

Zoning Board of Appeals

Branford, Connecticut 06405

Minutes

The Branford Zoning Board of Appeals meeting of June 20, 2017 was called to order at 7 pm by Acting Chairman Anthony Beccia, with David Laska, Leonard Tamsin, Peter Berdon and Alternates Brad Crerar, Donald Schilder and Barry Beletsky in attendance. James Sette was absent and Barry Beletsky was seated in his place.

Old Business:

15/2 - 6. Ann Trapasso- Appellant, 26 Cherry Hill Road, Appeal of the issuance of a Zoning Permit by the ZEO – The Attorneys representing all factions requested an extension until August due to necessary decisions of Planning and Zoning Commission at which time they will submit a request for variance or withdraw from the matter. The motion was made by Peter Berdon, seconded by Brad Crerar to allow the extension as requested and the Board agreed unanimously.

New Business:

17/6 – 1. Allyson Weymouth and Joel Slowik, 18 Forest Street Extension: Rich Raymond represented that that the request was for two small additions of about 375 SF on the existing footprint, neither of which would extend further into the property lines. One would allow for a 13x15 second floor bedroom and the other a 6x28 front entryway and dining room on a 1,250 SF house converting it from 2 bedroom to 3 bedroom. On the motion by Peter Berdon, second by David Laska and the variance was granted, 6/0.

17/6 – 2. Brian Love, 31 Thimble Islands Road: The request for a garage on the pie shaped sloped lot where there is a reserve septic area, a well and a propane tank which preclude placement elsewhere, the new garage would be served by the existing gravel drive way and due to the steep slope the building would hardly be seen from the road and placement would allow for a lower walk in storage area needed since they would be removing a small shed closer to the house. On the motion to approve by David Laska, second by Barry Beletsky, the variance was granted 6/0.

The following three applications were heard together because they all required variances in order for the State DOT to repair and replace a bridge and align the street. The survey used was not an A-2, however it was one prepared by DOT, which is standard and on a motion by Peter Berdon, second by Bud Beccia, Board voted unanimously to waive the requirement for an A-2 Survey.

17/6 – 3. 1 Sybil Avenue/Connecticut Department of Transportation, 1 Sybil Avenue

17/6 – 4. Buds Realty LLC/Connecticut Department of Transportation, 3-7 Linden Avenue

17/6 – 5. George E. Gercken/Connecticut Department of Transportation, 202 South Montowese Street.

DOT was represented by Michelle Miller who explained that the project would entail closing portions of the travel area during the procedure which would take several months, but was necessary due to the poor condition of the bridge over Sybil Creek. Each of the properties involved required taking of the street line in order to align the intersection and improve the site line, but if the variances were denied, the state would need to acquire the properties involved and the owners would be denied their use.

On the motion by Peter Berdon, second by Bud Beccia, the Board voted unanimously to grant the requested variances.

At the request of Town Attorney Bill Anascovich, on approval of a settlement proposal in the matter of Stony Creek Association, et al v. Branford Zoning Board of Appeals, et al., Docket No. UWY-CV-15-6051727-S, the Board heard it out of order. The Town Attorney explained that Judge Cordino upheld the decision of the ZBA in supporting the ZEO's decision to approve the setup request, however he handed down several conditions for allowing the Theatre to open, many of which concerned parking and times and/or limits on production which were out of the premise of the Board, and the Attorneys involved were in agreement with his decision submitting four exhibits which are in the file. They also agreed that by working to come to agreement within Stony Creek area they found support for their efforts and were grateful for the opportunity to forge friendships in the Community. The road will now be considered a Town Road, and the judgement stands as long as the Legacy is operational. Peter Berdon made a motion to approve the settlement stipulated as being in the public interest and David Laska seconded. The Board was in full agreement.

17/6 – 6. Greg Cox, Owner/Tony Thompson, Applicant, 1 Fenway Road: Tony Thompson represented that the owner currently has a single car attached garage, however it is substandard by today's requirements and since the applicant has two additional vehicles he would like to park in a covered area needs an additional detached garage. The house is on a substandard lot with two inter-connecting roads and the plans were laid out so as not to interfere with the site lines. Connecting the new garage to the house would give it an elongated look, unattractive to the neighborhood. After hearing the plan and finding there might be another way to work the garage into the property, the Board recommended going out to look at the property for a better understanding of the problems involved. The applicant agreed and on the motion by Barry Beletsky, to keep the hearing open seconded by Leonard Tamsin, it was decided to continue the hearing until the July 18, 2017 meeting to allow time to visit the site.

17/6-7. Michael Corcoran, 1 Bishop Road: There had been a variance granted on this property due to lot size and the shape being a triangle, however after the foundation was poured and construction began the 'as built' found that the new structure was off by fractions in two places and work was stopped. An as-built prior to laying a foundation is no longer a requirement under the new Planning and Zoning Commissions regulations and needs to be addressed before it becomes a recurring problem needing attention. Based on the hardships when the original application was approved and knowing that they still existed, the motion was made by Peter Berdon, seconded by Leonard Tamsin, to grant the new variance and the Board was in agreement that the small differences would have been approved if sought in the original request thereby granting the variance unanimously.

The May 16, 2017 were approved on the motion by Peter Berdon, Second by Leonard Tamsin and the meeting was adjourned at 9 pm.

Mary Leigh Bianchi

Clerk