

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE
ORCHARD ASSOCIATION

20206

Held pursuant to notice mailed to all of the Board of which the following is a copy:

"Pine Orchard, Conn.
March 28, 1984

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the Pine Orchard Association Municipal Building, Pine Orchard, Connecticut at 8:00 P.M. on Tuesday, April 10, 1984 for the following purposes; (1) Planning and Zoning Committee's report on proposed Zoning revisions; (2) Liability insurance for directors?; (3) How Freedom of Information Act really completely changes our manner of doing business; (4) Sea Wall repair; (5) Police Dep't problem regarding 19 hour per week limitation on supernumerary officers; (6) Sewer situation; to hear and act upon reports of Officers, Members and Committees; and to transact any business within the power of the Board which may come before the meeting.

Attest:

Jane A. Palisca
Jane A. Palisca
Clerk"

Members present were Buza, Crossley, Delfini, Farrel, Healy, Littlehales, Palisca, Reynolds, Sherk and Sherwood.

There being a quorum present the President called the meeting to order at 8:02 P.M. The minutes of September 12, 1983 were voted accepted, and note was made of the memorandum to the President from the Clerk about the unofficial meeting of October 18. Mr. Sherwood presented the Treasurer's report, stating that about \$20,000 remains unspent for this year, there is only one unpaid tax bill, and the next-to-last payment of \$5000 on the Municipal Building was made in March. The Treasurer's report was accepted.

Mr. Sherk raised the matter of liability insurance for members of the Board. This is commonly referred to as "Board of Directors" Insurance" and is highly recommended. After a brief discussion, Mr. Reynolds moved that the Executive Board of the Pine Orchard Association be covered by insurance, to be paid by the Association and effective immediately. The motion was seconded and passed.

A lengthy discussion ensued concerning the Police situation. On December 12, 1983 the Board of Police Commissioners of the Town of Branford mandated 80 hours per year of training for part-time police officers, i.e., supernumeraries. Our officers have already completed their requirement for 1984 and did not find it particularly helpful. A more serious problem involves the regulation to take effect in July 1984 which will limit supernumeraries to 19 hours per week. Our officers work approximately 30 hours per week, and a total of 58 hours per week in the summer. Mr. Sherk has already talked at length with

First Selectman Gott who will try to settle the problem without creating an unfortunate precedent for the town. It is possible that Pine Orchard will have to hire more than two officers to comply with the new regulation because the Town of Branford officially administers the police program. Some Board members felt that we have an obligation to retain a 20-year employee, and most of the Board wished to continue Pine Orchard's police program as it is. No further action was recommended until Mrs. Gott has looked into the problem. Mr. Sherk had already followed his meeting with a letter urging a waiver. The third aspect of the police program concerns the coming need for a new car. Mr. Reynolds believes we can use the present vehicle for one more year because it has no body rust, although it has had serious transmission problems, is a 1978 model, and has traveled over 90,000 miles. The next police car should probably be a smaller model with a reliable transmission warranty.

Mr. Crossley spoke about the Planning Committee report of March 20, 1984, which culminated from many meetings of his committee and proposes several important changes in the present Zoning Ordinance of 1977. These changes refer to wetlands and flood plains, involving new restrictions on lot size, subdivisions vs. simple division of a lot in two parcels, limitations of Pine Orchard's jurisdiction in zoning, and special permit uses including driveways vs. private roads, etc. Because the Board had not had the opportunity to read in advance the Planning Committee's report, it was decided to distribute copies to the Board before arranging a public meeting to air the changes.

Mr. Sherk then presented his evaluation of the strong impact of the Freedom of Information Act on the functioning of the Board. Modification in nomenclature will be needed, e. g., "closed" meetings, "executive session", and it is likely that a legal notice of all meetings is necessary. A suggestion was made that notices be posted on the Chapel bulletin board rather than in the newspaper. Mr. Reynolds will investigate the legal ramifications of the Act in respect to the Pine Orchard Association Executive Board. Meanwhile a copy of the Freedom of Information Act regulations will be sent to all members of the Board.

Mr. Buza announced that the sea wall had been inspected for needed repairs and an estimate of costs is forthcoming.

The President's decision to take no further action on sewers, as announced in the Bulletin of October 22, 1983, was ratified.

The meeting adjourned at 9:45 P. M.

Respectfully submitted,

Jane A. P. Palisca

Jane A. P. Palisca
Clerk

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE
ORCHARD ASSOCIATION

20206

Held pursuant to notice mailed to all of the Board of which the following is a copy:

"Pine Orchard, Conn.
May 1st.1984

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the Pine Orchard Association Municipal Building, Pine Orchard, Connecticut at 8:00 P. M. on Monday, May 14, 1984 to receive and act upon the assessment list as prepared and presented by the Clerk pursuant to law; to discuss the budget; to hear report of the Planning and Zoning Committee and the report on Freedom Of Information Act; to hear and act upon reports of Officers, Members and committees; and to transact any business within the power of the Board which may come before the meeting.

Attest:

Jane A. P. Palisca
Jane A. P. Palisca
Clerk"

Members present were Sherk, Tweed, Reynolds, Healy, Farrel, Sherwood and Littlehales.

There being a quorum present the President called the meeting to order at 8:25 P.M. The minutes of the last meeting were approved and accepted. Prior to this time President Sherk called the meeting to order at 8:10 P. M. and a discussion ensued concerning the need to purchase a new police car within the next year. It was suggested that we investigate the possibility of ordering a car with the Branford Police Department when they next order cars, as we would probably get a better price. It was also suggested that when the time comes, we advertise the present car and sell to the highest bidder.

The board, with a quorum present, was advised that the new owners of the Pine Orchard Market desired to replace the present sign with two new signs, one on each street side and flush with the building, 18 feet long with letters 2 feet high. There was no opposition from the board but it was decided to poll the immediate neighbors of the Market for their reaction. If there is no opposition there, Mr. Sherk will approve the Market's proposal.

