

Zoning Board of Appeals Branford, Connecticut 06405

Minutes

The Branford Zoning Board of Appeals meeting of December 17, 2019 at the Canoe Brook Senior Center was called to order at 7 pm by Chairman James Sette. Also present were ZEO Jaymie Frederick and members Leonard Tamsin, Brad Crerar, Barry Beletsky and Peter Berdon. Absent: Donald Schilder, David Laska and Bud Beccia. Applications were heard out of order.

19/12-2. Automotive Excellence, Inc., Business Owners Thomas Walker IV (president) and Angela Ruggiero (secretary), 368-372 (aka 370) East Main St. DMV location approval per C.G.S. Sec. 14-54. Attorney Francis D'Urso represented the application as merely a change of ownership of an existing Auto Sales and Repair. There will be no change of any boundary lines and the Board agreed that the application should be approved on the motion by Jim Sette, second by Brad Crerar, with Leonard Tamsin, Barry Beletsky and Peter Berdon in agreement. 5/0.

19/12 – 1. JPS Management Group, LLC, Owner/Charles McClure, Applicant, 174 Cedar Street: Attorney Timothy Lee represented that the applicant has an unusual request due to a unique situation. Drainage from the roof downspouts gathers at the back of the building and caused water accumulation in the interior of the premises. According to their Engineer, John Thompson, a solution would ordinarily be to install a drainage ditch or dry well, however there is not enough area for one and the only two places that might be feasible are not suitable because of hard packed soil that will not allow adequate percolation. Also, Inland Wetlands pointed out that being near the creek, draining into those areas should be avoided due to potential causing other problems. With no other options, they were in contact with the State DOT with a request to run the water into the storm drainage system in Cedar Street, and the State agreed it would be safe and beneficial to do, however the Branford Zoning Regulation prohibits doing this under Sec. 6.9.E which prohibits discharging groundwater off site. Peter Berdon was concerned with allowing the water to run freely to the Sound, however the Mr. Thompson assured him that the water is purely rainwater from the roof and would be the same as running off the driveway or street. Leonard asked about the volume of water that would be transferred and the size of pipe required, Mr. Thompson said it will all be considered by the state, however the pipe is more than sufficient to carry the water which is simply run off from the roof carried down through drainage pipes. Since there are no property lines or other boundaries, they requested a Survey Requirement Waiver and said they would submit an as built when the project was completed. The Board was satisfied that there was no other alternatives but to utilize the DOT Drainage plan and on Jim Sette's motion, seconded by Barry Beletsky voted to grant the request and with Peter Berdon, Leonard Tamsin and Brad Crerar in agreement the variance was granted 5/0.

The Minutes of November 19, 2019 were approved on the motion by Jim Sette, second by Leonard Tamsin and the meeting adjourned at 7:30 p.m.

Respectfully Submitted,

Mary Leigh Bianchi, Clerk