

## Zoning Board of Appeals Branford, Connecticut 06405

### Minutes

The Branford Zoning Board of Appeals meeting of August 20, 2019 was called to order at 7 pm by Chairman James Sette. Also present: ZEO Jaymie Frederick, Leonard Tamsin, Donald Schilder, Barry Beletsky, David Laska, Brad Crerar and Peter Berdon. Absent: Bud Beccia, Since there were five regular members present, Alternate Don Schilder was named to sit if necessary and after the hearings on the first three applications were complete and the opposition on 19/8 – 1, was returning to the room, Barry Beletsky excused himself since he was assured he wasn't needed.

19/8 – 1. Terri Boissonneault, 48 Wakefield Road: Engineer Jim Pretty represented the applicant who wishes to install of 8 ft. high deer fence around a vineyard/orchard. There is a small shed which will remain to use for wine making. Due to the large number of neighbors present who were opposed, Chairman James Sette halted the meeting after Al Rose, the contractor explained the approximate description of the fence being sought and it was thought that there were too many questions and it would be best if the opposition met outside the meeting room to gather more information so the Board could hear the other three applications. The group adjourned to an adjacent room where they could discuss their objections and speak with the Jim Pretty and Al Rose in private.

The Board then heard the other applications, and once finished the group returned to the meeting room, however they still objected because there was no assurance what the deer fence would be constructed of and therefore the appearance so close to the road and feared it would be unsightly. Jim Sette pointed out that by rights it could be built 15 feet from the road without a variance or a 6 foot solid fence could be built right on the property line and would resemble a wall completely around the property. Several members who were opposed chose to speak including David Iaccarno, 41 Wakefield Road whose written statement is in the file; Donald Langella, 5 Spring Cove Road, (statement in file); Robert Ceccolini, 16 Spring Cove Road. (statement also in the file); Others speaking to the issue included Laurel VanWilgen, 31 Cottage Street; Robert Fitzgerald, 18 Pawson Trail; Linda Johnson, 190 Pawson Trail (who submitted photos of the area and her mother Harriet Jenkins at the same address who were concerned that the applicant was still uncertain which design the deer fence he would use from the many choices offered. Also voicing concerns were George Costines, 25 Pawson Road, Thomas and Florinda Hayes, 5 Pawson Trail and Brad Kahl, 25 Wakefield Road who all concurred. Since all the opposition were united in their opinion that they needed more information about the size of mesh and the type of standards to be used for the deer fence, after discussion the Board suggested that the application be continued to September 17, when the requested information will be made available and those representing the application agreed. They would bring the applicant up to date on the matter and bring what samples they can get to the meeting.

19/8 – 2. Christopher Woerner, 299A Thimble Islands Road: Atty. Robert Harrington acting on behalf of the applicants, explained that their primary residence, a house built in 1885, was destroyed by fire in November, 2018 and a new structure was being considered on the exact footprint using the same foundation as the original with slight improvements that won't require

variances. He provided many photos of the area as he explained why the house could not conform to the regulations, which should also be considered the hardship of rebuilding elsewhere on the property, including the slope of the land, septic area, existing barn that was undamaged during the fire and Lavoisier Terrace, a private vehicle easement that services the applicants of the small community. He then submitted some 22 letters of enthusiastic support. Speakers in support included John Herzog who has been active in preserving historic structures for many years and spoke to the need for replacing such homes for historic value. Also, Mark Stern who concurred. During discussion, Peter Berdon said there was a need to take into consideration that it is a terrible emotional grief to contend with a fire without the additional stress of having to meet new regulations that prevent rebuilding a home therefore rendering the property worthless. With that understood, he suggested in his motion that the approval be subject to conditions including that the planned outside lean-to on the east side not be enclosed and that they retain the same elevation as presented. On his motion to approve with those conditions, second by Jim Sette, members David Laska, Brad Crerar and Leonard Tamsin joined them in agreement and the variance was granted with conditions. 5/0.

19/8 – 3. Bausch & Stroebel Machine Company: Jim Pretti from Criscuolo Engineering explained that the property was brought in 2015 because the business was looking to relocate from their present site in North Branford, however the land slopes and since they require a level flat floor surface, this was a concern holding them up. They process film to make plastic prescription bottles among other things, requiring machinery stretching long lengths of plastic material. The difficulty in measuring height on sloped land when constructing a level building high enough to house necessary machinery has caused the problem. Their request is only for the height due to the necessity to create a level indoor floor. Again, Peter addressed the need for the Zoning Commission to look at the regulations that need to be updated to fit modern needs, especially as to height because there is a need to address some of the problems that probably should be considered under Special Exceptions instead of requiring variances. On Peter's motion to approve, Jim's second, the variance was granted 5/0 on approval votes by David Laska, Brad Crerar and Leonard Tamsin.

#### Other Business:

114 School Ground Rd (H4-6-21), Branford Auto Sales, LLC – DMV location approval in accordance with CGS Sec 14-54 The applicant \* is not changing a thing except subletting a portion of his business location to \* who has a business repairing Classic Cars. There is no change of ownership or aspects of the original business. On the motion by Jim Sette, second by David Laska, all members were in agreement and the application was approved.

On the motion by Jim Sette second by Peter Berdon the Minutes of July 16, 2019 were approved

Adjourned at 8:45 p.m.

Respectfully submitted,

Mary Leigh Bianchi