

ZONING BOARD OF APPEALS
TOWN OF BRANFORD
BRANFORD, CONNECTICUT 06405
MINUTES

The Branford Zoning Board of Appeals met Tuesday December 19, 2023 at 7:00 p.m. at the **Branford Fire Headquarters, 45 North Main Street**, Branford, CT to conduct Public Hearings on the following applications.

Commissioners Present: Chairman J. Sette, D. Laska, L. Tamsin, S. Sullivan, R. Harrington, R. Falcigno
Commissioners Absent: D. Schilder
Staff Present: H. Smith (Town Planner), J. Ellis (ZEO), M.Martin(Clerk)

Chairman J. Sette called the meeting to order at 7:02 p.m.

He then asked if anyone present was in opposition to any of the applications. He wants to discuss those applications last. Some members of the public raised their hand so the order of the agenda is changed. Applications #1, 2 and 7 will be heard last.
Chairman Sette then reviewed the meeting procedures.

New Business:

23/11-3 Narayan Bhandari (Applicant & Owner) 14 Gilbert Lane (B07-000-003-00012 R1)
Var. Sec. 3.4.A.6 Side setback from the required 10 ft.to align present with existing non-conforming side setback of 8.4 feet for a second story building addition.

Marcus Puttock (26 Broadway, North Haven) represented the applicant and reviewed the application Explaining it is for a second story addition. He displayed a site plan and photo.
The commissioners asked a few questions

Public Input: No one spoke.

Chairman Sette closed the public hearing and made a motion to grant the variance and that it be consistent with the documentation and site plan on file.
D. Laska seconded the motion which passed unanimously.

23/11-4 Kurt & Carol D'Ambrosia (Applicants & Owners) 43-47 Oakridge Road (E09-000-002-00013 R3)
Var. Sec. 3.8.B.3 To allow accessory structure (shed) to be closer to the street line than the principal structure.

Kurt D'Ambrosia (applicant) spoke and explained this application is for a shed. He lives on a corner lot With a hill. He showed a gis plan showing the location of the shed.
R. Harrington noted he drove by the property and he agrees. The commission asked a few questions.

Public Input: No one spoke.

Chairman Sette closed the public hearing and made a motion to grant the variance and that it be consistent with the documentation and site plan on file.
R. Harrington seconded the motion which passed unanimously.

23/11-5 Margaret Ikeda (Applicant & Owner) 258 Thimble Island Road (J10-K10-001-00016 R3)
Var. Sec. 8.1.C.3 To allow the expansion of a nonconforming structure.
Var. Sec. 3.4.A.6 Expansion of an existing nonconforming structure in side setback to repair the old shed/garage and elevate roof peak to 14 feet from 12.6 feet.

Margaret Ikeda (applicant) spoke explaining this application is to repair an old shed/garage. She noted that the lot is long and narrow. She displayed photos and showed the commission.
The commission asked a few questions .
She also noted that there is a letter of support from one neighbor and a letter in opposition.

The commission discussed them .

Chairman Sette closed the public hearing and made a motion to grant the variances and that They be consistent with the documentation and site plan on file.

L. Tamsin seconded the motion which passed unanimously.

23/11-6 Deborah DeFord & Harry Stout (Applicants & Owners) 10 Wallace Road (J10-000-K10-00002 R3)
Var. Sec. 5.1.B.3 To allow a structure to be 22.3 feet from a critical coastal resource where 25 feet is required for the removal and rebuild of the sunroom, increase half bath to full bath and Build a new screen porch.

Jim Pretti (Criscuolo Engineering) represented the applicant and reviewed the application. He explained this is currently a sunroom which will become a heated space and covered porch. He also noted that a cam application is not necessary. He reviewed the site plan. The commission discussed this.

Public Input: No one spoke.

Chairman Sette closed the public hearing and made a motion to grant the variance and that It be consistent with the documentation and site plan on file.

R. Falcigno seconded the motion which passed unanimously.

23/12-1 Roger Holt (Applicant & Owner) 236 Pleasant Point Road (J09-000-013-00007 R5)
Var. Sec. 3.4.A.7 Vertical expansion of an existing nonconforming rear setback (13.2 feet where 50 Feet is required).
Var. Sec. 8.1.C.3 To allow the enlargement of a nonconforming structure without eliminating the nonconformity (existing rear setback = 13.2 feet) for a second story addition above the existing nonconforming three car garage.

Jim Pretti (Criscuolo Engineering) represented the applicant and reviewed the application Explaining that this is for a second story addition over the garage. He also noted that there is Two emails in the file submitted by neighbors that are in favor of this application. He reviewed The site plan and answered questions from the commission.