Mr. Sherwood presented the treasurer's report, stating that as of the 1st. of May there was \$18,000 cash on hand and anticipated expenses of \$12,000 for the remainder of the year. \$41,000 had been budgeted for the year and \$39,000 will be spent, the surplus having been budgeted for lawyer's fees which were not paid as services were not rendered.

As there is only one more payment of \$5,000 to be made on the building, it was moved by Mr. Farrel that we make the payment. The motion was seconded and passed.

A question was raised by Mr. Tweed as to the ownership of the breakwater. Stones have been shifting and repairs will soon be required. It was decided that Mr. Sherk would again search the records to determine ownership if possible, and that Mr. Reynolds would bring the matter up before the Board of Directors of the Pine Orchard Club in anticipation of arriving at a mutually agreeable maintenance program.

Mr. Farrel suggested that when Mr. Crossley returns and we discuss the report of the Planning Committee, we consider regulating satellite dishes.

Copies of the Freedom of Information Summary had been distributed to the board with the call of the meeting. Mr. Reynolds reported that he had looked into several incidents involving Connecticut shore associations and the Freedom of Information Act and resulting court cases. This Act does not apply retroactively, and as there seemed to be no question that the Act applies to the Pine Orchard Association, Mr. Tweed moved that we act to meet the requirements of the Freedom of Information Act and the motion was seconded and passed. Under this Act, it will be necessary to file a schedule of regular meetings with the Town Clerk every January, and to post notice of such meetings on the bulletin board at the Town Hall.

A list of repairs to the police car and their estimated cost was read to the board by Mr. Reynolds. The work will be done by the mechanic at the Police Station.

The meeting adjourned 9:05 P. M.

Respectfully submitted,


Elaine Littlehales
Acting Clerk

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE
ORCHARD ASSOCIATION

Held pursuant to notice mailed to all of the Board of which the following is a copy:

"Pine Orchard, Conn.
May 14, 1984

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the Pine Orchard Association Municipal Building, Pine Orchard, Connecticut at 8:00 P. M. on Wednesday, May 23, 1984 to adopt a budget for the ensuing year, to lay a tax and arrange for the collection of the same, to hear and act upon reports of Officers, Members and Committees; and to transact any business within the power of the Board

which may come before the meeting.

Attest:
Jane A. P. Palisca
 Jane A. P. Palisca
 Clerk"

Members present were Delfini, Littlehales, Palisca, Reynolds, Sherk, Sherwood and Tweed.

There being a quorum present, the President called the meeting to order at 8:02 P.M. The minutes of the meeting of May 14 were approved and accepted.

President Sherk presented letters from First Selectman Gott and Branford Town Attorney Reif concerning the police supernumary weekly employment restriction to 19 hours effective July 1, wherein they both rejected a waiver for Pine Orchard. After discussion of possible alternatives to decreasing by 11 hours a week the employment of one of our officers, the Board decided to accept the ruling made by the Town and accept supernumeraries as assigned by the Branford Police Department, none to work more than 19 hours per week. The decision to comply with the new regulation was put in the form of a motion and was passed unanimously

Mr. Reynolds stated his opinion that a new police car should be bid for during the next fiscal year, because the present car probably will barely last another year. The Treasurer, Mr. Sherwood, noted that \$10,000 should therefore be added to the funds needed for 84-85.

Mr. Sherk suggested raising the Zoning Application filing fee from the present \$5.00 to \$10.00. The new fee was passed unanimously.

Discussion followed concerning the budget for 1984-85 prepared by the Treasurer. It was noted that 100% of the current year taxes has been collected, and \$2,380.00 will be available for the coming year toward a total of \$45,000 needed, including funds for a new police car. The Treasurer recommended a tax of 1.7 mills, up .2 mills from this year. The Executive Board voted unanimously to lay a tax of 1.7 mills on the dollar on the Grand List of October 1, 1983, said tax due July 1, 1984 and payable on or before August 1, 1984.

Mr. Sherk reported that no record had been found in the town files regarding ownership of the Breakwater adjacent to the Pine Orchard Club. The Association files revealed that the first part had been built in 1915 by the Pine Orchard Association, and the major part with an extension constructed by the Pine Orchard Improvement Corporation in 1925. The Board decided to inform the Pine Orchard Club that the Association cannot afford to repair the breakwater.

Mr. Sherk detailed his work on incorporating changes in the Board's procedures due to the Freedom of Information Act. It will be mandatory to post by January 31st of each year a schedule of regular meetings, subject to cancellation if there is no business. The Board agreed to schedule regular meetings on the third Monday of each calendar quarter, and to post such notice on the door of the Municipal Building. Special meetings will have to be posted at the Town Clerk's office 24 hours in advance, along with an agenda. The Clerk must keep a record of voting at every Board meeting and file the minutes within 7 days. Anyone may attend any meeting, but the Board may use Executive Sessions for confidential or financial matters.

The President set the date of the Annual Meeting for July 9 and appointed a Nominating Committee consisting of Buza as Chairman with Delfini and Usher to recommend ~~four~~ members of the Board for election at the meeting.

Adjournment was at 9:08 P. M.

Respectfully submitted,

Jane A. Palisca
Jane A. Palisca
Clerk

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE
ORCHARD ASSOCIATION

Held pursuant to notice by telephone calls to all members within the time prescribed by the By-laws. Date of meeting June 14, 1984.

President Sherk called the meeting to order at 8:05 P.M., there being a quorum present. Members in attendance were Crossley, Delfini, Farrel, Healy, Littlehales, Palisca, Reynolds, Sherk, Sherwood, Tweed and Usher. Also present were three members of the Planning Committee, John Donegan, Michael Giordano and Richard Greenalch.

Mr. Sherwood reported that 100% of last year's taxes had been paid. The minutes of May 23, 1984 meeting were approved and accepted unanimously.

Mr. Sherk announced plans for the imminent mailing of the call to the Annual Meeting on July 9. Mr. Usher reported for the Nominating Committee that the four persons whose terms expire this year were willing to stand for re-election and recommended the slate as such: Palisca, Reynolds, Sherk and Tweed. It was noted that other nominations would be welcome from the floor with the consent of the nominees. The Board's nominees for this year's election were accepted by motion duly made and seconded and a unanimous vote.

