

Branford Zoning Board of Appeals  
Town of Branford  
Branford, Connecticut 06405

Minutes

The October 20, 2020 meeting of the Zoning Board of Appeals was held by remote technology as authorized by Executive Orders 7B and 7L. Chairman James Sette called the meeting to order at 7 pm and those present were ZEO Daniel Brennan, members Peter Berdon, Brad Crerar, Leonard Tamsin, Donald Schilder and David Laska. Absent: Barry Beletsky.

20/10 – 1. Deepti Pradhan and Suresh Shendy, 15 Millwood Drive: Part of this application was Requesting relief from submitting a new A-2 Survey and the Board originally allowed for the application to go forth, however during presentation when it was realized that the house may not be located exactly as depicted on the old survey therefore the applicant might not have measured from the right street boundary line and also that there was concern that there might be a telephone company easement involved, so Peter Berdon expressed unease to approve the variance based on those calculations therefore it was suggested that Mrs. Pradhan continue the application to November 17, 2020 to allow time to arrange for professional help. Consciences of the Board was to continue the application to November 17, 2020

20/10 – 2. John J. DeAngelo, Jr., 17 Cosgove Court: John DeAngelo represented the application and expressed preference of locating the pool away from the house, due to a patio, and since he would need a variance no matter where he located the 27 ft. round above the ground pool, he would like to place it 29.5 to the rear.

Rev. Leroy Perry, 18 O'Brian Road, his abutting neighbor to the rear was present and opposed expressing his concerns that the proposed pool would be too close to his adjoining property in as much as he does considerable entertaining during the summer months and would find the pool a distraction.

Leonard Tamsin expressed surprise that the pool would not be located nearer the existing deck and utilizing steps instead and Brad Crerar also suggested that the pool be located closer to the house. Peter Berdon wondered if there would even be a variance needed if the pool was moved and suggested that he meet with his neighbor to come to an agreement, so the application was continues to November 17, 2020.

20/10 – 3. Bruno Ciccone, 3 Fern Lane: The applicant showed on his A-2 Survey that a septic tank and leaching fields are located 10 ft. from the back of his house built in 1980 and had consulted with the Board of Health finding that the plan for his inground pool required to be 25 ft. from the septic tank, limiting where it can be located. During discussion the Board questioned the ZEO about the planned location and he responded

that it could not be located in front of the main structure, however would be allowed to the side or rear and there is no variance required for fencing. Therefore the variance was granted on the motion by Jim Sette, second by Donald Schilder, with Peter Berdon, Brad Crerar, Leonard Tamsin and David Laska voting yes.

20/10 – 4. Jeffrey Sturrock, 24 Barker Place: The applicant described the shed as a low wood deck with a poly covering to give temporary shelter to the vintage car he and his son are rehabbing. This covering is necessary while doing the interior work and will be removed when no longer needed. When questioned, Zoning Enforcement Officer Dan Brennan, explained that there was a complaint made and when he investigated found the 14x24 ft. shed about the size of a one car garage was already in use and he issued a notice of violation.

Jim Sette stated that he had never seen a request before the Board for a 'temporary' structure and hesitated action inasmuch as once a variance is entered on the land record, it becomes a permanent variance and another structure of more permanent type might be built at a later date.

When questioned Mr. Sturrock explained that it was a project started during the current pandemic to keep his son occupied and this was the only location on the property available to them because his wife refused to let him use their permanent garage. Since there is no foundation, and the property is serviced by water and sewer, he was only concerned that there were flower beds to disturb if he moved it. Peter Berdon questioned when the work would be finished and the applicant suggested that it would be done by spring.

Opposition was expressed by Susan Jaffe, 74 Indian Neck Avenue, whose property directly abuts to the rear and her original complaint was about noise and exhaust fumes making it very unpleasant during the summer. There is only a 6 ft. fence separating the two properties.

In rebuttal, Mr. Sturrock said that while the engine work was being done, it was very noisy, however they were done with that and were refurbishing the inside now, so there would no longer be noise.

Peter Berdon suggested that since the work would be done by spring and the complaints about noise and exhaust would no longer be a consideration, perhaps the best way to go would be to deny the application and allow Dan Brennan as ZEO take what ever action necessary at his discretion. Mrs. Jaffe agreed to this arrangement and the Board also agreed, so a Motion to deny was made by Jim Sette with the full Board voting to deny the application.

### Other Business

20/10 – 5. Branford Ford LLC, 301 East Main Street (F5-6/2/1 BL) Certificate of Location Approval (DMV K-7 Form) for a new and used car dealer license in accordance with CGS Sec.

14-54. This is an existing dealership and simply a transfer to a new owner so was given unanimous ZBA approval.

Action on the ZBA Meeting Calendar: The Board approved staying with the usual meeting dates being on the third Tuesday of each month and accepted the calendar as proposed.

On the motion by Jim Sette, the September 15, 2020 Minutes were accepted and the meeting adjourned at 8:30 pm.

Respectfully Submitted,

Mary Leigh Bianchi  
Clerk