

The Pine Orchard Association

PINE ORCHARD, CONNECTICUT 06405

February 3, 1986

To the Executive Board of Directors

On the surface the Pine Orchard Association may seem to be coasting, but underneath a great deal of work has been going on. Erskine Crossley has been extremely busy with zoning changes that would permit a development of single family houses on Juniper Point and still keep Pine Orchard's zoning concept and character intact. Two weeks ago all issues were resolved and agreed to by our Planning and Zoning Committee, our lawyer, and Matthew Gailey. The final draft has just been approved by the Department of Environmental Protection and is enclosed for your study.

We have scheduled a public hearing and following meeting at 8 P.M. Monday February 24th, 1986 in the Grill Room of the Pine Orchard Club to consider the accompanying agenda.

This will be an important meeting and I hope that every director can be present. If you are unable to come please let me know at 488-2259.

Sincerely yours,

Allen Sherk

ec.FINAL REV 14 EC/PC/MG open space residential community 01/14/86

This application is in two parts.

Part 1 involves amending Section VI, of the existing Pine Orchard Zoning Regulations "Flood Plain" regarding construction of dwellings in the Flood Plain.

Part 2 is a proposed amendment to Section V, Special Permit Uses of the Zoning Ordinance of the Pine Orchard Association.

This application has been prepared by Erskine Crossley in collaboration with Matthew Gailey, and after consultation and advice by the Association's attorney, Mr. Peter Cooper, and the approval of the Planning Committee of the Pine Orchard Association at their meeting of 01/13/86.

PART 1

Application to amend the Pine Orchard Zoning Regulations, regarding construction of dwellings in the Flood Plain.

Amend Section VI, "Flood Plain"

Where the lot contains any area lying below the 100-year flood elevation, defined as 12 feet above Mean Sea Level as of date 1986, all dwellings constructed after the passage of this amendment shall have the lowest floor elevated to or above the 100-year flood level. If any dwelling on such lot be separated from the nearest public or private road by such low lying area, it is required that a raised driveway or causeway 12 feet wide be constructed from the road to each such dwelling 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.

Submitted on January 16, 1986

Accepted F. Allen Sherb

PART 2

Proposed amendment to Section V of the Zoning Ordinance for the Pine Orchard Association, Special Permit Uses. Add a new section V.D, Open Space-Residential Communities in accord with Section VA. Renumber present section V.D to V.E

D. OPEN-SPACE RESIDENTIAL COMMUNITIES

D-1 General: An Open-Space Residential Community is defined as one contiguous property on which a number of single-family detached dwellings (five or more) are erected on lots that are smaller than regularly permitted in the Zoning District in which it lies, in order that the remainder of the site can be combined to form useable OPEN SPACE, such OPEN SPACE to have merit as a nature preserve or for recreation.

The Zoning Authority may approve a SPECIAL USE, to permit the establishment of Open-Space Residential Communities in any AA-1, A-1, District in accordance with the procedures, standards and conditions herein specified. Before granting a SPECIAL USE PERMIT, the Zoning Authority shall find that the Development Plan accomplishes all the following PURPOSES (as applicable) as well as those of Section I and V-A of these Regulations; and shall find also that all STANDARDS AND CONDITIONS herein specified have been met appropriately.

D-2 PURPOSE The plan for an Open-Space Residential Community must locate, design and plan to erect or alter dwellings and accessory buildings and roads, and set aside Open Space, in such a manner as to accomplish the following purposes:

- a. To preserve land, including woodlands, and wetlands and shore, as undeveloped Common Open Space in significant undivided blocks of area;
- b. To preserve and protect exceptional terrain, and natural beauty from the disfiguring placement of buildings, structures, roadways, utilities and other appurtenances;
- c. To preserve land for purposes of conserving natural resources and coastal resources within the Coastal Boundary Zone of the Coastal Management Act(as amended);
- d. To preserve wetlands, watercourses, water bodies, topographical and soil features, marine and wildlife habitats or other features with conservation value, and to protect these from pollution and erosion;
- e. To encourage water-dependent uses of the property, wherever possible;