Mr. Reynolds reported that the order for a new police car can be placed with the Town of Branford's order of new cars in November or December, so that Pine Orchard's car will comply in color and other features with Branford's cars. He mentioned certain difficulties with one of our police officers regarding the new 19-hour per week limitation set by Branford, a limitation with which we must comply. This officer has registered protests with President Sherk and others, although he may choose his 19 hours if he wishes to continue working. Branford will supply other supernumary police officers as needed by Pine Orchard.

A lengthy discussion ensued concerning the March 20, 1984 Report of the Planning Committee, copy on record. Mr. Crossley and the Committee were commended for their careful and thorough work on revisions of the Zoning Ordinance of 1977. Before the perusal of the report in detail, Mr. Crossley mentioned that his committee has worked on the general problem of subdivisions, specific property divisions, Coastal Area Management regulations, and other matters.

He recommends a preliminary review by the Planning Committee of all new proposals for subdivisions and the like. His opinion is that the CAM regulations, adopted by Branford, involve little change for Pine Orchard because there can be no "planned development district" without Sewers.

The three changes recommended in the report were taken up separately for action by the Board; adoption of any changes will require a public hearing before incorporation into Pine Orchard's Zoning Ordinance.

1) Concerning wetlands and flood plains and lot size: (see report)

Board action: Amend b) to add after the word "causeway"
minimum 12' wide

Vote: unanimous to amend and adopt Section 1)

2) Concerning driveways and private roads:

Board action: Amend a) to add geometric before the word "design"

Vote: against: Sherwood, Tweed for: all others

Vote: Refer to public hearing, unanimous

Amend b) to delete "more than two" and substitute
three or more

Vote: unanimous to clarify definition of "private road" and refer b) to public hearing as amended

3) Concerning special permits and subdivisions of land:

Board action: Delete "Assistant Secretary of the" from b) (iii)

Vote: unanimous to adopt as amended

The Crossley then explained the various and complex reasons for the Planning Committee's decision not to recommend changes in three areas at the present time. The three include above-ground projections, parking of trucks, etc. on private land, and erection of windmills, radio towers and satellite dishes.

Mr. Sherk announced that an organizational meeting of the Executive Board will be held directly following the Annual Meeting on July 9, 1984 to elect officers. NOTE: THIS IS THE OFFICIAL CALL OF SAID MEETING OF THE BOARD.

Adjournment was at 9:35 P.M.

Respectfully submitted,

Jane A. P. Palisca

Jane A. P. Palisca
Clerk

The Planning Committee recommends a number of changes to the Zoning Ordinance for the Pine Orchard Association (1977 edition), (i.e. the Blue Book) as follows.

1) Concerning Wetlands and Flood Plain:

In Section VI -- Schedule of Minimum Size of Lots, etc.

- a) To the Table on page 6, after the words "Minimum Size of Plot" add a dagger sign. Then also, below the Table, add an additional footnote: " † See the notes on Wetlands and Flood Plain on the following page."
- b) After the note on "Rear Lot" on page 7, there shall be added:

"Wetlands - In determining whether a plot that includes wetlands complies with the minimum area requirement, any area of pond, lake, marsh or other wetland shall not be used to fulfill more than twenty-five percent of the minimum area requirement. The term Wetland shall have the same meaning as defined in the Connecticut General Statutes.

"Flood Plain - Where the plot contains any area lying below the 100-year flood elevation, no habitable building shall be erected within said area. If any habitable building on such plot be separated from the nearest public or private road by such a low-lying area, it is required that a raised driveway or causeway be constructed from the road to each such building, so that the surface of this driveway or causeway be no lower than one foot below the 100-year flood elevation, for the access of rescue vehicles."

2) Concerning Driveways and Private Roads:

- a) Section V, Special Permit Uses, item B-5 is repealed and the following is substituted:
- "5. Requirement that any driveway that serves three or more residences shall be designated a Private Road and shall conform as to foundation, drainage and design to the Road Specifications of the Town Engineer of the Town, except in respect to the width of its pavement."
- b) To Section XIII, Definitions, there shall be added:

"Private Road - a drive or roadway for use by motor vehicles, serving more than two residences. Where any lot or building abuts a private road, the street lines for measurement of the Front Yard shall be lines parallel to and offset 25 feet from the centerline

of the road."

3) Concerning Special Permits and Subdivision of Land:

- a) In Section V - Special Permit Uses, Item C-1 is repealed, and the following substituted:

"1. The division of a lot or parcel of land existing as of the effective date of these regulations into two lots."

- b) In Section IX - Application to Zoning Authority, etc., the Title of the Section shall be changed to read:

"APPLICATION TO ZONING AUTHORITY, PLANNING COMMITTEE AND BOARD OF ZONING APPEALS"

(ii) The words "Section 8-7" shall be changed to read "Sections 8-3, 8-3c, 8-3d and 8-7"

(iii) Furthermore the following paragraph shall be added:

"Applicants for building construction or change shall first present to the Zoning Authority the information required on the Board's application form, obtainable from the Assistant Secretary of the Association.

Applicants for Special Permit or proposers of any Planned Unit Development or Subdivision of Land shall apply first to the chairman of the Planning Committee for a preliminary hearing."

Your Planning Committee has met several times since September 1983. Three other possible changes to the Zoning Ordinance have been discussed, but it is recommended that no change be made at this time. The three topics are as follows:

- 1/- Above-ground Projections of Buildings. It had been suggested that a new regulation was needed to limit the projection or overhang of buildings (e.g. a bay window), which reduce the Front Yard or Side Yard distances. No new regulation was felt to be necessary because:

On page 12 of the Blue Book, the definitions of Front, Rear and Side Yard depend upon the definition of Building Area. The latter is given on page 11, and limits projections to thirty inches beyond the outside foundation.

On the other hand, it is recommended that the Zoning Authority's "Application Blank for New Buildings" should be revised, so that details of the proposed elevations of planned buildings, showing all projections, be included, and be subject to approval. The present Application Blank calls for a "footprint" of the proposed foundation only.

