



TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290
Building Department (203) 484-6008 Engineering Department (203) 484-6009
Planning & Zoning (203) 484-6010 Department Fax (203) 484-6018

MINUTES ZONING BOARD OF APPEALS SPECIAL MEETING May 5, 2025

1. CALL TO ORDER

Chairman Kenning called the meeting to order at 7:01 p.m.

2. ROLL CALL

Peter Deyo, Alternate Member
Melinda Fonda, Regular Member
Vincent Vollero, Alternate Member
Thomas Katon, Vice Chairman
Steve Kenning, Chairman
John Doody, Regular Member, absent
Edward Boughton, Regular Member, absent

3. PLEDGE OF ALLEGIANCE

4. MINUTES – Meeting of January 27, 2025 and April 21, 2025

January 27, 2025

Member Fonda moved, seconded by Vice Chairman Katon to approve the minutes of January 27, 2025. The motion was carried unanimously.

April 21, 2025

Member Fonda moved, seconded by Vice Chairman Katon to approve the minutes of April 21, 2025. The motion was carried unanimously.

Vice Chairman Katon Member read the legal notice into the record.

5. PUBLIC HEARING AND POSSIBLE ACTION ON PUBLIC HEARING ITEMS

A. Appl. #2025-1, 12 Forest View Road – requesting a variance of Section 24, Schedule B, Line 7.1, to reduce the front property line setback to 44 feet where 50 feet is required, to build an addition onto existing house. *Owner/Applicant: Ryan Palmieri*

PUBLIC HEARING

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

Chairman Kenning reviewed the application with the Board stating the hardship is that the home was built on threshold for the required 50 feet setback. The addition is going in front of it, moving it back 6 feet.

Applicant Ryan Palmieri stated the house is built on the setback. We are looking to put a porch on which will be in 6 feet of the setback.

Chairman Kenning stated that many of those houses have porches. The hardship is for inclement weather and more living space.

Member Fonda stated that I see other addition, is that being added as well.

Applicant responded that we decided not to do that, we are just doing the front porch addition.

Chairman Kenning asked if anyone wants to speak in favor of the application?

Chairman Kenning asked if anyone wants to speak in opposition of the application?

Chairman Kenning closed the public hearing at 7:06 p.m.

POSSIBLE ACTION

Member Vollero stated that this house pre-dates zoning, on an undersized lot and having a front porch on the house is quite handy for packages, etc. I see the hardship and think it is a benign change for the neighborhood.

Member Fonda moved, seconded by Chairman Katon to approve **Appl. #2025-1, 12 Forest View Road** – requesting a variance of Section 24, Schedule B, Line 7.1, to reduce the front property line setback to 44 feet where 50 feet is required, to build an addition onto existing house.

The motion was carried unanimously.

B. Appl. #2025-2, 1952 Middletown Avenue – requesting a variance of Section 23, Schedule A, Line A-2, to allow four (4) apartments within the main dwelling unit in an R-40 zone. **Owner: Robert & Gerald Genera, Trustees/Applicant: Timothy J. Lee, Esq.**

PUBLIC HEARING

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

Chairman Kenning reviewed the application with the Board stating the hardship is that the property is already being utilized for multi-family living. The applicant is seeking a variance to allow 4 dwellings units in the main house.

Robert and Gerald Genera Trust (Northford cottages) that have been in existence for a long time. The house has been separated in four separate dwelling units in the main house. The client was told the house was not to code, so we are submitting this to have four dwelling units to put the code into compliance. We currently had to evict the tenants because it was not to code. We are hoping the board will approve to maintain the use dwelling.

Member Vollero stated that the units are in the basement, garage, first floor and second floor for access points?

Applicant, Mr. Lee stated yes, that is correct. The property is supported by well water but it is hooked up to sewers.

Member Fonda stated that the assessor map does not show any of this.

Chairman Kenning stated that the hardship is that this has been utilized this way for 20 years?

