

**Branford Zoning Board of Appeals
Town of Branford
Branford, Connecticut 06405**

Minutes

The Branford Zoning Board of Appeals met Tuesday April 19, 2022 at 7:00 p.m. Via remote technology to conduct Public Hearings.

Chairman James Sette called the meeting to order at 7:pm with Ass't Town Planner Evan Breining preciding as moderator. Those members attending and voting were David Laska, Leonard Tamsin, Barry Beletsky and Richard Falcigno. Absent: Brad Crerar, Bud Beccia and Donald Schilder.

Prior to the start of the meeting, Evan Breining explained that #4 - Karl Muller, Owner/ Anthony Thompson, Applicant, 650 Main Street, (Building #2), would not be heard tonight due to not sending out notices to neighbors and it was continued to May 17, 2022.

Old Business

22/3 - 4. Brenda S. Novak, 31-33 Russell Street: The applicant explained they are only asking for Lot Coverage from 25 to 30% and there is currently a 16x20 ft. deck to be converted into a single story covered screened porch at the rear of the structure with crawl space beneath and will provide entry to both units, one of which is for her elderly mother. The only opposition turned out to be mistaken in thinking it shared a boundary with her property and withdrew her opposition. Members were concerned that the area not be enclosed with anything other than screens, so the motion was made by Jim Sette seconded by Richard Falcigno, to grant with conditions that it remains as an enclosed screen porch. Barry Beletsky, Leonard Tamsin and David Laska concurred and the variance was granted 5/0.

New Business

22/4 - 1. Mary Ann Marchitto, 6 Totoket Road: The applicant represented that the house was built in 1982 and already has a deck, which means she can't place the 18 ft. round above ground pool any closer to the house. She also stated that she did not have her property surveyed but based her measurements on an recent A-2 survey of her neighbor's property to the rear. So Jim Sette made a motion seconded by Dave Laska to waive the need for an A-2 survey which passed unanimously and there was one contiguous property owner who emailed support, (in the file). He then made the motion to grant the variance with a second by Barry Beletsky, with David Laska, Leonard Tamsin and Richard Falcigno in agreement because it was an above

ground pool and not a permanent structure. Granted 5/0
22/4 - 2. Joseph Lepre, 15-19 Church Street: Jim Sette explained that this application has been ongoing for months and was last sent to P & Z for approval who have since responded that they had no problem with the new request for a variance. It was seen by the Board in March when variances were granted however since then the building was found to be too structurally damaged to carry out the original plan, so they are submitting this new plan.

Joe Lepre represented that he is the owner of two adjacent buildings, one which is currently a nonconforming two family house which they are rebuilding. The second was an art studio building and is only 16 ft. off each front yard, where it's very close to Meadow Street and this plan is to take it down and move it back on the property to make it a more conforming two story accessory apartment. When questioned about the date on the new drawing, it was revised this month to show the rear line setbacks. Upon questioning, he said if his variances are granted, he has to go next to the Center of Town Review Board and once he gets their approval they'll have a Zoning Board public hearing.

Based on an email from Town Planner Harry Smith recommending that the motion to approve the variance be conditioned that the Site Plan under Section 9.6 to be approved by the Commission for authorization prior to the issuance of a zoning permit, so Jim Sette made the motion, second by Leonard Tamsin, to grant the variances with the recommended condition that the Site Plan under Sec.9.6 of the Zoning Regulations be submitted for review and approval prior to the issuance of the Zoning permit based on the drawings submitted with the application. On Jim's motion and Lenny's second, David Laska, Barry Beletsky and Richard Falgrino voted to grant with those conditions. 5/0

22/4 - 3. HPOINT LLC, Owner/Joseph Grise, Applicant, 45 West Haycock Point: Representing the application Mr. Sorenson, of Waldo Engineering in Guilford described the application as being a 2100 SF seasonal home to be converted into a year round dwelling to be consistent with the neighborhood. It is located on an undersized corner lot with the East side facing the water and like many others in the area being renovated it must be raised to comply with FEMA regulations therefore the stairs leading to the front door will extend 9 ft. into the front property line. All ceiling heights will be 8 ft. which is standard, and the garage located under the house will alleviate street parking problems. The mechanical's will be located in the attic and because the utility box will be located so high, stairs are required by the utility company to service it. In regards to the critical coastal setbacks, the corner of the house is 16 feet and will not encroach any further to where there are seawalls and rocky coastline. The height variance is requested because the house is raised by 9 ft, and the house adjacent is 27 and a half ft. The house will not have a

flat roof, but a hipped roof. The owner Cheryl Grise spoke to the need to convert the house to a year round home because she has lived there so long and loves the area.

