

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

The Branford Zoning Board of Appeals met Tuesday September 17, 2024 at 7:00 p.m. via Zoom technology to conduct Public Hearings on the following applications.

Commissioners Present: Jim Sette (Chairman), Robert Harrington, Don Schilder, Dave Laska,  
Rich Falcigno

Commissioners Absent: Steve Sullivan, Lenny Tamsin

Staff Present: Evan Breining (Asst. Town Planner)

Chairman Sette reviewed the public hearing procedures.

He then announced that the appeal that is listed on the agenda under Other Business is postponed to the November meeting.

Evan Breining then reviewed how to participate in the public hearing.

**New Business:**

**24/9-2** Michael Anthony DiCostanzo & Mary Kate Zoppi (Applicants & Owners) (F06-000-003-00016 R4)  
12 White Birch Lane.

Var. Sec.3.4.A (7) To allow a rear setback of 22 feet where 50 feet is required for an in-ground pool.

Jim Pretti (Criscuolo engineering ) represented the applicant and reviewed the site plan.

The variance that the variance requested is for an in-ground pool. He noted that there were no letters of opposition were received, only two letters of support.

PUBLIC INPUT: No one spoke.

**Chairman Sette made a motion to close the public hearing and grant the variance subject to the documentation and site plan on file.**

**Commissioner Robert Harrington seconded the motion which passed unanimously.**

**24/9-3** Dennis Pantani (Applicant & Owner) (E08-000-016-00009 R3 ) 39 Harding Avenue.

Var. Sec. 3.4.A (6) Reduction of side setback from 15 feet to 7.0 feet for a one-story addition and 7.2 feet to an in-ground pool.

Attorney Timothy Lee represented the applicant , noting he was also present at the meeting.

Attorney Lee reviewed the site plan explaining the variances requested are for a one story addition and inground pool. He noted this is a nonconforming lot that slopes in the back .

the applicant has received two letters of support.

The commission asked a few questions.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to grant the variance subject to the documentation and site plan on file .**

**Commissioner Rich Falcigno seconded the motion which passed.**

Commissioner Robert Harrington recused himself on this application since he is friends with the Applicant.

**24/9-4** Melinda Formica (Applicant & Owner) (C10-000-002-00046 R4) 21 Burr Street.

Var. Sec. 3.4.A (6) To allow the expansion of an existing nonconforming side setback (19.2 feet where 20 feet is required).

Var. Sec. 3.4.A (7) To allow the expansion of an existing nonconforming rear setback (19.7 feet where 50 feet is required).

Var. Sec. 8.1.C.3 To allow an increase to an existing nonconforming structure.

Var. Sec. 3.4.A (5) To allow the expansion of an existing nonconforming street setback (22.3 feet where 50 feet is required)

Var. Sec. 3.4.A (6) To allow the expansion of an existing nonconforming side setback (10.2 feet where 20 feet is required)

Var. Sec. 3.8.B (3) To allow an accessory structure closer to a street line than the principal structure For the construction of a 16 ft x 20ft deck and 24 ft x 26 ft garage.

Jim Pretti (Criscuolo Engineering) represented the applicant and reviewed the site plan. The variance requested is for a deck and garage . the hardship is there is difficult topography and there is ledge present.

The commission had a brief discussion.

PUBLIC INPUT: No one spoke.

There was one letter of support received.

**Chairman Sette closed the public hearing and made a motion to grant the variances subject to the documentation and site plan on file.**

**Commissioner Robert Harrington seconded the motion which passed.**

**24/9-5** Margaurita Derrico (Applicant & Owner) (E09-000-003-00023 R3) 2 Woodlawn Avenue.

Var. Sec. 3.4.A (7) Rear setback reduction from 20 feet required to 11 feet (existing) for a rear Dormer addition on the second floor.

Tony Thompson (Plans ahead, Branford) represented the applicant and explained the variance Requested is for a rear dormer addition to the second floor. He reviewed the site plan. He noted this is an undersized lot and there is a septic system in the yard which limits expanding the house.

PUBLIC INPUT: No one spoke.

**Chairman Sette closed the public hearing and made a motion to grant the variances subject to the documentation and site plan on file.**

**Commissioner Dave Laska seconded the motion which passed.**

**24/9-6** Timothy M. Herbst, Esq. (Applicant) Better Buyer, LLC, Joseph Tracey (Principal) (Owner) ( D11-000-002-00001 R3) 6 Cottage Street

Var. Sec. 3.4.A (5) Front yard variance from 30.2 feet to 18.2 feet

Var. Sec. 3.4.A (8) Height variance from 25 feet to 35 feet for the demo and reconstruction of a single family residence.

Attorney Timothy Herbst represented the property owner, and he noted the two variances that are Requested are for the demolition of the existing house and the reconstruction of a single family Residence, He reviewed the existing condition of the property and noted that this is a small corner lot. He explained that the variances will reduce a few of the nonconformities .

The commissioners asked a few questions.

Attorney Herbst then reviewed the architectural plans.

PUBLIC INPUT:

1. Tom Marone- (next door neighbor)-He asked about the height of the house.

**Chairman Sette closed the public hearing and made a motion to grant the variances subject to the documentation and site plan on file.**

**Commissioner Don Schilder seconded the motion which passed 4 to 1**

**Commissioner Robert Harrington voted against the project.**

**Other Business:**

Appeal of a Notice of Violation- 38 Howard Avenue- Postponed to the November 19, 2024 meeting.

Approval of August 20, 2024 meeting minutes -APPROVED

The meeting adjourned at 8:06 pm.