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Neil B. Berdon
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Branford Zoning Board of Appeals
Town of Branford
Branford, Connecticut 06405

Minutes

The November 17, 2020 meeting of the Zoning Board of Appeals was held by remote technology as authorized by Executive Orders 7B and 7L. Chairman James Sette called the meeting to order at 7 pm and those present were ZEO Daniel Sullivan, members Peter Berdon, Brad Crerar, Leonard Tamsin, Donald Schilder, David Laska and Barry Beletsky.

Old Business

20/10 – 1. Deepti Pradhan and Suresh Shendy, 15 Millwood Drive: Withdrawn by Applicant.

20/10 – 2. John J. DeAngelo, Jr., 17 Cosgove Court: John DeAngelo represented that he met with Rev. Leroy Perry, at 18 O'Brian Road, his abutting neighbor to the rear who was opposed to his pool being so close to his property line, and after touring the area where the proposed pool would be located, they reached agreement to alleviate the problem by planting shrubs. The agreement was reached through emails to acknowledged that abervoit shrubs would be a acceptable solution.

The motion to approve the variance was made by Jim Sette, seconded by Donald Schilder with the Condition suggested by Peter Berdon that the emails attesting to the agreement between the two neighbors be included in the file, and with that condition, Peter Berdon, Barry Beletsky, Leonard Tamsin, David Laska and Brad Crerar voted with Jim Sette and Donald Schilder to grant the variance 7/0.

After the vote was taken, Alternate Barry Beletsky opted to leave the meeting, since there were enough regular members to constitute a quorum, however Alternate Brad Crerar stayed in case there might be a conflict of interest in any other matters.

New Business:

20/11 – 1. Talia Polino, Owner/Matthew Noile Reale, Applicant, 29 Hotchkiss Grove Road: Matthew Reale represented that there was an error in the Legal Notice. Where it said 20 ft. front setback, it should have been 30 ft. as they are existing at 29.1 ft. and are asking for only a small increase. Peter Berdon advised them that it couldn't go forth based on an erroneous Legal Notice, therefore the application had to be continued and advertised correctly. (Later I discovered a second error in requesting the sideline setback from 20 ft. which should have read "from 15 ft. to 2.1 ft. with existing at 2.6 ft.).

Since it remains nonconforming, the application must be resubmitted with clearly defined measurements from the property lines and Peter recommended that the application be continued to the December 15, 2020 meeting because as it reads he felt it should be denied.

There was opposition to the application present and those interested were advised of the continuation and the reasons for it.

20/11 – 2. Lewis and Jillian Reid, 127 Cherry Hill Road: The applicant represented that the pool would be tucked below the shed due to slope of the property, because due to runoff there are reeds and cattails in that area. Peter Berdon questioned why the pool couldn't be installed on the side of the house, and Mr Reid explained that the site they preferred was near the noise abatement wall next to Interstate 95 which would keep it away from the neighbors and not be observed from the street, giving everyone privacy while using the pool. He also mentioned that being a 21 ft. above ground pool, it is not typically a permanent structure and considering the size of the pool it would be put right against the side of the house.

There was no opposition to the application and since John DeAngelo is an neighbor and was still present, he voiced support for the application. So, Jim Sette closed the hearing and made the motion to grant with a second by Brad Crerar and with David Laska, Donald Schilder, Leonard Tamsin voting to approve and Peter Berdon voting nay, the variance was granted 5 in favor/1 to deny.

20/11 – 3. Evelyn Waldron, 280 Linden Avenue: Jim Pretti, of Criscuolo Engineering represented the application, accompanied by the Architect Peter MacPartland, who explained that the house was originally occupied by younger people and is a three level design while this plan is what is called “Universal Design” and the variances requested were to make the house more safely accessible by an older person by means of re-configuring stairways with landings and adding handrails where necessary. The present ones do not have adequate landings nor handrails. They must be rebuilt for ease of access and safety. The enclosed deck will be reconfigured and retrofitted utilizing her bedroom window as a doorway. He explained that the front setback variances are needed merely to recoup space lost from installing a small residential elevator within the house.

Where there had previously been concrete pads installed for a hot tub which were washed away in storms; it is planned to rebuild a raised pad which will be attached to the wall, but will not be enclosed. In regards to the concrete pad, Peter Berdon asked the elevation to which Jim Pretti said it would be 13 ft. They are basically going from 27% to 31% coverage and in response to Leonard Tamsin, they assured him that the stairs will be rebuilt to code. All site lines to neighbors had been given consideration so as not to impact views, so there was no opposition to the renovations and one email in favor was received from Stacey and Robert Bland, 286 Linden Avenue. (In the file.)

Jim Sette made the motion to grant with second by Peter Berdon, and Brad Crerar, David Laska, Leonard Tamsin and Donald Schilder in agreement voted to grant the variances 6/0.

20/11 – 4. Marc Reed, 46 Parish Farm Road: The applicant addressed the need for more turn around area for safety in exiting his property from a new two car garage with storage above. The nearby shed will be relocated to the rear of the property on the recommendations of the Inland Wetlands, however after listening to the other

applications with variance issues, he realized he needed further relief because the rear line needed to be addressed in regards to the shed. Since he is in no hurry with the project he withdrew his application and will resubmit a new one with precise measurements.

20/11 – 5. Matthew Cassella, 25 Wallace Road: Jim Pretti. Criscuolo Engineering represented the application explaining that the house was built about 1905 and like many others in the Stony Creek area is located on a small lot with a septic tank and leaching fields taking up much area. This house is L-shaped and plans are for adding a main floor bathroom and utility/laundry room. The increase in nonconformity is only about 2.4 ft. There is a retaining wall located on his neighbors higher property. There was no opposition present, so Jim Sette made the motion to grant with a second by Leonard Tamsin. Members David Laska, Donald Schilder, Peter Berdon and Brad Crerar were in agreement and the variances were granted 6/0.

Action on the October 30, 2020 Minutes was postponed to December and the meeting adjourned at
8:15 pm.

Respectfully submitted,

Mary Leigh Bianchi