- 2/- Parking of Trucks, Trailers and Mobile Homes on Private Land.

The parking of mobile homes or trucks in the driveway of the

Planning Committee Report, page 3.

owner was not thought to be objectionable. Living in such a vehicle, even temporarily, is prohibited under Section IV (1). The long-term parking of trucks and trailers, that might be objectionable, was thought to occur so rarely, that no regulation would be warranted.

3/- Erection of Structures such as Windmills and Radio Towers, either self-standing or upon a roof-top.

No regulation to limit the size or height of such structures was thought to be desirable at this time. It was noted that Guilford has a windmill regulation. However, our information is that windmills and wind generators are generally not economical in this area, so there appears to be no threat of large windmills. No regulation of Ship-to-Shore radio towers, or short-wave or microwave radio antennae towers is needed.

Respectfully submitted to the Executive Committee,

John Donegan, Esquire
Richard K. Greenalch
Michael F. Giordano
Russell G. Warner
and F.R.Erskine Crossley, chairman.

Erskine Crossley

MINUTES OF THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION

Held pursuant to notice duly mailed to all persons qualified to vote,
of which the following is a copy:

"Pine Orchard, CT
June 22, 1984

TO ALL PROPERTY OWNERS QUALIFIED
TO VOTE AT THE ANNUAL MEETING OF
THE PINE ORCHARD ASSOCIATION

The Annual Meeting of the Pine Orchard Association will be held at
the Chapel, Pine Orchard, Connecticut on Monday July 9, 1984 at
8:00 P. M. for the following purposes:

1. To elect by ballot 4 persons to serve on the
Executive Board for a term of three years
from the date of their election.
2. To present changes in our Zoning Ordinances,
prior to a public hearing.
3. To transact any other business within the
power of the meeting which may be brought
before it.

Attest:

F. Allen Sherk, President
Janw A. Palisca, Clerk"

There being 51 qualified voters present (12 necessary for a quorum)
the president, Mr. Sherk called the meeting to order at 8:07 P. M.
He noted that the Clerk was in Australia and her functions would be
taken over by other people.

Mr. Sherk thanked the Pine Orchard Union Chapel association for the
use of the building for the meeting and explained the difference be-
tween the two organizations. He also thanked David Daggett, Marcia
Delfini and Jill Ryan for serving as checkers to identify qualified
voters and provide them with ballots for the election to follow.
The clerk pro-tem read the call of the meeting.

Upon motion duly made, seconded and carried, the reading of the min-
utes of the previous annual meeting of July 11, 1983 was waived and
they were placed on the speaker's table for anyone to inspect after
the meeting.

The chair then declared the polls open for election by ballot of four
persons to the Executive Board for a three year term. The nominees
recommended by the Board in accordance with the by-laws were Jane
A. P. Palisca, Edward L. Reynolds, F. Allen Sherk and John H. Tweed,
Jr. In addition Richard Greenalch was nominated from the floor and
seconded. The chair gave a brief biographical sketch of each candi-
date and mentioned that two candidates on the Board had to be from
north of the Shore Line railroad tracks. Christine Mauro and Erskine
Crossley were appointed as tellers to collect and tabulate the ballots.
the results were announced as following later in the meeting:-

Richard Greenalch	27	votes	out	of	48
Jane Palisca	38	"	"	"	"
Edward Reynolds	37	"	"	"	"
Allen Sherk	46	"	"	"	"
John Tweed	43	"	"	"	"

The last four names on the list, having received the greatest number of votes, were declared elected to the Board.

Mr. Robert Sherwood presented the Treasurer's report as audited by Seward and Monde and their opinion as to the association's fiscal status (copies attached). It was noted that the last of the notes on the municipal building were paid off this year leaving the association with no indebtedness. Highlights of the report for the year ending June 30, 1984

Total Receipts	\$45,415.37
Total Disbursements	47,467.73
Excess of disbursements over receipts	2,057.36
Cash balance June 30, 1984	3,635.07

The Treasurer called attention to the careful efforts of the Assistant Treasurer, Mrs. Hazel Swanfelder, in keeping the association's financial affairs in order. Upon a motion duly made and seconded the Treasurer's report was approved and accepted. It was stated that the mill rate is up 0.2 mills over last year because of the probable necessity of buying a new police car.

Mr. Reynolds, Chairman of the Police Committee, summarized a statistical report (copy attached) of police activity for the Pine Orchard patrol. He pointed out that the new state law limited supernumerary policemen to 19 hours of work a week after July 1, 1984 unless they had the required 400 hours of training spread over five years. Up until the past week Ptl. Hutchins and Ptl. Modzelewski have been able to cover all our needs, but recently the Branford Chief of Police has had to fill in with other supernumeraries. There has been a last minute attempt to have Ptl Hutchins 23 years of service count as part of the training.

Mr. Reynolds also reported that our 1973 Ford patrol car has 92,000 miles on it with even greater wear on the engine because it runs idling a good part of the time. In the fall when the Town of Branford asks for bids on five new police cars they will include us so that probably a better price can be obtained.

Mr. Crossley reported that his committee had met five times during the winter and discussed possible zoning changes. The following will be presented at a public hearing later this summer and voted on later.

1. Wetlands may not be used to fulfill more than twenty-five percent of the minimum area requirement.
2. A driveway to a habitable building may be no lower than one foot below the 100 year flood elevation.
3. Requirements that any driveway that serves three or more residences shall be designated a private road and shall conform as to foundation, drainage and design to the Road Specifications of the Town Engineer, except in respect to the width of its pavement.

Mr. Tweed, chairman of the Fire Commission reported that the Engine 6 company had tried hard to enlist new volunteers but without much success. Mr. Tweed stated that it would be reasonable to expect that we

would lose Engine 6 within two years but this should not affect our fire insurance rates.

