

Zoning Board of Appeals

Branford, Connecticut 06405

Minutes

The Branford Zoning Board of Appeals meeting of August 15, 2017 was called to order at 7 pm by Anthony Beccia, Acting Chairman. Also attending were David Laska, Peter Berdon, Leonard Tamsin and Alternates Brad Crerar, Donald Schilder. Absent: Jim Sette and Alternate Barry Beletsky.

Old Business:

17/7 – 4. Richard and Elizabeth Addy, 133 Linden Avenue: This matter had been continued from July, however with the absence of Barry Beletsky and because there was opposition present at the meeting, the applicant requested to be heard in September when there would be five members present to vote on it.

New Business:

17/8 – 1. Steven and Joanne Della Posta, 25 East Haycock Point Road: The application was represented by Bob Criscuolo, who described the structure as a 3,100 SF four bedroom home constructed in 1900 which is suffering from structural problems requiring it to be torn down and must be rebuilt to be FEMA compliant. Tony Thompson, from Plans Ahead showed the house to be laid out as the lower level being subject to flooding so that it is useless as any type of storage or utility space, the main level as open living space and the next floor bedrooms, bath area. The uppermost level will be used for the utilities that can't be stored below due to flooding. There were entered 3 letters in support of the application (in file). When complete it will be less nonconforming which the Board looked on with favor. Bud Beccia reminded them to do an as-built before pouring the foundation. On the motion by Brad Crerar, seconded by Peter Berdon, the variance was granted 5/0 with Donald Schilder, Leonard Tamsin and Bud Beccia in agreement. Bob Criscuolo then addressed the Coastal Site Plan, advising that all usual protections will be put in place so as not to damage the environment, and on the motion by Peter Berdon, seconded by Brad Crerar, the Site Plan was approved.

17/8 – 2. Benjamin and Sandra Millspaugh, 25 Money Island: Request will be an increase to a nonconforming structure on nonconforming lot to allow installation of an 89"x300" retractable awning. It was pointed out that ordinarily no variance would be necessary, however the applicant had added additional support because high wind velocity on the island would be apt to blow the awning apart and therefore the variance was necessary due to the supports, not the awning itself which will be 25 ft. over an existing cement patio. David Laska warned that it might be an incentive for others to come before the Board for similar variances, although he agreed that this being an island, the high winds needed to be addressed. Peter Berdon felt that the roof structure should not become permanent and that lateral supports be installed and conditioned that it be limited to canvas covering. Motion by Peter Berdon to approve the application with the following conditions: The plans shall be built in accordance with the plans as proposed, in accordance with the photographs that were supplied and limited to (2) two lateral supports from the house. There shall be no covering over the roof other than a canvas cover. Seconded by David Laska. The variance was granted 4/1 with Peter voting to deny.

17/8 – 3. Birbarie 139 West Main LLC c/o George Birbarie (Owner)/ Sound Real Estate LLC c/o Larry Merriam, Applicant, 139 West Main Street: The nonconforming structure was built in 1949, prior to zoning and is 69.5 ft. from the center of Route 1, which requires an eighty foot setback. While the rear

building will remain to be used for repairs, the two story section of the rear part of the front building is in poor condition and will be removed. A small canopy will be added over the front doorway as a safety feature to protect those entering from in climate weather and requires a 65 ft. setback, but overall it will clean up the site and will be much less nonconforming. Peter Berdon made the motion to grant, second by David Laska with Don, Lenny and Bud in agreement.

In other action, the Board voted to approve the Certificate of Location approval per CGS 14-54 for motor vehicles sales & repair leaving the application set to be heard before the Planning and Zoning Commission.

17/8 – 4. 80 East Main Street LLC (Owner) Patricia Robinson & Sharon Villano (Applicants), 80 East Main Street: The applicant explained that while doing renovations to the building, she had intended utilizing the sign that was already there, however while doing landscaping it was removed and requires her to replace it. The Board agreed it was not her intention to abandon it, and on the motion to grand by Peter Berdon, seconded by Brad Crerar, the variance was granted 5/0 with Don, Lenny and Bud voting.

17/8 – 5. Morris Cove Compound LLC (Owner), Lisa Maffeo (Applicant) 50 Coheco Ave: Tony Thompson representing the application as being one with many violations needing addressing. The previous owner was granted a variance several years ago and once started remodeling, went too far and before long had turned the garage into a second floor apartment, then nailed the garage door shut and turned the first floor into living space in direct conflict with the regulations. The entire building is in poor repair and the garage substandard inasmuch as an auto parked in front extends about 3 ft. into the roadway. Also, due to the tight area, the additional cars due to the illegal apartments caused turmoil for the neighbors. There is a right of way for neighbor's access as well as a sewer easement along one side of the property. It is the intention of the new owner to pull the single door garage back from the roadway making it more conforming by allowing the housing of two cars under the roof. There were neighbors present who were in favor since it was such an improvement to their neighborhood and one neighbor who was concerned was assured that the right of way would not be diminished. The variance was granted with conditions 5/0 on the motion by Peter Berdon, seconded by Leonard Tamsin, with Don, David and Bud agreeing as follows: The approval was conditioned that 1. The first floor shall remain suitable for the storage and parking of motor vehicles 2. The applicants' abandonment of a second dwelling unit is acknowledged and there shall only be a single dwelling unit on the property.

17/8 – 6. Peter Charles Thompson, 5 Berry Patch Road: Due to a disability access to his home has become difficult and in order to be able to utilize it, he intends adding a small enclosed porch on the north side with an 8" to grade step. On the motion by Don Schilder, second by David Laska, with Bud, Peter and Lenny in agreement the variance was granted 5/0.

In other business, A request by Peter Kusterer at 3 Three Elms Road for an 90 day extension to comply with the ZEO order to comply with the regulations, he stated that he's already begun and members of the Board who have seen the property say that it is looking very much better, so Peter made a motion to grant an extension to November 21, 2017 and the Board concurred.

Action on the July 28, 2017 were corrected to show that Peter Berdon was absent at that meeting and once corrected were approved on the motion of Brad Crerar, seconded by Bud Beccia and the meeting was then adjourned at 9:00 pm.

Respectfully submitted,

Mary Leigh Bianchi