

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

The Branford Zoning Board of Appeals met Tuesday May 21, 2024 at 7:00 p.m. at the **Branford Fire Headquarters, 45 North Main Street**, Branford, CT .

Commissioners Present: Lenny Tamsin, David Laska, Robert Harrington, Donald Schilder,  
Richard Falcigno, Jim Sette (Chairman)

Commissioners Absent: Steven Sullivan, David Laska

Staff Present: Evan Breining (Asst. Town Planner), Jane Ellis (Zoning Enforcement Officer),  
Michelle Martin (Clerk)

The meeting started at 7:06 pm.

Chairman Sette reviewed the meeting procedures.

He then asked if anyone in the audience was in opposition. One family was there to ask questions so chairman Sette suggested they speak quietly with the applicant and perhaps their questions will be answered and then they won't have to sit thru most of the meeting.

**New Business:**

**24/5-1** Alexander Grindley (Applicant) Catherine Joyce, (Trustee) Owner (D11-000-003-00024)  
179 Pawson Rd

Var. Sec.3.4.A Allow a front yard setback of 20 feet where 30 feet is required and 27.5 exists.

Var. Sec.7.4.A.1 Allow two accessory apartments where only one is permitted.

Var. Sec. 7.4.A.6 Allow a total of four off street parking spaces for a house with two accessory units

Attorney Lee noted that the applicant is asking for 24.1 feet variance not 20 feet as the agenda states. The applicant is actually asking for less than what was advertised.

Attorney Timothy Lee represented the applicant and explained that the applicant wishes to demo the existing house and rebuild a new house on the existing footprint, which is currently nonconforming. He is asking for 3 variances which Attorney Lee reviewed. The first variance is for a covered front walkway for the proposed new home. The second and third variances are requested because the applicant wants to build an accessory apartment inside his new home for his mother-in-law to live in and also a second accessory unit for his in-laws on the property. They would both be small at 426 feet and 442 feet.

The commission asked some questions including what is the legal hardship?

Attorney Lee reviewed the floor plans and architectural plans and the site plan.

PUBLIC INPUT: No one spoke.

Chairman Sette made a motion to close the public hearing and grant all 3 variances but the var. Sec. 7.4.A.1 has a condition the extra accessory apartment only be occupied by family or an au pair.

Don Schilder seconded the motion.

The commission then had a discussion and decided there was no legal hardship for the second and third variances.

Chairman Sette withdrew his motion.

**Bob Harrington made a motion to grant the first variance and deny the second and third variance.  
Jim Sette seconded the motion which passed .**

**24/5-2** Michael Sullivan (Applicant) Martha Squires Jenkins & Elizabeth McConahy Jenkins (Owners) (D12-000-004-00003 R3) 24 Summer Island Point

Var. Sec. 3.4.A.5 To allow the electric meter, related steps and platform to encroach 2.7 feet into the 15 foot front setback.

Var. Sec. 3.4.A.6 To allow the electric meter, related steps and platform to encroach 6.5 feet into the 10 foot side setback.

Var Sec. 8.1.C.3 To allow the expansion of a nonconforming structure where the enlarged portion does not conform to the regulations.

Jim Pretti (Criscuolo engineering) represented the applicant and displayed a site plan. He explained that the variances are required because Eversource is requiring this platform. He answered a few questions for the commission.

PUBLIC INPUT: No one spoke.

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

**Bob Harrington seconded the motion which passed .**

**24/5-3** 755 East Main Street LLC c/o Matthew Cassella (Applicant & Owner) (J03-000-002-00001 IG2) 755 East Main Street

Var. Sec. 4.6. B.5 (2) For minimum setback from a side lot line, from 30 feet required to 10 feet proposed for the installation of a new 3-sided storage extension shed for pallets.

Jim Pretti (Criscuolo Engineering) represented the applicant and explained that this application is for the Expansion of the current pallet storage shed. He noted that the applicant will have to get Planning & Zoning commission approval as well.

Bob Harrington recused himself from this application.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to approve the variance.**

**Rich Falcigno seconded the motion which passed .**

**24/5-4** Sean Jeffrey (Applicant & Owner) (H06-000-003-02.10 R4) 22 Beechwood Road

Var. Sec. 3.4.A.6 To reduce the side setback for an accessory structure (garage) to 3 feet where 20 feet is required.

Bob Harrington recused himself from this application.

Jim Pretti ( Criscuolo Engineering) represented the applicant and displayed a site plan. He explained the applicant wants to build a detached garage at the end of his driveway. He submitted 5 photos into the record. He also noted that there were two letters of support submitted by neighbors, which the commission reviewed.

He explained that due to the amount of ledge on the property and the location of the septic system, there is no other location for this. That is his hardship.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to approve the variance.**

**Rich Falcigno seconded the motion which passed.**

**24/5-5** Pent Road LLC, c/o Joe Lepre (Applicant) Rebecca Anderson (Owner) (D08-000-005-00019 R1) 28 Kirkham St (0 Elm St.)

Var. Sec. 7.18.A Construct two dwelling structures instead of one large multifamily structure.

Joe Lepre (Applicant ) spoke and displayed the site plan and explained the location of the property.

He noted that the lot predates zoning. He is applying for a variance to build two (2 family homes) instead of one large 4 family home. He noted that two houses will fit better in the neighborhood. He spoke of an easement on the property to access a sewer manhole. He displayed architectural Plans to the commission.

The commission had a brief discussion and asked some questions.

After some discussion, Bob Harrington suggested putting a condition on the approval that he can't Subdivide the property.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to grant the variance with the condition that this property cannot be subdivided.**

**Lenny Tamsin seconded the motion which passed.**

**24/5-6** A & R LLC (Applicant ) Fusco Branford Industrial Associates LLC(Owner) (J05-000-001-010.1 IG-2)  
5 East Industrial Road

Var. Sec.4.8.A 5,010 sq. foot retail building. Regulation Maximum is 3,000sq. feet in IG-2 zone. Application is for a proposed gas station with retail store building and associated parking and landscaping.

Attorney John Knuff (Milford, CT) represented the purchaser of the property. Also present was John Mancini (BL Companies).

Attorney Knuff reviewed an aerial photo and survey of the site. The variance they are seeking is for a convenience store along with a gas station.

The commission asked some questions.

Attorney Knuff spoke of the size of the lot and of the many uses that would not work on the property.

John Mancini spoke and noted this property owner has tried to develop this site many times.

There was a discussion and Attorney Knuff answered questions and commented.

PUBLIC INPUT- No one spoke.

**Chairman Sette closed the public hearing and made a motion to grant the variance.**

**Rich Falcigno seconded the motion which passed.**

### **Other Business:**

Approval of April 16, 2024 Minutes- The commission voted to approve the minutes as written.

**The meeting adjourned at 8:38 pm.**