Mr. Sherk as president thanked Hazel Swanfelder for her constant vigilance over association affairs and her faithful help to all phases of the operation. He also touched on the following topics:

- 1. Given our present zoning, there is no likelihood of condominiums coming to Pine Orchard.
- 2. Our beach area is not being abused.
- 3. The association would like to turn the breakwater over to the Pine Orchard Club.
- 4. The leash law for dogs has been tightened up by the Town of Branford.
- 5. The Freedom of Information Act will be a guiding principle for the association.

The Meeting was then opened for questions, comments and suggestions from the floor.

- 1. Alex Daggett asked for help in getting the club to reduce the noise of its exhaust fans and noise from the three apartments to the rear of his house.
- 2. Alicia Donovan complained about a regular puddle after heavy rains in front of her house.
- 3. Malcolm Farrel complained about the speeding on Pine Orchard Road and this was substantiated by several other people.
- 4. Florence Prann complained about the noise and speeding of motorcycles on Elizabeth Street.
- 5. Coral Moore called attention to the poor condition of the payement on the association's right of way to the beach. Joe Buza said that he was trying to find a su a suitable contractor to repair this and the breakwater.
- 6. Miriam Bigelow said that the sidewalk to the Pine Orchard School was in very poor shape. Mr. Sherk explained that this was a Town of Branford responsibility.
- 7. Florence Prann asked about fringe benefits for our policemen and was told that they were covered under their primary job.

There being no further business the meeting was adjourned at 9:07 P. M.

Respectfully submitted

Elaine Littlehailes

Elaine Littlehailes
Allen Sherk
Polly Sherk
Clerks pro-tem

MINUTES OF ORGANIZATIONAL MEETING
OF THE EXECUTIVE BOARD

A brief meeting of the Executive Board of the Pine Orchard Association was held immediately following the Annual Meeting on July 9, 1984 at the Pine Orchard Chapel. Present were those members of the Executive Board who had attended the Annual Meeting.

The officers who served in 1983-84 having agreed to stand for re-election, the following slate was elected.

President	Allen Sherk
Vice President	Joseph Healy
Treasurer and Tax Collector	Robert Sherwood
Asst. Treas, Tax Collector and Secretary	Hazel Swanfelder
Clerk	Jane Palisca

Subsequently the President, Mr. Sherk, named the chairpersons of the standing committees of the Executive Board. There are no changes for 1984-85, as with the officers.

ByLaws	Edward Reynolds
Fire Protection	John Tweed
Health & Sewers	Joseph Healy and Marcia Delfini
Municipal Building	Joseph Buza
Planning	Erskine Crossley
	Members: Donegan, M. Gior- dano, Greenalch, Warner
Police	Edward Reynolds
Public Relations	Elaine Littlehales
Roads and Signs	Malcolm Farrel, Jr.
Zoning Enforcement	Sherk, Buza, Palisca and Usher
Zoning Board of Appeals	Bradley Prann 1986, Chairman *Vacancy 1984 for 1989 Peter Hugret 1985 M. Thompson Dill 1987 Sidney Noyes 1988

*Vacancy to be filled at next Board Meeting.

Respectfully submitted

Jane A. P. Palisca

Jane A. P. Palisca
Clerk

PUBLIC HEARING

Notice is hereby given of a Public Hearing to be held Monday, September 17, 1984 at 8 P. M. in the Pine Orchard Chapel to hear comments regarding the following proposed changes to the 1977 edition of the Zoning Ordinance of the Pine Orchard Association.

1) Concerning Wetlands and Flood Plain:

In Section VI -- Schedule of Minimum Size of Lots, etc.

a) To the Table on page 6, after the words "Minimum Size of Plot" add a dagger sign. Then also, below the Table, add an additional footnote: " + See the notes on Wetlands and Flood Plain on the following page"

b) After the note of "Rear Lot" on page 7, there shall be added:

"Wetlands - In determining whether a plot that includes wetlands complies with the minimum area requirement, any area of pond, lake, marsh or other wetland shall not be used to fulfill more than twenty-five percent of the minimum area requirement. The term Wetland shall have the same meaning as defined in the Connecticut General Statutes.

"Flood Plain - Where the plot contains any area lying below the 100-year flood elevation, no habitable building shall be erected within said area. If any habitable building on such plot be separated from the nearest public or private road by such a low-lying area, it is required that a raised driveway or causeway 12 feet wide be constructed from the road to each such building, so that the surface of this driveway or causeway be no lower than one foot below the 100-year flood elevation, for the access of rescue vehicles."

2) Concerning Driveways and Private Roads:

a) Section V, Special Permit Uses, item B-5 is repealed and the following is substituted:

"5. Requirement that any driveway that serves three or more residences shall be designated a Private Road and shall conform as to foundation, drainage and geometric design to the Road Specifications of the Town Engineer of the Town, except in respect to the width of its pavement."

b) To Section XIII, Definitions, there shall be added:

"Private Road - a drive or roadway for use by motor vehicles, serving three or more residences. Where any lot of building abuts a private road, the street line\$ for measurement of the Front Yard shall be line\$ parallel to and offset 25 feet from the centerline of the road."

OVER

3) Concerning Special Permits and Subdivision of land:

a) In Section V - Special Permit Uses, Item C-1 is repealed, and the following substituted:

"1. The division of a lot or parcel of land existing as of the effective date of these regulations into two lots."

b) In Section IX - Application to Zoning Authority, etc., the Title of the Section shall be changed to read:

"APPLICATION TO ZONING AUTHORITY, PLANNING COMMITTEE AND BOARD OF ZONING APPEALS"

(ii) The words "Section 8-7" shall be changed to read "Sections 8-3, 8-3c, 8-3d and 8-7"

(iii) Furthermore the following paragraph shall be added:

"Applicants for building construction or change shall first present to the Zoning Authority the information required on the Board's application form, obtainable from the Association. Applicants for Special Permit or proposers of any Planned Unit Development or Subdivision of Land shall apply first to the chairman of the Planning Committee for a preliminary hearing."

PUBLIC HEARING

Pine Orchard Association -- Planning Committee

September 17, 1984

The Hearing was held in the Pine Orchard Chapel. Erskine Crossley, Chairman of the Planning Committee, called the meeting to order at 8:02 p.m. Michael Giordano and Richard Greenalch, Esq. both members of the Planning Committee, were also at the head table, and John Donegan, Esq. another member joined them later.