Public Input: No one from the public spoke.

Chairman Sette closed the public hearing and made a motion to grant the variances and that They be consistent with the documentation and site plan on file.

R. Falcigno seconded the motion which passed unanimously

23/12-2 Michael & Jennifer Dangora (Applicants & Owners) 32 Woodside Drive (E09-000-013-00008 R3)
Var. Sec. 3.4.A.6 Request side setback from 13.2 feet where 15 feet is required for an addition on top of an existing two car garage to create a master bedroom, an office, and a bathroom.

Nick Piscetelli (North haven) represented the applicant and explained they applied for a building permit and then found out it was nonconforming. The application is for a second floor addition over the garage for a master bedroom, office and bathroom. He reviewed the plans.

The commission asked a few questions.

A letter of support from a neighbor was submitted .

Public Input: No one spoke.

Chairman Sette closed the public hearing and made a motion to grant the variance and that it be consistent with the documentation and site plan on file.

R. Harington seconded the motion which passed unanimously

23/11-1 Steven Ronshagen & Lisa Lapia (Applicants & Owners) 29 Brocketts Point Road
(C10-000-005-00002 R3)

Var. Sec. 3.4.A.7 Rear setback from 20 feet to 14 feet.

Var. Sec. 3.4.A.10 Lot coverage from .25 to .40 for a new garage addition with second floor family room & third floor bedroom.

Steven Ronshagen & Lisa Lapia (applicants) spoke explaining this application is for a Garage addition with a family room and 4 th bedroom. They noted it is a nonconforming lot. They hired an architect to design an addition so their neighbor still had a water view. The house Matches the others in the neighborhood. They displayed a site plan and answered questions for The commission. They stated a cam application was not needed.

Public Input:

1. Jim Lapia (applicants father) spoke noting he bought this house for his family many years ago. He is in favor of the application.
2. Susan Clark (25 Brocketts Pt Rd) spoke noting she is opposed. She questioned the accuracy of The information on the survey. She noted she is not opposed to the addition, just the size and bulk of The balconies and windows. She will be deprived of sunlight and privacy.
3. Prissila Resso(Brocketts Pt Rd) spoke noting she is concerned about the overbuilding of the lot. This is a small lot . She said she is not opposed to the addition, just the size of it.

The applicant responded to the neighbors' concerns.

The commission discussed this .

Chairman Sette closed the public hearing and made a motion to grant the variances and that They be consistent with the documentation and site plan on file.

D. Laska seconded the motion which passed unanimously

23/11-2 Christopher & Sarah Hegan (Applicants & Owners) 11 Coachman Drive
(F03-000-002-00010 R5)

Var. Sec. 3.4.A.6 11.1 feet where 25 feet is required for a side setback for the installation of an in ground swimming pool.

J. Pretti (Criscuolo Engineeing) represented the applicant and explained this application is For an in ground pool. He displayed the site plan and explained this is the only possible location for The pool due to the location of the septic system.
The commission asked a few questions.

Public Input:

1. Margaret Luberda-(7 Coachman Dr) She read her letter requesting the board deny the Application. She is concerned about liability. She suggested , maybe there are alternate designs available . She noted that there may not be a fence around the pool since it is no longer required per the new law. She is also concerned about privacy.

Jim Pretti added a few comments to address the concerns.

Chairman Sette closed the public hearing.

R. Harrington made a motion to approve the variance with the condition that the pool be fenced for the purpose of safety. Also, the fence should be around the whole pool.

D. Laska seconded the motion which passed unanimously.

23/11-7 126 Sunset Beach LLC c/o Peter Berdon (Applicant & Owner) 126 Sunset Beach Road
(D12-000-002-00001 R3)

Var. Sec. 3.4.A.3 Minimum Lot Frontage, 90 feet required to 0 feet, where 0 feet presently exists.

Var. Sec. 3.4.A.4 Minimum square feet from 100 feet to 80 feet.

Var. Sec. 8.1.C.1 Increase of Non-Conformity (additional lot without frontage) for the existing parcel to be split into two separate lots for future cottages to be built.

Attorney Peter Berdon (New Haven) represented the applicant and noted that Jim Pretti(Criscuolo Engineering) and Joe Sepot (Sepot Architect) were also present. He explained the application is Requesting 3 variances which he reviewed. He then gave a history of this to the commission.

J. Pretti then reviewed the site plan noting the application is asking to split the lot into 2 separate lots For 2 future homes to be built. The hardship is the unusual lot shape..

