



# TOWN OF NORTH BRANFORD

TOWN HALL, 909 FOXON ROAD, NORTH BRANFORD, CONNECTICUT 06471  
Building Department (203) 484-6008 Engineering Department (203) 484-6009  
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## MINUTES NORTH BRANFORD ZONING BOARD OF APPEALS August 21, 2023

### 1. CALL TO ORDER

Chairman Kenning called the meeting to order at 7:00 p.m.

### 2. ROLL CALL

Vince Vollero – Alternate Regular Member  
Melinda Fonda – Regular Member  
Tom Katon – Vice Chairman  
Steve Kenning – Chairman

Also Present: David Perkins, Town Planner

Vice Chairman Katon read the legal notice into the record.

### 3. PLEDGE OF ALLEGIANCE

### 4. MINUTES - Meeting of February 27, 2023

Member Vollero moved, second by Vice Chairman Katon to approve the minutes of June 19, 2023. The motion was carried unanimously.

Chairman Kenning stated that there are four seated members tonight. In order for an application to pass, you will need four affirmative votes. You can continue tonight or we can table your application until next month in hopes to get a fifth member.

Application #2025-5 Will proceed tonight

Application #2025-6 Will proceed tonight

### 5. PUBLIC HEARING AND POSSIBLE ACTION ON PUBLIC HEARING ITEMS:

**A. Appl. #2023-5, 676 Totoket Road** – requesting a variance of Section 24, Schedule B, Line 7.1, to reduce the street property line setback to 27.4 feet where 50 feet is required, to construct an addition to existing building; and Section 44.8.F, to increase size of accessory dwelling unit to 1,145 square feet where only 750 square feet is allowed. **Owner: Sam Defrancesco/Applicant: James Pretti, PE, Criscuolo Engineering LLC**

## **PUBLIC HEARING**

Chairman Kenning stated that the applicant has complied with the notification requirements.

Chairman Kenning read into the record a letter from the Regional Water Authority.

Chairman Kenning reviewed the application with the Board stating the hardship is that this parcel abuts a 25' right of way belonging to the Town of North Branford. The initial plan was to straighten out Parsonage Hill Road at the intersection of Augur Road and Totoket Road, however, the right of way currently serves as a common driveway for the interior abutting lots. From this, the parcel is subject to the regulations of a corner lot, however, the property is only bordered by a single road and a common driveway. And they were told 20' on all sides and now all electrical, irrigation and trees are planted and the driveway was cut in by the setbacks that were given.

Jim Pretti of Criscuolo Engineering reviewed the application stating that if we didn't have this right of way, we wouldn't even be here today. They are looking to build an accessory in law apartment for parents. We have run this by the health department and they have no issues with this. The 750 square feet for ADA requirements does not work.

Chairman Kenning asked how many houses does that driveway access?

Applicant Pretti responded two.

Vice Chairman Katon asked what is the hardship for the accessory dwelling?

Owner, Sam DeFrancesco stated that we are planning on future with the possibility of having a wheel chair. There is not enough room for a person to live in 750 square feet.

Vice Chairman Katon stated that we are sensitive for a house like this to become a two family house down the road.

Member Fonda stated that you are looking for 5 feet additional variance on the accessory dwelling.

Member Fonda stated that based on the building, I see two front doors. The addition has their own door. You also said the garage was existing.

Member Vollero asked if there is any reason the garage is 10 feet away from the building.

Mr. DeFrancesco stated that it allows room for us to get out of our garage and to have access to the back yard.

Town Planner Perkins stated that the 750 square feet includes closets, bathrooms, etc.

Much discussion took place as to the written hardship for the accessory dwelling.

Member Fonda moved, seconded by Vice Chairman Katon to table the application so that the applicants can come back with written verbiage of the hardship for the accessory dwelling. The motion was carried unanimously.

- B. Appl. #2023-6, 12 Clear Lake Road** – requesting a variance of Section 24, Schedule B, Line 7.1, to reduce the front property line setback to 28 feet where 50 feet is required, to construct a garage addition onto existing building.  
**Owner/Applicant: Robert & Cheryl Warriner**

**PUBLIC HEARING**

Chairman Kenning read into the record the hardship stating that the lot is non-conforming and the house setbacks are non-conforming. He wishes to build a garage addition with the same setback as current garage.

Member Fonda stated that you essentially have two front yards.

Applicant, Mr. Warriner reviewed the application stating that he wants to extend the garage from where it is now. I want to go from a 1 car garage to 2 car garage.

Chairman Kenning closed the public hearing.

**POSSIBLE ACTION**

Member Vollero stated that this has very minimal impact, the garage is already in this setback.

Vice Chairman Katon agreed with Member Vollero.

Member Fonda moved, seconded by Vice Chairman Katon moved to approve Application #2023-6, 12 Clear Lake Road – requesting a variance of Section 24, Schedule B, Line 7.1, to reduce the front property line setback to 28 feet where 50 feet is required, to construct a garage addition onto existing building. The motion was carried unanimously.

Member Fonda moved, seconded by Vice Chairman Katon to continue with application 2023-5. The motion was carried unanimously.

**Appl. #2023-5, 676 Totoket Road – Public Hearing Continued**

Applicant, Mr. Pretti stated that he would like to add to the hardship that we need the extra square footage because we are allowing for future wheel chair use for elderly relatives whom currently have ambulatory issues.

Mr. DeFrancesco also stated that they will remove the second front door and have access to the side door.

**POSSIBLE ACTION**

Member Fonda stated that I think we have approved one like this with similar circumstances not that long ago.

Chairman Kenning stated that my dad is elderly and I see how hard it is to maneuver with a wheel chair, therefore I do see the hardship.

Member Vollero moved, seconded by Vice Chairman Katon to approve application #2023-5, 676 Totoket Road as shown on plans with the removal of the front door. The motion was carried unanimously.

**6. OTHER BUSINESS - none**

**7. ADJOURNMENT**

Member Vollero moved, seconded Vice Chairman Katon to adjourn the meeting at 7:39 p.m. The motion was carried unanimously.

Respectfully Submitted;

Respectfully Submitted;

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Denise Prather  
Recording Secretary

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Steve Kenning  
Chairman

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