Mr. Crossley traced the development of the proposed changes of the Zoning Regulations from meetings last winter to approval by the Executive Board of the Pine Orchard Association. The Public Hearing has been advertised in the "Branford Review", and a notice of the meeting delivered to every property owner in Pine Orchard.

Mr. Crossley read and briefly explained the two amendments having to do with Wetlands and Flood Plain; Mr. Greenalch then read and explained the amendment having to do with Private Roads, saying that the main purpose was to make sure that any new private road had the potential to be converted into a road (street) acceptable to the Town of Branford. Mr. Crossley then read and explained the remaining amendments.

Comments from the Public, and Discussion.

Jack Tweed commented that no minimum width of private road was included in the text. Mr. Greenalch stated that the Committee had had a paved width of 20 ft. in mind, though not necessarily paved with hard-top, and with provision for adequate drainage. Tweed then commented that adequate drainage on his low-lying land was impossible, since Connecticut Highway #146 was already draining on to his property.

Sidney Noyes noted that there was a discrepancy between the Town of Branford's road requirements and the proposed Pine Orchard amendment. Greenalch explained that the amendment was deliberately not too specific to allow room for adjustment to fit conditions. The main purpose of the amendment was to avoid a repetition of the situation existing with "No Name Road", the private drive at No. 2 Elizabeth Street, which is 16 ft. wide and serves four houses, and too narrow to be acceptable as a Town road.

Matthew Gailey said that he thought a maximum 10 percent grade to a private road might handicap a developer trying to preserve some natural features of the land. He also stated his belief that if "geometric design" meant that sharp corners were not allowed, it might increase speeding over said road. He requested that the wording of the regulation should be phrased so as to include flexibility. Greenalch responded by saying that some flexibility was desirable, but not to the extent that present design jeopardized future acceptance as a town road, thereby denying the residents the public services of snow plowing, garbage pick-up and mail delivery, if they wanted them. Crossley

pointed out that the law does not allow the Association to make adjustments to benefit one person, while denying the same advantage to others.

Michael Giordano remarked that it was important that private roads be developed along the pattern of Anchorage Farm Road rather than "No Name Road".

Noyes expressed concern that the standards for Branford town roads were too restrictive.

Jane Palisca and Crossley explained the procedure to be followed for adoption of the proposed zoning amendments, which is:

- 1) Consideration of the input from the public hearing by the Planning Committee, and possibly revision of the proposals;
- 2) Action on the final draft by the Pine Orchard Zoning Authority.

(John Donegan came in at this point.)

Gailey questioned the requirement for a raised causeway in the flood area: was the height of eleven ft. above Mean Water Line for a causeway to a road from a house in a low-lying area practical, when some of the town roads are well below this level. Robert Alling reinforced this, asking what if the road on which the house was built, was below flood level, then the resulting intersection would be a decided hump and dip. Crossley agreed that a valid point was made, and it would be considered.

Richard Donahoe questioned the section about three or more houses on a driveway. Why this particular number? Crossley pointed out that State defines a subdivision as a dividing of any tract of land into three or more lots, and all planned subdivisions presently go to the Branford Planning and Zoning Commission for decision. / Law

Both Tweed and Gailey spoke for the need of more flexibility in the rules. Crossley said that he felt the rules should be stated clearly, and that it was then the function of the Board of Zoning Appeals to grant flexibility through granting a Variance in particular cases, to relieve hardship.

Noyes asked who would have to pay, if a present private driveway is to be widened for possible acceptance by the Town as a town road. Greenalch replied that it was the responsibility of the developer of the property or the owners.

Noyes asked why the set-back of a "front yard" was to be taken from the center of the private road, rather than from the front line of the lot and the side of the driveway as in the case of the houses on "No Name Road". Crossley replied that it was so that the houses along a private road would meet zoning requirements even after the driveway had been converted to a town road.

Noyes suggested that the sentence under "Private Road" that defines the proposed front yard would better be placed under "Front Yard". Donegan said that it could be separated and added to the definition on page 12 of the Zoning Ordinance.

Greenalch remarked that as long as a 50-foot wide right of way was provided for in any development of a private driveway, so that it could be expanded to meet town specifications later, he felt that the building lines should be set to meet zoning requirements.

There being no further business, the meeting was adjourned at 9:27 p.m.

Respectfully submitted,

Allen Sherk

Allen Sherk
Secretary pro tem.

9
MINUTES OF MEETING OF OCTOBER 8, 1984.

Planning Committee, Pine Orchard Association.

A meeting of the Planning Committee was held October 8, 1984 at 8 p.m. Present were Erskine Crossley (chairman), John Donegan and Russell Warner - a majority of the five members. Allen Sherk, President of the Association, also attended.

On the Proposed Zoning Regulation Changes, and Commentary at The Public Hearing held September 17.

To refresh our memories, Crossley read the Minutes of the Public Hearing.

1. Item: "Wetlands" was approved as it was.
2. Item: "Flood Plain" -- responding to public criticism, on a motion by Crossley, it was agreed to drop the second sentence entirely; the first sentence, however, was retained.
3. Item: Requirement" -- Public comments regarding sharp corners, steep incline, drainage and requests for a more flexible approach were noted. Crossley read a summary of what is required in the written Road Specifications of the Town Engineer. Donegan pointed out that this clause will be subject to the introductory sentence of Section V.B of the Pine Orchard Ordinance, which states that these conditions may be applied by the Zoning Authority. The new proposed clause is not a requirement, and flexibility is present.

Regarding the public's request for a specified minimum road width, Crossley suggested that a 20 ft. width be stated, since developers have also previously asked for more guidance on what is acceptable. Donegan suggested that the minimum be 20 ft. or 25 ft. according to the width of State Highway 146 - Blackstone Avenue near Young's Pond, which Crossley offered to go and measure.

The measured width varies from 19 ft. to 20 ft. and even 22 ft. in different spots.

