

Zoning Board of Appeals

Branford, Connecticut 06405

Minutes

The Branford Zoning Board of Appeals meeting of March 21, 2017 was called to order at 7 pm by Chairman James Sette, with Anthony Beccia, Leonard Tamsin and David Laska in attendance. Regular member Peter Berdon was absent and Alternate Brad Crerar was seated in his place. Absent: Alternate Barry Beletsky

Chairman Jim Sette called the meeting to order at 7:00 to hear the following applications.

Old Business

15/2 - 6. Ann Trapasso- Appellant, 26 Cherry Hill Road, Appeal of the issuance of a Zoning Permit by the ZEO – Atty. Chris Smith and Atty. Bernard Pellegrino representing the parties involved represented that they and their clients had reached an agreement and their application had been submitted to the Planning and Zoning Commission for action, however they were waiting for a decision on the matter and if all parties were satisfied there might be no need for the ZBA to take action. The matter is set for P & Z hearing, however a decision might take longer than anticipated so on the motion by Jim Sette, seconded by David Laska the Board unanimously granted them the extended time and will keep the matter open and continued to May, however Bud Beccia went on record as advising them it will be the last continuance granted and if not finished in May, a new application will need to be submitted.

New Business

17/3 – 1. Stephen W. Perrotti, 22 Reynolds Lane: The applicant wishes to bump out by 8 ft. the present undersized nonconforming garage which dates back to 1930 that is only 17 ft. and too small for present motor vehicles. There is no way to make the garage complaint under new regulations without additional variance requests. Jim Sette made the motion to grant, Brad Crerar second the variance was granted 5/0

17/3 – 2. Town of Branford, Owner/Antinozzi Assoc., Applicant, 185 Damascus Road-Walsh Intermediate School: Due to complexities of the request and after hearing a great deal concerning the property and plans, as well as concerns of the neighbors directly involved, Bud Beccia requested time to survey the property individually and asked if there wasn't some way to convey the height of the building which is the concern of most opposition. On the motion by Jim Sette, the Board decided that it should be given a special hearing and it was continued while arrangements would be made. Due to involvement with the project, Leonard Tamsin recused himself from sitting on the matter.

17/3 – 3. Branhaven Motors Inc., Owners/ BL Companies, Applicant, 348-380 West Main Street: Postponed to April 16, 2017 at request of the applicant.

17/3 – 4. Susan Clark & Amy Wishingrad, 25 Brocketts Point Road: Postponed to April 16, 2017 at request of the applicant.

17/3 – 5. Branford Yacht Club/Gerry Mann, Commodore 2017, 39 Goodsell Point Road: Bob Criscuolo represented the owner who wishes to extend an existing deck around the corner of the structure to allow more room for members. The Club House was built in the 1930's and the 16 ft. proposed open deck would run along the second floor of the structure offering room in the only area available. The CAM application was presented as being very minimal with little impact, however all standards would be met and has the additional protection of a bulk head. On the motion by Jim Sette, seconded by Brad Crerar the variance was granted 5/0, with condition that the deck remain open.

17/3 – 6. and 17/3 – 7. Kathryn Laschever, Owner/Atty. Andrew J. Campbell, Agent, 26 Manor Place were heard together, but decided separately. Atty. Andrew J. Campbell acting for the owner explained that it was a bit complicated due to the fact that the property contained two structures, both belonging to Ms. Laschever and sharing a driveway. In order to access the garage at 26 Manor Place, it caused trespass on the primary residence at 22 Manor Place. The area involved is burdened with steep terrain so land would be given from one to the other as a matter of clearing it up. The second half concerned the smaller accessory structure which was once two garages of different heights linked together to form one small house and the plan is to allow for a roof that would cover both, filling in the area that separates the two sides and changes the peak to be reversed and more attractive. The building roof line will be raised from the current 12 ft. to 14.8 ft. when complete. Opposition was to the runoff this might cause to abutting neighbors and also, the chance that it would then be let out as rental property when it had been previously been granted variances under old regulations for an Accessory Apartment conditioned on it being owner occupied. Exhibits in file A-1 – Engineer Letter.

Rebuttal was to the opposition concerned the runoff from this property to that of the abutting neighbor at 98 Pawson Road, Mary Beth and Charles Cicarelli who were assured that the area would be well planned to address any runoff. Doris Zelinsky expressed concern that with improvements the smaller structure could become a rental property, however the Board assured her that under the previous variance granted, the accessory apartment could only be occupied by a relative to the family and not rented out. It was also brought out that utility lines crossed over neighbor's property and Atty. Campbell said in his rebuttal statement that he would convey that concern it when he met with his client, since the Board has no jurisdiction concerning it. He assured that the worries over drainage were already being prepared for and as to the restrictions on the accessory apartment, it was being rehabbed in order to have family use and would be more attractive when finished. The motion to grant by Bud Beccia, second by Jim Sette, was

conditioned that any increase in runoff be site contained, satisfying the opposition and the variances granted 5/0.

17/3 – 8. Peter S. Kusterer, 3 Three Elm Road, (J9/J10-10-16 Zone R-2) Waiver of Sec. 6.2.E (4): Narrow Streets and Sec. 3.8.B - Line 2: Allow for an accessory structure larger than principal building. The applicant collects and restores boats for his own pleasure and needs to secure and hide them from view, therefore he wishes to erect a large barn on his property, however due to the size and number of the boats, the building must be quite large and although his two story house on the property is larger at 1996 SF. However, the barn will require more lot area, at 1700 SF as an accessory structure it requires a variance governing size in comparison to house. It can't be built on any other area due to reserve space for future septic system and contours of the property. Neighbors wish to have the boats hidden from view and the only legal way to store them prior to that would be placing them along the front of the property along the street setbacks in clear view. There are also boat trailers which he restores on the property that would have to be stored within the garage, as well as other equipment. Several photos of the property were submitted, (in file). He feels this is his only option since the ZEO has issued a Notice of Violation which is part of this appeal as follows:

1. Peter S. Kusterer, 3 Three Elm Road-Appeal of Zoning Enforcement Officer's Notice of Violation dated November 30, 2016. This part of the hearing involved other properties owned by the applicant as well, concerning dumpster location and parking issues, so due to the complexity of the hearing, the Board needs further information and the applicant was advised that his appeal and variance request for the barn would be added to the Special Meeting Agenda when the Walsh School will be heard.

Atty. Tim Lee representing abutters Morris, requested that landscaping be done between the properties, but this is beyond the scope of the ZBA, therefore would have to be agreed upon as neighbors.

In other business: The Minutes of February 21, 2017 were accepted on the motion by Bud Beccia, second by Jim Sette and the meeting adjourned at 11:45 pm.

Respectfully submitted,

Mary Leigh Bianchi