

Zoning Board of Appeals  
Town of Branford  
Branford, Ct. 06405

Minutes

The Branford Zoning Board of Appeals met Tuesday, January 18, 2022 at 7 pm. Via remote technology to conduct Public hearing on the following applications. Attending were Chairman James Sette, Ass't. Town Planner Evan Breining and members Brad Crerar, Barry Beletsky David Laska, Bud Becca, Donald Schilder and Richard Falcigno. Absent: Leonard Tamsin.

Evan Breining served as the Moderator for the evening and explained that Town Atty. Aniscovich would not be attending for an Executive Session concerning the Gai v ZBA court appeal, so Chairman James Sette called the meeting to order at 7 pm.

21/12 – 1. Louis Souza, 35 Gilbert Lane, On the request of a Waiver of the required A-2 survey the Board was hesitant until they were shown where the fence is erected on the two property lines involved and then were willing to hear the request which they found minimal inasmuch as a shed that size would be allowed without variance if it could be moved further into the parcel. Mr. Souza explained that the two fences were erected by the abutting neighbor Lin Quin at 39 Gilbert Lane, which assures where the property lines are and the 10x20 ft. shed was already erected on cement blocks in the back corner due to oncoming incimate weather. Bud Beccia made mention of the inappropriate acceptance of a prebuilt structure but admitted it was minor. On the motion by James Sette, second by David Laska, the variance was granted 5/0 with Brad Crerar, Donald Schilder and Richard Falcigno in agreement. They cautioned that if there was a problem with the fencing it would be their responsibility to correct it.

21/12 – 2. Gina Salzano, 33 Windmill Hill Road: Ms. Salzano showed that her house is set back further from the road than her neighbors, limiting the area where her deck could be expanded to the rear. The proposal would allow improved parking with a garage beneath it. The proposed shed shown on the site plan may never be built but was shown as possible for the future. It was clearly shown that the hardship was that the house was setback some 58 ft. from the road, where 50 ft. was required shorting the rear setback by the difference. Jim Sette made the motion to grant, seconded by Brad Crerar and members Bud Beccia, Dave Laska and Don Schilder concurred so the variances were granted, 5/0.

22/1 – 1. Francesco d'Amuri and Alison Derenzi, Owners/ Peter Harding, Applicant, 24 Howard Avenue: Variances had been granted recently on this project, however the builder, Peter Harding, found prior to building, that if the walls of the attached garage were raised from the proposed 8 ft. to 12 ft. there would be more storage space for larger items. This would increase the volume but would be less than 5 ft. in height to the ridge on the second level. Since this property had been heard and variances were granted, the same hardship remains

At this point, Bud Beccia was no longer needed and left the hearing and Ass't. Town Planner Evan Breining recommended that 15 Church Street, which had been heard for a Use Variance in November be added to the agenda since it had been referred the Planning and Zoning Commission for approval which they received. Although the ZBA members looked favorably at

that time upon the proposal of converting a poorly planned commercial parcel to two bedroom apartments, they were uncomfortable unless the P & Z commission gave approval since it was a change of use and once their approval was made known Jim Sette made the motion to grant, seconded by Barry Beletsky with David Laska, Don Schilder and Brad Crerar also voting yes, so the variances necessary were granted 5/0.

22/1 – 2. SCRLLC Associates, Owner/Halloran & Sage LLP – James J. Perito, Applicant; 29-31 Sagamore Cove Road: Atty. Perito presented the application showing the nonconforming property would be more less nonconforming with the proposed changes to the two structures presently located there, and the Courts have ruled that lessening of nonconformity supersedes proof of hardship. The buildings go back to 1940's prior to regulations and due to the size of the property they are applying R-1 standards. The first part of the plan concerned the bungalow and then the reconstruction of the main house. Mainly the house will be pulled away from the Critical Resources and allow better site line for nearest neighbors. The height of the new structures is driven by FEMA regulations with room heights at 9 ft. and all mechanics must be 1 ft higher than standard, raising the wall areas and serve as a hardship for the project.

At the close of the hearing, Atty Zalenski. a friend and neighbor 13A and 13 B Sagamore Cove Road, who spoke representing he and his wife, were in favor of the proposed changes, however when asked for Opposition, the proposal necessitating the demolishing the two structures proved to be one of the things that Robert Bartner at 21 Sagamore Cove Road spoke against. Katheryn King, 22 Sagamore Cove Road agreed and spoke to losing partial views while Nancy King stressed the danger of narrow roads and parking problems should the bungalow be rented out. Paula Kinney at #28 felt the pitched roof would obstruct views and John Ford, #33 had an issue with moving the building closer to his property which is 10 ft lower than the neighbor's and William Ford at the same address addressed potential flooding due to the steep pitched roof which represents a hard surface as did Mary Dunn, next door whose house is much smaller and would lose not only sunlight to her gardens, but also air flow and sun in her home.

Instead of Rebuttal, Atty Perito requested a continuance in light of the opposition and would like the opportunity to consider their concerns and see if there wasn't a way to alleviate some of them before going further. The Board agreed and continued the hearing to the next meeting on February 15th to present either a similar plan or complete revised one.

22/1 – 3. Archdiocese of Hartford, Owner/Autografix, Applicant, 750 Main Street: John Miller from Autografix presented the application and requested waiver of an A-2 survey since it is simply removing the present sign and installation of a larger free standing sign in front of the church. The present sign is difficult to see and because the Church is located in a residential zone it limits the size allowed, however in a Commercial Zone a 30 ft. sign would be allowed. The area involved is close to other businesses, including the Library. The Board found the request minimal and on Jim Sette's motion, seconded by Brad Crerar, with David Laska, Don Schilder and Barry Beletsky in agreement the variance was granted 5/0.

Action taken on the Minutes of November 16, 2021 to approve on the motion by James Sette with all the members of the Board in agreement and the meeting adjourned at 9:10 p.m

Respectfully submitted,

Mary Leigh Bianchi, Clerk