4. Item: "Private Road"-- Following a suggestion at the Public Hearing, it was voted to leave the first sentence with the definition, but to add the second sentence instead to the definition of Front Yard on page 12.

Special consideration was given here to the effect of this Regulation on "No Name Road". Crossley presented a large scale map of this private driveway from the junction of Pine Orchard Road and Elizabeth Street to the Henningsen and Monde houses, which is 16 ft. wide. If the Cavellero and Monde properties (vacant lots) that abut this drive were proposed to be built upon, variances would obviously have to be sought because of the very narrow lot width.

5. Item (3) of the proposed amendments was approved as it was.

In conclusion, it was requested of Crossley to prepare the

final draft of the amendments, to be submitted and recommended to the Executive Council of the Association at their next meeting.

On the Pressurized Sewer Line between Totoket Road and Hotchkiss Grove, and the sewer collection system for Juniper Point and Thimble Farms Road, proposed by the Branford Sewer Authority.

The chairman noted that at the Public Hearing in the Town Hall on September 19, 1984, the chairman of the Town's Sewer Authority declared that he was prepared to dig up Pine Orchard Road and install a sewer collection system, provided only that the project was on a satisfactory financial basis.

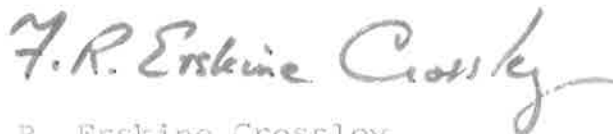
Crossley drew attention to the pertinent State laws C.G.S. 8-23 and 8-24, which state (1) that the Planning Commission is to prepare and maintain a "Plan of Development" for the Borough, and that it "may consider" extent of sewerage. Furthermore, in 8-24, No municipal agency shall "take action on any proposal involving the extent and location of public utilities and terminals,...for water, sewerage,"...etc." until the proposal has been referred to the (Planning) commission for a report."

Crossley therefore proposed that the Committee should send a letter to the Sewer Authority chairman, drawing his attention to this proper procedure.

President Sherk, however, stated that he intended that this matter in general would be discussed at the next meeting of the Executive Council. In his opinion, it would be less productive and desirable to have two responses almost simultaneously from Pine Orchard Association. He stated furthermore that he believed the supervision of sewerage was the prerogative of the Executive Council, not its committee, under the Charter.

Action was thus deferred.

Respectfully submitted,



F. R. Erskine Crossley
chairman, and scribe, pro tem.
October 10, 1984

N.B. The Text of the proposed Amendments to the Zoning Ordinance is appended.

Report of the Planning Committee to the Executive Council,
Pine Orchard Association.

After due deliberation and consideration of the Comments made at the Public Hearing on Monday, September 17, 1984, we would recommend to you, that the text of the following Amendments be approved and adopted, which are changes to the 1977 Edition of the Zoning Ordinance of the Pine Orchard Association (i.e. "The Blue Book")

AMENDED ZONING REGULATIONS.

In Section V -- Special Permit Uses (Page 5)

1. Item B-5 is repealed, and the following is substituted:

"5. Requirement that any driveway that serves three or more residences shall be designated a Private Road, and shall conform as to foundation, drainage and geometric design to the Road Specifications of the Town Engineer of the Town, except that the paved width shall be not less than twenty (20) feet. It is the intent that all private roads shall be so designed and constructed, that at a later date, if desired, they can readily be upgraded to Town standards, including full width of right of way and a turn-around circle at any cul-de-sac, without causing the abutting lots to become non-conforming as to lot size or set-backs."

2. Item C-1 is repealed and the following is substituted:

"1. The division of a lot or parcel of land, existing as of the effective date of these regulations, into two lots."

In Section VI -- Schedule of Minimum Size of Lots, etc.

3. To the Table on page 6, after the words "Minimum Size of Plot" add a dagger sign. Then also, below the Table, add an additional Footnote: "† See the notes on Wetlands and Flood Plain on the following page."

4. After the note on "Rear Lot" on page 7, there shall be added:

"Wetlands - In determining whether a plot that includes wetlands complies with the minimum area requirement, any area of pond, lake, marsh or other wetland shall not be used to fulfill more than twenty-five percent of the minimum area requirement. The term Wetland shall have the same meaning as defined in the Connecticut General Statutes.

"Flood Plain - Where the plot contains any area lying below the 100-year flood elevation, no

habitable building shall be erected within said area.

In Section IX -- Application to Zoning Authority, etc. (page 9)

- 5. In the title of the Section, the words ", Planning Committee" shall be inserted between "Authority" and "And Board".

In the first paragraph, the words "Section 8-7" shall be changed to read "Sections 8-3, 8-3c, 8-3d and 8-7."

Moreover, the following shall be added as a second paragraph within the section:

"Applicants for building construction or change shall first present to the Zoning Authority the information required on the Board's application form, obtainable from the Association.
 Applicants for Special Permit or proposers of any development or subdivision of land shall apply first to the chairman of the Planning Committee for a preliminary hearing."

In Section XIII -- Definitions.

- 6. On page 12, the following sentence shall be added to the definition of "Front Yard": -

"Where any lot or building abuts a private road (q.v.), the street line used for measurement of the Front Yard shall be a line parallel to and offset twenty-five (25) feet from the centerline of the road."

- 7. Also on page 12, there shall be added after the definition of "Street",

"PRIVATE ROAD -- A drive or roadway for use by motor vehicles, serving three or more residences, and privately owned."

---- END ----

Respectfully submitted, on behalf of the Planning Committee,
 Messrs. John Donegan, Esq.
 Michael F. Giordano
 Richard K. Greenalch, Esq.
 Russell G. Warner.

F. R. Erskine Crossley, (chairman)

F. R. Erskine Crossley

Approved and adopted by the Executive Board on October 22nd, 1984.

