed whether this zone change would change the neighborhood, which is one point against spot zoning as well as being a small area of property. However, it was previously a restaurant in a residential area and will be able to rebuild it. Member Galdenzi questioned whether it should have been a restaurant in the past. Member Mase stated the POCD has a specific reference to non-conforming lots stating “in existing commercial and industry zones non-conforming becomes conforming.”

Member Mase moved to continue Appl #2023-9 – Zoning Map Amendment – 730 Forest Road to the meeting of September 21, 2023, seconded by Member Siena and passed 5 – 0.

5. NEW BUSINESS

- A. Section 8-24 Referral regarding reauthorizing of the Property Tax Assessment Deferral Program per CT General Statutes Section 8-24.**

Rory Burke described Section 12-65d to the commission. He explained that this is a program that was in place in the town which designated the town as a rehabilitation area to defer property taxes on improvements made to property and be phased in over the next five years. This requires an 8-24 referral from this commission to allow the council to discuss the criteria of this program and re-authorize it. This applies to property taxes only. Commission still has approval over what type of development. Chairman Nowak read a letter from Rory Burke into the record.

Member Mase made a motion that the Planning and Zoning Commission report favorably on the C.G.S. Section 8-24 Referral from the Town Council regarding reauthorizing the Property Tax Assessment Deferral Program, seconded by Member Galdenzi and passed 5- 0.

6. OTHER BUSINESS

- Zoning Regulations updates
 - A. Miscellaneous Changes – Town Planner Perkins reviewed other town regulations regarding boats and RV’s and has had no problems yet. Also, garages over 1000 ft must apply for a Special Use Permit. Town Planner Perkins said these two items can be heard at a public hearing in October.

B. Multi-Family Housing District - continued

7. TOWN PLANNER’S REPORT

- Application Receipt & Scheduling: Regular meeting September 21, 2023 – public hearing on September 21 for character changes and zone change.

Member Galdenzi made a motion to amend the agenda to add a second item under Town Planner’s Report – Town Planner’s Memo – Cannabis, seconded by Member Mase and passed 5 – 0.

- Town Planner’s Memo – Cannabis – Chairman Nowak read into the record a memo from Town Planner Perkins to the Town Council regarding the Planning and Zoning recommendation on a moratorium on cannabis to be heard at a public hearing on October 19, 2023.
- 8. ADJOURNMENT:** 8:11 p.m.
Member Siena made a motion to adjourn, seconded by Member Galdenzi and passed.

Respectfully submitted,

Janet Crean
Recording Secretary

Robert Nowak
Chairman

DRAFT