

ZONING BOARD OF APPEALS  
TOWN OF BRANFORD  
BRANFORD, CONNECTICUT 06405  
**MINUTES**

The Branford Zoning Board of Appeals met Tuesday July 16, 2024 at 7:00 p.m. via Zoom technology to conduct Public Hearings on the following applications. Information regarding how to participate in the Public Hearings will be provided on the meeting Agenda that will be posted on the Town's website at least 24 hours prior to the meeting.

Commissioners Present: Jim Sette, Bob Harrington, Steve Sullivan, David Laska, Rich Falcigno.  
Commissioners Absent: Lenny Tamsin, Don Schilder

Chairman Sette reviewed the meeting procedures and how to participate in the public hearings.

**New Business:**

**24/7-1** Wax on the Beach LLC c/o Rosalie Dilustro (Applicant) Bernabucci Realty Co. Inc. c/o Joseph Bernabucci (Owner) (H05-000-001-00004 IG2) 9 Business Park Drive (Unit5).  
Var. Sec.4.8(B) 1 – To allow a personal service establishment use (waxing) where otherwise not allowed.

Attorney Zullo represented the applicant and noted that the proper procedure is to get a referral from the Planning and Zoning Commission. This application is for a use variance.

**The commissioners discussed this briefly and agreed to refer this item to the PZ Commission.**

**24/7-2** Instant Equity LLC c/o Emilie Green (Applicant & Owner) (E07-000-019-00005 BR)  
1156 Main Street.  
Var. Sec. 6.13.B.2 To allow a fence of 7.5 feet within the building setback where 6 feet is allowed.

Jim Pretti (Criscuolo Engineering) represented the applicant saying this application is for a fence within the setback at Pearl Wine Bar on Main Street. He reviewed the site plan and displayed photos of the fence. The fence is already installed, and they have applied for outdoor dining as well. The commissioners asked a few questions.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to grant the variance.  
Bob Harrington seconded the motion which passed unanimously.**

**24/7-3** Attorney Timothy J. Lee (Applicant) Mark Miller (Owner)  
(D12-000-003-00010 & D12-000-003-00009 R3) 43 & 49 Summer Island Road.  
Var. Sec. 7.4.7 to allow an Accessory Apartment of 1,007 square feet where 900 square feet is allowed.  
Var. Sec. 3.4.A.10 to allow lot coverage of 31.14% where 25% is allowed.

Attorney Tim Lee represented the applicant explaining that both of these lots are undersized. He noted that if they get the variances approved, they will combine the two lots. He said there was a single family home on 49 Summer Island Road but a few years ago it sustained extensive rain damage so they tore it down. The plan is to rebuild a single-family home with an accessory apartment. The apartment is slightly larger than allowed because they are going to make it ada compliant and the builder has explained that there has been changes in the building code so the walls will be thicker and then the living space is actually smaller.

He then reviewed the site plan. He also mentioned that 9 letters of support were submitted by the Neighbors, which he listed the names.

Chairman Sette added a few comments in support of the application.

The commission had a brief discussion and asked a few questions.

PUBLIC INPUT:

1. Joe & Kristen Schmidt- 70 Summer Island Rd. – They support the application.

**Chairman Sette closed the public hearing and made a motion to grant the variances. Bob Harrington seconded the motion which passed unanimously.**

**Other Business:**

Approval of June 18, 2024 meeting minutes- APPROVED