10/11/84

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE
ORCHARD ASSOCIATION

Held pursuant to notice mailed to all of the Board of which the following is a copy:

"Pine Orchard, CT.
October 15, 1984

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the Pine Orchard Association Municipal Building, on Monday, October 22nd, 1984 at 8:00 P. M. for the following purposes:

1. Final Report of Planning and Zoning Committee--
Crossley
2. New developments on sewer situation, particularly centering on Gailey's proposal for a separate sewer district--Sherk
3. Pine Orchard Club and breakwater--Reynolds
4. New Police car--Reynolds
5. Multi-family use of homes--Sherk
6. What do we do about planting at corners that obstruct traffic vision?

Also to hear and act upon reportd of Officers, Members and Committees; and to transact any business within the power of the Board which may come before the meeting.

Attest:

Jane A. P. Palisca
Jane A. P. Palisca
Clerk"

President Sherk called the meeting to order at 8:04 P. M., there being a quorum present including Buza, Delfini, Farrel, Healy, Littlehales, Palisaa, Sherk, Sherwood, Tweed, Crossley and Usher. The minutes of June 6, 1984 were voted approved. The Clerk was asked to write up the organizational meeting which followed the Annual Meeting on July 9, 1984.

The Treasurer reported that all taxes have been collected except seven, and that liens will beplaced on those not paying by the end of November.

Mr. Crossley then distributed copies of the final changes in the Zoning "Blue Book" which had been decided upon by his committee on October 10, 1984. He referred to the public hearing held on September 17, 1984 and the notice thereof, the minutes of the Public Hearing, the minutes of the Planning Committee meetings of October 8 and 10, 1984, and the Report to the Executive Committee (Council) specifying the changes, and moved that the latter be approved by the Board, and published as an Appendix to the Blue Book. Before action on the motion, it was necessary to clear up several misunderstandings about the "changes to the changes", and these were discussed

at length by Sherwood, Farrel, Crossley, Tweed and Sherk. Eventually the motion above was seconded by Farrel but amended to include a review by outside counsel before adoption. A discussion ensued wherein the consensus was that the changes would probably be challenged whenever utilized and that a review would be costly to the Association at this time. The vote was called with the amendment, with 2 for and 8 opposed, thereby defeated. Next the amendment was removed and the motion placed again before the Board; the vote was 10 in favor of adoption of the final changes, and Tweed against; the motion was therefore passed. Mr. Crossley requested that all the above-mentioned documents and minutes be retained in the official records of the Executive Board.

Mr. Sherk reported for Mr. Reynolds that the Pine Orchard Club had been informed that the Association does not wish to maintain the Breakwater. Mr. Buza is negotiating for repairs on the wall leading up to the breakwater and reported on same; he also suggested that more research be done before handing the Breakwater over to the Club.

Mr. Sherk also reported for Mr. Reynolds about the order for a new police car having been placed with the Town of Branford. The new car will therefore conform to official standards.

Mr. Sherk distributed his notes on the Sewer Hearing of October 17, 1984 which he held with Don Ellis, Town Engineer. Because Matthew Gailey is establishing a separate sewer district in order to develop his property, it is now incumbent on the Executive Board to investigate once again the pros and cons of sewerage all or part of Pine Orchard. Mr. Sherk listed several options which*was obtained from the Association members last year, only one vote was permitted for each taxpayer (not including joint taxpayers) and it will probably be necessary to again survey our taxpayers, with one vote accepted per lot. Mr. Gailey has been given an estimate of \$7500 per unit without tying-up-to-street, but the Sewer Authority has made it clear that costs are indefinite. *were discussed at great length. When the opinion sample*.

Because the survey made last year indicated insufficient interest in sewers, the matter was dropped by the President. Now, however, although the Pine Orchard Club want along with the Association's decision, it is necessary to pursue the whole matter again and report to the Board as soon as the Health and Sewers Committee reaches a proposal. Mr. Farrel suggested talking with the Chairman of the Stony Creek Association about its problems. Mr. Healy indicated the need for a special meeting of the entire Pine Orchard Association.

It was concluded to table the sewer matter until the next Board meeting, possibly in early December, in order to give the responsible persons time to investigate the various ramifications, contingencies, and so forth.

Mr. Sherk then named Richard Greenalch to the vacancy on the Zoning Board of Appeals for a term of five years.

The multi-family use of homes in Pine Orchard was brought up and discussed, with the opinion expressed that violations of this sort were and always have been very difficult to address.

The problem of overgrown planting at corners and obstructed traffic vision was discussed, with the suggestion that the Town of Branford's tree warden be consulted, and that it might be a good idea to have letters sent or delivered to offending property owners.

The meeting adjourned at 10:07 P.M.

Respectfully submitted,

Jane A. P. Palisca

Jane A. P. Palisca, Clerk

MINUTES OF A SPECIAL MEETING OF THE
EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

Held pursuant to notice duly mailed to all of the Board of which the following is a copy:

"Pine Orchard, Conn.
March 19, 1985

TO THE EXECUTIVE BOARD OF
THE PINE ORCHARD ASSOCIATION

At the call of the President there will be a Special Meeting of the Board at the Pine Orchard Association Municipal Building, Pine Orchard, Connecticut at 8:00 P. M. on Monday, April 8, 1985; to hear and act upon reports of Officers, Members and Committees; and to transact any business within the power of the Board which may come before the meeting.

Attest:

Jane A. P. Palisca
Jane A. P. Palisca
Clerk"

President Sherk called the meeting to order at 8:00 P. M., there being a quorum with all members present except Tweed and Usher. Also attending for the first part of the meeting were Matthew Gailey, Juniper Point-planner, with his colleagues Judith Burke and Mr. Tibbetts; and the Chairman of the Branford Planning and Zoning Committee, John Moss.

The minutes of July 9th and October 22, 1984 were voted approved. The treasurer reported that the funds remaining for this fiscal year are approximately the same as last year at a comparable time, with about \$14,000 available. Mr. Sherk stated that the budget is tight now, even with the expected receipt of a small sum for the sale of the old police car, but that the tax rate should go down next year with no mortgage remaining on the Municipal Bldg. and the new police car paid for. The latter purchase did not exceed the funds appropriated.

Mr. Sherk explained why he had invited the visitors listed above.