

Chairman Kenning called the meeting to order at 7:04 p.m.

PRESENT: Thomas Katon, Regular Member
Guy Stone, Regular Member
Ed Boughton, Regular Member
Paul Bradley, Vice Chairman
Steve Kenning, Chairman

Vice Chairman Bradley read the Legal Notice into the record.

Chairman Kenning stated that there are only four members seated tonight and in order for an application to get approved you will need to have four affirmative votes. You can either go forward this evening or table it until the next meeting when we should have five members.

Chairman Kenning stated that Member Katon has a conflict with application #2007/08-7 therefore we do not have enough members to hear the application. We can move the agenda around in hopes that another member will show up.

Vice Chairman Bradley moved, seconded by Member Stone to move item B on the agenda to item C. The motion was carried unanimously.

1. PUBLIC HEARING AND POSSIBLE ACTION ON PUBLIC HEARING ITEMS

- A. Application #2007/08-6, 1865 Middletown Ave., (Map 77, Lot 19 – Zone B-1), requesting approval for an Automobile Repairer’s License per Sections 14-55 & 14-54 of the CT General Statutes. *Owner: Valentino’s Realty, LLC, Richard Valentino/Applicant: Luanne L. Diglio*

PUBLIC HEARING

Chairman Kenning read into the record a letter dated November 28, 2007 from the Regional Water Authority.

Chairman Kenning reviewed the application with the Board and stated that the hardship is that they are a used car dealer and CT Statutes 14-55 and 14-54 apply.

Luanne Diglio discussed the application with the Board stating that they are a used car dealer and would like to get a bigger space which is the old Harry’s Garage.

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

Chairman Kenning asked if anyone would like to speak in opposition to the application?

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

POSSIBLE ACTION

Vice Chairman Bradley stated that Harry’s has been there for years, there have been towing business in and out, it is nice to keep businesses in Town and they need a bigger facility.

Member Stone stated that he agrees with Mr. Bradley.

VOTE: Member Katon – Approve 61.3
 Member Stone – Approve 61.3
 Vice Chairman Bradley – Approve 61.3
 Chairman Kenning – Approve 61.3

The variance was GRANTED by a vote of 4 to 0 in favor.

- C. Application #2007/08-8, 599 Foxon Rd., (Map 23, Lot 26B – Zone R-40), requesting variances of Section 24 Schedule B Line 3 to allow a reduction of building line from 150 feet required to 100 feet requested. *Owner/Applicant: Ronald Brouillard*

PUBLIC HEARING

Chairman Kenning reviewed the application with the Board stating the hardship is that they are requesting a reduction of building from 150 to 100.

Applicant, Ronald Brouillard discussed the application with the Board stating that when they bought the property there was a variance to build one house. With the 100 year flood line, we would like to move the house forward to 100 feet so that we will be entirely out of the wetlands and the 100 year flood line.

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

Chairman Kenning asked if anyone would like to speak in opposition to the application?

Chairman Kenning closed the public hearing at 7:25 p.m.

POSSIBLE ACTION

Vice Chairman Bradley stated that they are moving the house to a better site, the 100 year flood line I think is a little over stated, but it is now out of that area.

Chairman Kenning stated that he also sees a hardship due to the unique parcel of land.

VOTE: Member Katon – Approve 61.3
 Member Stone – Approve 61.3
 Vice Chairman Bradley – Approve 61.3
 Chairman Kenning – Approve 61.3

The variance was GRANTED by a vote of 4 to 0 in favor.

Chairman Kenning stated that we have not received another member therefore application #2007/08-7 will need to be tabled. Much discussion took place as to when a special meeting can take place as they are planning the grand opening for February 14th.

Chairman Kenning convened the meeting at 7:29 p.m. to see if he can call and get a fourth member.

Chairman Kenning reconvened the meeting at 7:45 p.m. with Member Boughton joining the Board.

- B. Application #2007/08-7, 1289 Foxon Rd., (Map 22, Lot 19 – Zone B-1), requesting variances of (1) Section 52.5.2 to allow a sign height greater than 12 feet; and (2) Section 52.5.2 to allow a sign greater than 27 square feet. *Owner: Gina & Bart Rivezzi/Applicant: 1289 Foxon Rd., LLC*

PUBLIC HEARING

Chairman Kenning reviewed the application with the Board stating that the hardship is the visibility of the sign and the number of tenants at the site of the application.