Joe Sepot (architect) displayed the architectural drawings noting the two houses will complement Each other and the area.

Alice Winthrop spoke saying she inherited the current house with her siblings and she grew up in the Area.She noted the houses keep in line with the neighborhood.

Peter Berdon spoke briefly and submitted exhibits for the record. He made a few comments and noted That the hardship is the shape of the lot.

Public Input: An email from one of the neighbors was submitted in favor of the application.

Attorney Tim Lee spoke noting he is representing a group of neighbors that are opposed to this and he Read their addresses aloud. They oppose for 3 reasons: lack of legal hardship, not enough Variances and this presents a threat to the health and safety of the neighbors. He then argued the Applicants reasons for a hardship.

The commission discussed this.

Public Input:

1. David Rimm-He showed photos of his cottage and noted he got no variances.
1. Paul (76 Sunset Beach Rd) He is an adjoining neighbor. He noted it is a nice lot, why build 2 Houses? He referred to a letter he received from the applicant.
2. Rafael (101 Sunset Beach Rd) said there is an easement for the driveway. If this application is Approved, the easement will be doubled. It will create more traffic , its already a tight neighborhood.

Attorney Lee ,made a few comments and read a letter from deep.

Attorney Peter Berdon and noted that Mr. Ascentino also spoke to deep.

H. Smith (Town Planner) – noted his credentials and added some comments regarding the lot split. The commission had a brief discussion.

Chairman Sette closed the public hearing and made a motion to grant the variances and that They be consistent with the documentation and site plan on file.

The commission discussed this further and took an individual vote.

The final vote was : L. Tamsin- yes

R. Falcigno- yes

D. Laska- no

J. Sette- yes

R. Harrington- no

S. Sullivan- yes (alternate)

Old Business:

23/10-2 Jon Morasutti (Applicant & Owner) 19-25 Fairlawn Ave (E09-000-003-00015 R3)

Var. Sec. 8.1.C.1 Enlargement of an existing non-conforming use.

Var. 3.4.A.2 To allow a lot area per dwelling unit of 4,599 sf/unit where 6,899 sf/unit exists and 15,000 sf is required.

Var. Sec. 6.2.E.9 To allow a vertical expansion of an existing non-conforming critical coastal resource setback of 18.3 ft. where 25 ft. is required.

Var. Sec.4.8.H.4 Multifamily dwelling units (Four existing units, requesting an increase to a total of Six Units) for the construction of a second and third floor over an existing garage to add 2 more dwelling units.

The property owner spoke and noted that this item was discussed at the last pz meeting but he felt the minutes were vague.

He is requesting variances to allow him to add 2 more dwelling units to his existing 4 units. He wants to add the 2 additional units over the garages. The commission asked him a few questions and H. Smith noted this is a use variance.

B. Harrington spoke of the lack of hardship. The board advised the applicant to obtain a land use attorney.

Public Input :

1. Ron Pryor (17 Fairlawn Ave) – He has lived there over 30 years. He saw when the property was for sale. He added a few comments.
2. Candy (19 Sullivan St) She is a tenant at the property and she spoke of all the work he has done at the property.

J. Sette closed the public hearing and made a motion to deny the application.

D. Laska seconded the motion.

All the commissioners voted for denial.

Other Business:

Appeal of Stop Work Order for 2 Sachem Road

The Zoning Enforcement Officer (Jane Ellis) explained this is a stop work order. She received an anonymous complaint and went to the site and spoke to the contractor.

Jim Pretti (Criscuolo Engineering) spoke and noted that Al Rose is also present. He said work was being done and they should have gotten building permits and Jane went out and put a stop work order in place. And that they then went to obtain building permits and the stop work order prevented them from being able to obtain building permits.

The commission discussed it. The ZEO noted that the building dept. also has a stop work order in place.

Al Rose spoke for Matt Casella (contractor) and explained he talked to building and zoning. He noted that interior work was being done. He spoke of the a2 survey. He spoke of what Matt would like to do.

B. Harrington added some comments and said the board has to decide whether the zeo should have issued the stop work order or not. That will determine whether a building permit is needed.
The commission discussed this and the consensus was to sustain the zeo decision.

**B. Harrington made a motion to sustain the ZEO decision and deny the appeal.
J. Sette seconded the motion. The board unanimously agreed.**

Approval of October 17, 2023 Minutes

J. Sette made a motion to approve the minutes.
The board unanimously approved.

Approval of 2024 Meeting Dates

The board unanimously approved the minutes.

The meeting ended at 11:25 pm

**James Sette
(Chairman)**