

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

Minutes

The Branford Zoning Board of Appeals met on Tuesday, November 16, 2021 at the Branford Community House, 46 Church Street to hear applications for variances. Attending were Chairman James Sette, ZEO Dylan Willette and members Brad Crerar, Leonard Tamsin, Barry Beletsky and David Laska. Absent were Bud Becca, Donald Schilder and Peter Berdon (who has resigned).

Chairman James Sette called the meeting to order at 7:05 awaiting the arrival of the Town Attorney who had requested a brief meeting in Executive Session concerning a Citation filed in regards to Moshe Gai, 17 Parker Place. However after a short wait, rather than inconvenience the other applicants, he started the hearing on the Agenda.

21/3 – 5. 256 Meadow Street - (1 Church Street) Appeal of ZEO Cease and Desist Order (which has been continued since March 16, 2021) and at the October meeting Atty. James Perito representing his client had requested for a final update and decision. He had done more research on the property and to explain the opposition contention that no site plan was filed, he has found that the regulations back in the 1950's did not require a site plan, therefore there was none submitted. However, as shown on the over view photo of the property taken in 1999, it proves that the lot has been used for trucks bringing in supplies much as they are doing at present under the current regulations, and the question of a required site plan to be filed as regards to storage was not addressed until recently. (See Exhibits A1 thru A3 in file.) He has shown that since the Cease and Desist Order was issued they have cleaned up the property, planted shrubbery as buffer from neighboring properties and removed machinery mentioned in the citation and when questioned as to the future use of the property, Atty Perito explained that most of the current use of the property will become moot once the present suit in Court is settled and hopefully the property will revert to residential. He stated that the plantings were designed in such a way as to enhance the construction of a possible apartment complex under new ownership. More exhibits, including photo's submitted to be marked as A4.)

The neighbors who were in opposition seem satisfied with the current condition of the property, however the Board felt the issue of storage doesn't specifically explain what storage means. Does it mean temporary as supplies left on a truck while awaiting to be unloaded in a short period of time or would it mean the cab could be detached leaving the loaded bed on the property. Although a new Cease and Desist Order could be issued in the future should the property revert to something unacceptable, the question remains as to what constitutes storage which was the basis of the original complaint. Jim Sette made the motion, seconded by Barry Beletsky and David Laska, Brad Crerar and Leonard Tamsin also voted yes to uphold the ZEO's Cease and Desist order, 5/0.

21/11 – 1. Joseph Lepre, 15-19 Church Street: represented a plan to possibly convert a small 1280 SF vacant building into a single family residential unit on an abutting property to his own. However, although it is designated as located in an IG-1 zone, the entire area surrounding it is declared residential R-1 and almost all homes are two story single family residential. Prior use of the building was a small business art studio, however it never fit into the area because of so little exposure and foot traffic. If all goes well, he would hope to recondition the unit maintaining the confines of the existing

building envelope, but that would require a change from IG-1 to R-1.

Although the Board felt generally impressed with his plan, he was advised to present his application to the Planning and Zoning Commission since it is not within ZBA's authority to grant a change of use, though if he should be granted the change of use and needed variances, depending upon his requests for such, this Board would be sympathetic to them.

21/11 – 2. Kate Walbert and Rafael Pelli, Owners/Jennifer Huestis, Applicant, 11 Rextile Road, Atty. Jeffrey Beatty representing the applicants stated that the owner of the property who is a well established architect has owned the property since 1995 and would like to renovate an existing garage and add a second story loft above to convert it into a home work studio. Due to the topography of the property there is no other place to put it. When asked, his Architect Jennifer Huestis, stated that the finished height would be 22.6 ft. and there are no plans to make it into an apartment, although there might be a small half bath installed. There are letters in support on file.

Jim Sette made the motion to grant the requested variances, seconded by David Laska with Barry Beletsky, Brad Crerar, and Leonard Tamsin in agreement. Granted 5/0.

#### Other Business

On the Motion by Jim Sette, the Minutes of October 19, 2021 and the Minutes of Special Meeting October 28, 2021 were both approved 5/0.

With no appearance of the Town Attorney at the end of the hearings, the meeting was adjourned at 8:05.

Respectfully submitted,

Mary Leigh Bianchi

Clerk