



TOWN OF NORTH BRANFORD

TOWN HALL, 909 FOXON ROAD, NORTH BRANFORD, CONNECTICUT 06471
Building Department (203) 484-6008 Engineering Department (203) 484-6009
Planning & Zoning (203) 484-6010
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MINUTES
REGULAR MEETING
NORTH BRANFORD PLANNING & ZONING COMMISSION
Thursday, October 19, 2023 – 6:30 pm
Town Hall, 909 Foxon Road, North Branford

- 1. CALL TO ORDER:** Chairman Nowak called the meeting to order at 6:31 p.m.

ROLL CALL:

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

David Perkins, Town Planner

- 2. PLEDGE OF ALLEGIANCE**

- 3. MINUTES**

Member Siena made a motion to approve the meeting minutes of October 5, 2023, seconded by Member Ponder and passed 3 – 1 (Abstain – Galdenzi)

- 4. PUBLIC HEARING AND POSSIBLE ACTION**

Seated: Members Nowak, Galdenzi, Siena and Ponder

A. Appl. #2023-12 – Amendment to Zoning Regulations

Add a 12-month moratorium to Section 23.2.7 – Cannabis Establishments, Medical Marijuana Producers, Dispensary Facilities, and/or Retail/Distribution. *Applicant: North Branford Planning & Zoning Commission*

Member Ponder read the legal notice into the record. Chair Nowak read the amendment to the regulation into the record.

Three calls were made to speak in favor and in opposition to this application.

Carol Regan, North Branford, supports extending this moratorium.

Member Siena made a motion to close the public hearing, seconded by Member Galdenzi and passed 4 – 0.

Motion: Member Ponder
Second: Member Galdenzi
Vote: Approved 5 - 0

Motion to approve with an effective date of October 21, 2023 the Planning & Zoning Appl. #2023-12, Text Amendment to Section 23.2.7 of the North Branford Zoning Regulations to propose a 12-month moratorium on cannabis establishments and medical marijuana producers, dispensaries and retail/distribution. Applicant: North Branford Planning & Zoning Commission.

B. Appl. #2023-13 – Amendment to Zoning Regulations

Revise Section 24.4.5 Fences, Walls and Terraces; Section 44.6.1 Residence Districts; Section 6.15 Floor Area – “Dwelling and Dwelling Unit”; Line 11 from Schedule B; Section 24.6 Minimum Floor Area; and Section 42C.5.3. *Applicant: North Branford Planning & Zoning Commission*

Member Ponder read the legal notice into the record. Chair Nowak read the revised amendment into the record.

Three calls were made to speak in favor and in opposition to this application.

Member Galdenzi made a motion to close the public hearing, seconded by Member Siena and passed 4 – 0.

Motion: Member Ponder
Second: Member Galdenzi
Vote: Approved 4 - 0

Motion to approve with an effective date of November 2, 2023 the Planning & Zoning Appl. #2023-13, Text Amendment to revise following sections of the Regulations as proposed. Applicant: North Branford Planning & Zoning Commission

Section 24.4.5 Fences, Walls and Terraces
Section 44.6.1 Residence Districts
Section 6.15 Floor Area – “Dwelling and Dwelling Unit”
Line 11 from Schedule B
Section 24.6 Minimum Floor Area
Section 42C.5.3 Floor Area

5. OLD BUSINESS – none

6. NEW BUSINESS

A. Appl. #2023-14 – 244 Foxon Road (B-1 zone)

Site Plan request under Section 23, Schedule A, Line C-10 & C-11 for the addition of two new stand-alone garage buildings (3 bays and 4 bays) to be occupied/rented by various tradesmen/contractors for storage purposes. *Owner: Totoket Land Holdings LLC/Applicant: Don Cappelli*

Don Cappelli, stated this application is for two proposed buildings. The property is 20 acres and this application is limited to 1-3/4 acre, the corner of the property. Mr. Cappelli showed the commission the site plan of the property. A house was demolished a couple of years ago. The existing house will be demolished next week. The garage on the property is currently operating as auto sales/garage. The proposal will have Phase I, three bay garage, and Phase 2 will be a similar building and contain four rental units for contractors. There will be no outside storage on the property. The main parking area is 23 spaces. Underground drainage will be installed with two galleys. Approval has been granted by the sewer commission. Town Planner Perkins read comments from the Town Engineer. Mr. Cappelli explained the architecture and façade of the building. The existing building will be refaced.

