**Minutes of the Stony Creek Association**

**Special Meeting of the Executive Board**

**September 14, 2021**

**Call to order:** A meeting of the Stony Creek Association Executive Board was called to order at 7:01 p.m. on Tuesday September 14, 2021, via Zoom by Mark Richter.

**Present:** Mark Richter - President, Hannah Purdy – Clerk, Amy Bloom, Tina Burne, Alison Bromage

Courtney Rosenberg, Emma Barnes, Harlan Fichtenholtz, Brian Love – Treasurer, Greg Ames – Auditor

**Absent:** Matt Milano, Stephen Palumbo Jr., Nick Fischer – Tax Collector, Katina Gionteris – Secretary, Ellen Page,

**Public:** Barbara, Mr. Gunnen, Linda, Tacey, another woman on Buena Vista, Paul and Marissa, Rebecca, Vic and wife?

Summary of 4 Three Elms Rd.

1. Question, the building looks bigger: They did get a variance on January 21st 2020 to add 10 feet to the Thimble Island side of the property and enclose it into the building envelope.
2. Question, the building looks too tall: According to P&Z the building is at 31’ and the max is 35’.
3. Question why did construction stop? The building official was on site and entered the building and found work being done on the attic (3rd floor) which was not approved and issued a verbal stop work order.
4. What happens next? ZBA meeting September 21st looking for variances for an ADA ramp along Three Elm road. Stony Creek Architectural Review Board asked the architect to improve the look of the building and the architect added gables on the TI side and dormers on the back side.
5. 21/9 – 3. ALMR LLC/David D'-Atri, Owner, 4 Three Elm Road, (J9-9-12 R-2) Var. Sec. 3.4.A – Line 5: Front setback from 15 ft. to .7 ft. for south balcony w/3 columns and south long walk and running wall from 15 ft. to .47 ft.. Also, Sec. 8.1.C (3): Nonconforming, in order to complete renovation of existing nonconforming building into four (4) residential units.
6. After ZBA, back to P&Z to get the 3rd floor approved.
7. ALMR LLC, c/o David D’Atri- Applicant & Owner
4 Three Elm Road
Special Exception Modification-Multi Family Dwelling
Application #21-6.9
A/ R on 7/1/21 & PH set for 9/2/21
The applicant needs ZBA approval.
The item was continued to the 10/7/21 meeting

Documents: regarding this property are available at: <https://sca-ct.org/september-2021/>

1. A picture of the property before renovations
2. The approved variance from 1/21/2020
3. Plans for the building submitted to SCARB 8/25/2021
4. Letter from neighbors
5. Summary of issues

Minutes

* Additionally, the owner is adding a porch on the Thimble Island side of the building which has already been approved.
* The verbal stop work order is still in effect.
* Barbara Chesney believes that there was a previous variance requested (maybe in 2016) for balconies on the Three Elms side which was rejected.
* It was clarified that the ADA ramp mentioned in #4 in the summary is actually a walkway and not referred to as an ADA ramp in the variance application.
* After the Zoning Board of Appeals (ZBA) meeting, the owner will request a building permit for the third floor which is described as an open loft living area.
* Multiple neighbors stated that the building will effect the vista and views on the street.
* The town will require a substantial amount of landscaping to be added to the back. The town will also require the owner to plant a new tree to replace the one that was taken down without permission
* The cupola is exempt from the height requirement.
* Linda Reed stated that:
	+ The zoning regulations under the Stony Creek Village District Architectural Review Board (SCARB) in section 5.8.8 paragraph 7 state that: the scale proportion massing and detailing of any new construction, substandital recon
	+ And with a view form the public roadway shall be in shall be in proportion and scale that fits into the village district.
	+ In order to apply for a variance, a hardship has to be something unique about the property that makes compliance with the Zoning regulations impossible. The mere desire to use the property in a way that is not permitted by the zoning regulations does not constitute a hardship
	+ The Stony Creek Association charter states that the Stony Creek Association has a fiduciary duty basically to protect the property values and properties in Stony Creek. She stated that the SCA may want to consider taking a position and helping this neighborhood even though the owner of the property is also a member of the neighborhood.
	+ While it may not be good to have multiple people speak at the ZBA meeting if they are making the same point, it is important that neighbors speak about everything that concerns them because it will become part of the permanent public record.
* Hanna Purdy will send out the application for the building variance. She mentioned to be cautious to balance the community desires with the personal property rights. It is important to focus on things that really matter to residents and not get distracted by items that are personal preferences.
* All commentary and talking points that residents want raised at the ZBA meeting can be sent to Hanna Purdy at sca06405@gmail.com.

**The ZBA meeting to discuss 4 Three Elms Rd has been postponed to a special meeting on October 5, 2021 at 7:00 PM in person at the Branford Community House at 46 Church Street.**

[**https://www.branford-ct.gov/sites/default/files/field/files-docs-agenda-minutes/zba\_special\_meeting\_agenda\_-\_october\_5\_2021\_0.pdf**](https://www.branford-ct.gov/sites/default/files/field/files-docs-agenda-minutes/zba_special_meeting_agenda_-_october_5_2021_0.pdf)

Hanna Purdy made a motion to adjourn the meeting, Amy Bloom seconded and all agreed. The meeting was adjourned at 8:06 PM.