Applicant, Jason Guilan developers of the Big Y retailer store discussed the application with the Board stating that they are looking to increase the sign height to 27 feet and 200 square feet. The reason for the increase is because of the traffic coming from the uphill side on Route 80, especially when the landscape matures it will be very difficult to see the site. So basically for safety reasons and lack of visibility is why are asking for this sign.

Chairman Kenning asked how much below street level will the footings be?

Jason Guilan responded from the center of the road to the sign is about level and from the gutter to the base is about 18 inches.

Member Boughton asked if it will be internally or externally illuminated?

John Gez from Big Y responded that it will be internally illuminated with fluorescent lamps. One of the hardships that we want to mention is the distance from the road causes a visibility issue. In addition to that, there is already a Mobil station that is 25 feet and if that would make the neighbors happy, we can do that. The store closes at 10 and all lights get shut off one hour after close.

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

Chairman Kenning asked if anyone would like to speak in opposition to the application?

Bob Walzak of 21 Cedar Lake Road stated that they abut this property and he believes that this town is not ready for a 27 foot high and 200 square foot sign. The other reason is that they cleared out all the trees and we get all the lights in our back yard. I know they are fluorescent and that they do not shine out, but light is light. I am not in favor of the 27 feet high.

Ruth Walzak of 21 Cedar Lake Road stated that they are comparing us to other Big Y's but they do not have residents in there back yard.

Ethan Euly of Cedar Lake Road stated that we feel the same way, unfortunately for us, we are directly on Route 80. Not only do we adopt all the parking lights, but this other sign with a light on it. The sign at 27 feet compared to the light poles that we already see which are probably at 17 feet.

Chairman Kenning asked if the applicant if the building will block the sign from where Mr. Euly lives?

Jason Guilan responded that there is additional landscape that needs to be put in. We made sure the line of sight from the houses were not effected. I think we went above and beyond with the fencing. Big Y requires a pylon sign at the property.

Vice Chairman Bradley asked how high is the Bank North building?

Jason Guilan responded that it will be about 25 feet.

Ethan Euly stated that where they are proposing that sign, you have to keep in mind that where the bank goes down, my house still comes up. Where the sign goes, it is still on an upgrade. It is kind of like a set of steps. No matter where the sign goes, I am still going to be able to see it. You can clearly see from my deck where the foundation is going to be and where the sign is going to be. I am not sitting down twenty five feet and looking down; it is almost on a diagonal.

Ruth Walzak asked if there will be signage on the building?

Jason Guilan responded that there will be signs on the building but they will be facing the front of the building.

Chairman Kenning closed the public hearing at 7:08 p.m.

POSSIBLE ACTION

Vice Chairman Bradley stated that he thinks we should tweak the proposal by doing a 25 foot high sign and perhaps 10 feet wide which would knock off about 40 square feet which would be a reduction of about 20%.

Vice Chairman Bradley moved, seconded by Member Boughton to amend the application from 27 feet to 25 feet high and 12 feet to 10 feet wide. The motion was carried unanimously.

Member Boughton stated that his only comment to the applicant is that it is kind of late in the process.

VOTE: Member Boughton – Approve 61.3
 Member Stone – Approve 61.3
 Vice Chairman Bradley – Approve 61.3
 Chairman Kenning – Approve 61.3

The variance was GRANTED by a vote of 4 to 0 in favor.

MINUTES – Regular Meeting of November 19, 2007

The minutes of November 19, 2007 were tabled until the next regular meeting.

BILLS AND CORRESPONDENCE: None

MINUTES – North Branford Zoning Board of Appeals
Regular Meeting of December 17, 2007

ADJOURNMENT

Member Stone moved, seconded by Member Boughton to adjourn the meeting at 8:14 p.m.
The motion was carried unanimously.

Respectfully Submitted;

Respectfully Submitted;

Denise Prather
Recording Secretary

Paul Bradley
Vice Chairman