MOTION BY: Member Galdenzi
SECOND BY: Member Ponder
VOTE: Approved 4 - 0

Motion to approve Planning and Zoning Application #2023-14, Site Plan Modification request under Section 23, Schedule A, Line C-10 and C-11 for construction of two new stand-alone garage buildings for commercial tradesman businesses, associated site work, parking, stormwater infrastructure, landscaping, and lighting at **244 Foxon Road** Assessor Map 22 Lot 2 *Zone B-1 Owner: Totoket Land Holdings LLC Applicant: Don Cappelli* as contained in submitted application documents and shown on plans entitled “Property Located at #244 Foxon Road North Branford, Connecticut” prepared by Criscuolo Engineering, LLC containing the following sheets:

- Sheet 1 of 3 “Existing Conditions Plan” Dated September 28, 2023
- Sheet 2 of 2 “Proposed Site Development Plan” Dated September 28, 2023, Revised October 16, 2023
- Sheet 3 of 3 “Proposed Site Details” Dated September 28, 2023

with the following standard conditions: 1c, 2, 4, 7, 8, 9, 15, 17 (see below) and special conditions:

Standard Conditions

- 1.c That a financial guarantee for erosion and sediment controls for site improvements shall be submitted in an amount to be determined by the Town Engineer with form and surety acceptable by the Town Attorney and the Commission prior to the commencement of any site improvements.

2. That this site plan 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.
4. That the Town Planner and/or Town Engineer shall be notified at least forty-eight (48) hours prior to the start of any construction.
7. That no Certificate of Occupancy based on a Site Plan development shall be issued until such time as the approved site improvements are completed to the reasonable satisfaction of the Town Engineer (State statute says “Commission or its agent”) or a financial guarantee is posted for the remaining site improvement work in an amount approved by the Town Engineer and having form and surety acceptable by the Town Attorney and the Commission.
8. That all sedimentation and erosion controls shall be in place prior to the start of construction. A certificate of soil erosion and sediment control compliance shall be considered issued when the application is approved since a determination that the soil erosion and sediment control complies with the North Branford Subdivision Regulations/Zoning Regulations was made. Failure to comply with the approved soil erosion and sediment control plan may result in the revocation of the erosion and sediment control certification and other sanctions provided by law.
9. That erosion and sedimentation control measures **shall** be installed as per the approved control plan utilizing the Connecticut Guideline for Erosion and Sedimentation Control Handbook by the CT Council on Soil and Water Conservation, May 2002.
15. Adherence to the requirements of the Town Engineer in his (her) memorandum dated October 19, 2023 (see attachment).
17. Adherence to the requirements of the Regional Water Authority in their (his) memorandum dated October 3, 2023 (see attachment).

And the following special conditions:

21. Provide details on shielded lights to ensure light stays on property.
22. Provide maintenance plan.
23. Add “No Exit” signage and “Authorized Vehicles Only” at Route 80 exit.
24. Parking lot to be completed as part of Phase 1.

7. OTHER BUSINESS

- Zoning Regulations updates
 - A. Multi-Family Housing District – tabled – public hearing on December 14, 2023

8. TOWN PLANNER’S REPORT

- Application Receipt & Scheduling: Regular meeting November 2, 2023 – SCROG has a trip on October 21.

Chair Nowak thanked the commission for all their work and their due diligence and taking the time that was needed to make sure all issues were discussed to come to an agreement as a commission.

9. ADJOURNMENT: 7:46 p.m.

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

Respectfully submitted,

Janet Crean
Recording Secretary

Robert Nowak
Chairman