Applicant, Mr. Lee stated that I agree, there is a need for that in Northford, we are trying to get it to code so we can rent it out.

Chairman Kenning stated that if we allow this, would the building official approve this.

Zoning Enforcement Officer Perkins stated that it would be an extreme amount of work to get this to code, but yes, it could be done.

Member Fonda asked if there is anything showing that the fire marshal has reviewed this.

Chairman Kenning stated you are right, it is a difficult hardship.

Chairman Kenning asked if anyone wants to speak in favor of the application?

Chairman Kenning asked if anyone wants to speak in opposition of the application?

Chairman Kenning closed the public hearing at 7:17 p.m.

POSSIBLE ACTION

Chairman Kenning stated that I do not see the hardship. You can put a single family house and be fine.

Member Fonda moved, seconded by Vice Chairman Katon to APPROVE **Appl. #2025-1952 Middletown Avenue** – requesting a variance of Section 23, Schedule A, Line A-2, to allow four (4) apartments within the main dwelling unit in an R-40 zone.

Member Fonda stated that she has concerns that we do not see any interior pictures that would show to support a hardship or a non-conforming use.

Member Vollero stated that this was a non conforming use that wasn't approved.

Member Deyo stated that I see a non-conforming use, but not a hardship.

The motion was DENIED by a vote of 5 - 0.

C. **Appl. #2025-3, 84 Valley Road** – requesting a variance of Section 5.7.1 and Schedule A, Line A.1, to allow for the enlargement of a non-conforming residential structure to add a 2nd floor on existing house and additions to the front and rear of existing house in an I-2 zone where a single family house is not allowed. *Owner/Applicant: Al Rose & Robert Rose*

PUBLIC HEARING

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

Chairman Kenning reviewed the application with the Board stating the hardship is that the residential property pre-dates the I-2 zone assigned to the property area.

Chairman Kenning stated that in May in 2002 it came to ZBA to approve the rebuild of the house itself in an I-2 zone.

Al Rose stated that my family has owned this property for 382 years. I am not sure when the town put the overlay of the I-2 zone. In 1956 my grandfather gave this property to my parents, where they built their house in 1957. In 2002, my dad built their retirement home. My parents have died, son is going to take this over by buying out my brother and I. He would like to put a colonial on so it will be for a family to be able to live there. We are going up and increasing a little bit of the footprint. The main thing is we are going up a floor. The hardship is we own the land, had a house there and the town put an I-2 on it.

Member Vollero asked if you have ever considered asking for a zoning change.

Applicant Rose stated that there are some lots that have industrial and I have asked about it, it would have to be for all of the houses, not just the Roses.

Applicant Mr. Rose stated that on the property there are three houses that are on the farm, and this house. As long as you guys have a quorum, it is not that hard. We are not hurting anything by doing it. My son is going to save the first floor logs, as my dad did some really nice stuff with the logs.

Chairman Kenning asked if anyone wants to speak in favor of the application?

Chairman Kenning asked if anyone wants to speak in opposition of the application?

Chairman Kenning closed the public hearing at 7:30 p.m.

POSSIBLE ACTION

Member Katon stated that this a deminimus request with no opposition, Al and his family are stewards and it will enhance the property.

Member Fonda stated that there is already a second floor, they are just dormering it.

Member Fonda moved, seconded by Member Deyo to approve **Appl. #2025-3, 84 Valley Road** – requesting a variance of Section 5.7.1 and Schedule A, Line A.1, to allow for the enlargement of a non-conforming residential structure to add a 2nd floor on existing house and additions to the front and rear of existing house in an I-2 zone where a single family house is not allowed. The motion was carried unanimously.

6. OTHER BUSINESS

7. ADJOURNMENT

Member Vollero moved, seconded by Member Katon to adjourn the meeting at 7:36 p.m. The motion was carried unanimously.

Respectfully submitted,

Denise Prather
Recording Secretary

Respectfully submitted,

Steven Kenning
Chairman