The motion to grant was made by Jim Sette and was seconded by Dave Laska with Leonard Tamsin, Barry Beletsky and Richard Falgrino also voted yes to grant. 5/0.

22/4 - 5. Heather Nolin, 10 Esther Place: Jim Pretti, Criscuolo Engineering represented the application and explained that that lots 10 and 14 are both owned by Heather Nolin and will be combined. They would be tearing down to rebuild an existing two story nonconforming accessory structure on the existing footprint with a full basement, 1st floor storage space and 2nd floor Accessory Apartment. The two story Barn/Garage was built in 1938 and they would like to preserve the historical nature of the neighborhood and also maximized the grassy yard to the water. It is located a few feet away from the property line and this is what it looks like. They would be tearing down to rebuild an existing two story nonconforming accessory structure on the existing footprint with a full basement, 1st floor will be storage space and 2nd floor Accessory/Studio Apartment. There is already an apartment in the building and builder Eric Rose said the house has both electric and water service No height variance required. They will still have to go to Planning and Zoning for Special Exception if the variances are granted.

Speaking favor were Moshe Gai, 17 Parker Place, Michael Thibodeal, 10 Parker Place and Danise Bianchi, 18 Parker Place. There was no opposition present Jim Sette made the motion seconded by Barry Beletsky and the variances were granted 5/0 with David Laska, Leonard Tamsin and Richard Falgrino voting.

22/4 - 6. 21 Parker Place LLC Owner/Applicant, 21 Parker Place: Jim Pretti, Criscuolo Eng. Represented the owner Heather Nolin explaining it is a very small lot. The existing house has a roof patio which will be reduced in size when the structure is rebuilt with a full basement on the same footprint Originally built in 1938, the appearance will be in keeping the historic nature of the neighbors.

In answer to questions raised, it currently consists as three bedroom and will be reduced to a two bedroom/two bathroom home and remain in it's current location. And as far as easements to access the water, Mr. Pretti said that in research, there were none appearing in the history of the property, though they might have been verbal some time in the past. Concerns of flooding of the planned basement were dismissed by neighbors who claimed they had no such problems. The same three neighbors, Moshe Gai, 17 Parker Place, Michael Thibodeal, 10 Parker Place and Danise Bianchi, 18 Parker Place were in favor of this application and there was no opposition present.

On the motion by Jim Sette, second by David Laska, the variance

was granted 5/0 on votes by Barry Beletsky, Leonard Tamsin and Richard Falgrino. Also, the Coastal Site Plan was explained that silt fence will be installed and all precautions required by DEP will be followed and accepted on Jim Sette's motion, David's second, 5/0.

22/4 - 7. Conan Mauro, 21 Cosgrove Court: The applicant stated that the property in question is located on a cul-de-sac and the curve cuts into his front property line to a depth that does not allow 50 ft. rear yard. The lot is a little more than half acre, but due to pushing back the house there is a lack of rear yard, and the limitations leave no place to install 12'x24' shed on crushed stone which would without infringing on the setback by 2 ft. It would be placed where to the rear adjacent to I-95. There was no one in favor and the only person opposed was Leroy Perry at 18 O'Brian Road who erroneously believed it was backed up to his property. Once explained that it was not, he had no opposition. On the motion by Jim Sette, second by Richard Falgrino, members David Laska, Leonard Tamsin and Barry Beletsky were in agreement and the variance was granted, 5/0.

Other Business

Action on the Minutes of March 15, 2022: Motion to accept by Jim Sette and members agreed unanimously.

Meeting adjourned at 8:50 p.m.

In and aside, members agreed to continuing with the remote technology meeting for at least one more month so the May meeting will again be via Zoom. After that decisions will be made monthly to see how it goes.

Respectfully Submitted,

Mary Leigh Bianchi
Clerk