Standards and Conditions-Common Land and Common Open Space

- a. Definitions: Common Land shall be land within the Community not designated as individual building lots. It includes land for ancillary common uses, including roads, and also Common Open Space, which may contain passive and active recreational areas, as well as unimproved areas.
- b. Permitted Uses of the Common Land: The Common Land shall be used, and no structure shall be erected or altered, which is arranged, intended or designed to be used respectively for other than one or more of the following uses:
 1. Private roads, driveways and parking areas;
 2. Accessory buildings, garages, and carports: These may be erected within the individual building lots, in conformity with Section IV-3. Alternatively, they may be built in blocks of not more than five together within the Common Land, abutting a driveway or parking area;
 3. Common Open Space as below. No building or part of a building on the Common Land shall be used as a dwelling, either permanently or temporarily.
- c. Area and Character-Common Open Space: The Comprehensive Site Development Plans shall provide for Common Open Space equal to at least 40% of the total acreage of the Community or an area equal to at least 10,000 sq ft for each residential lot shown in the Plan, whichever is greater. Such Common Open Space shall encompass land having ecological and aesthetic value, and/or recreational value, with dimensions, location, topography to satisfy the purposes set forth in Paragraph D-2. The following uses are permitted:
 1. Clubhouses;
 2. Swimming pools and game courts;
 3. The uses as in Section IV, parts 4, 5, 6, 7 and 8.
- d. Ownership and Maintenance of the Common Land:
 1. In an Open-Space Residential Community, in addition to the areas of residential building lots individually owned, there shall be a separated portion of Common Land, in which the individual lot owners have certain rights and responsibilities, to wit--this separated Common Land shall remain the joint responsibility severally of each owner of a Dwelling Unit and Lot, in the ratio that the assessed value of the individual Dwelling Unit and Lot bears to the aggregate of the assessed values of all individual Dwelling Units and Lots within the said Open-Space Residential Community,

or in such other ratio as may be stated in the covenant of the Homeowners Association and approved by the Zoning Authority. This joint responsibility is for the payment of all taxes, fees and liens levied against the Common Land and its improvements, for the maintenance in good condition of all buildings and improvements upon the Common Land, also for the maintenance of all Roads, driveways and parking areas in good and serviceable condition for the rapid passage of fire trucks and other public vehicles, including snow removal as needed; and for the maintenance of Common Open Space and recreational areas in a safe clean and attractive condition; all this maintenance is to be at no expense to the Town of Branford or the Pine Orchard Association.

The method of preservation of the Common Land shall accomplish the purposes stated in Paragraph D-2, and shall be described within the Comprehensive Development Plan. This shall be subject to the approval of the Zoning Authority.

2. Disposition of the Common Land, including roads, improvements and wetlands thereon, may include, but is not limited to the following:
 - i. Establishment of a mandatory homeowners association to own and maintain the land.
3. In the event that the owners of an Open-Space Residential Community, its dwelling Units and Lots, or the Homeowners Association established to maintain the Common Land, shall at any time fail to maintain the Common Land in reasonable order and condition, according to the Plan, the Pine Orchard Association, through the chairman of its Zoning Authority, may serve written notice upon such Homeowners' Association, or upon the owners of the Dwelling Units and Lots within the Community, describing its complaint, and including a demand that such deficiencies of maintenance be cured within thirty days after the receipt of such notice. If the Homeowners' Association or the Owners within the Community shall neglect or refuse to comply within thirty days, or any extension of such time, the Pine Orchard Association may cause the work required by said order to be done, and the expense so incurred shall, from the time said work is begun, be and continue a lien in favor of the Pine Orchard Association upon such Common Land.

Standards and Conditions-Residential Development: The application for a SPECIAL PERMIT for the Residential Development Plan shall conform to the following standards:

- a. Minimum Area of Development: The acreage covered by the Residential Community shall consist of not less than 10 acres if any of the land lies within the Coastal Boundary Zone, or 5 Acres if the land lies entirely outside of The Coastal Boundary Zone (as defined by the Coastal Management Act as amended).
- b. Location relative to Zoning Districts: The area covered by the proposed Open Space Residential Community shall be located entirely within the AA-1, A-1, Districts or both.
- c. Number of Lots, The maximum number of dwelling units or building lots, within the Open Space Residential Community, and as shown on the Open Space Residential Plan shall be calculated in the following manner:
 1. Determine the gross acreage in each zoning district of the Open Space Residential Community Plan;
 2. Determine the gross acreage of all inland wetlands and tidal wetlands in each zoning district within the Open Space Residential Community Plan;
 3. Calculate 75% of the gross acreage of subsection c-2. above;
 4. The adjusted gross acreage for each zoning district in an Open Space Residential Community shall be: subsection c-1(above), minus subsection c-3(above);
 5. The maximum number of dwelling units/or lots shall not exceed 90% of the number obtained by dividing the adjusted gross acreage (Subsection c-4. above) in each zoning district by the minimum lot size permitted by existing zoning. For purposes of this calculation:
 - i. all numbers if they exceed .5, shall be rounded up to the next whole number;
 - ii. If the area planned for development is located within two or more zoning districts, the total number of lots/dwelling units shall not exceed the number permitted in each district under the above formulas, but they may be located in the developed area irrespective of the boundary of the zoning district.

- d. Area and Yard Requirements; Location and Structures When individual lots are to be used, one dwelling unit only shall be built upon one building lot. Building lots larger than minimum size are permitted. The requirements of the A-2 District regarding minimum lot area, width, yards, and building height, shall apply. The distance between buildings shall be reduced by any projection, bay window, roof projection or overhang;
- e. Water Supply and Sewage Disposal: Every building lot and dwelling shall be served by public water supply. Every building lot and dwelling shall also be connected to the Town Sanitary Sewer System;
- f. Setback of all Buildings from sensitive coastal and wetland resources: No building lots shall be permitted within the bounds of any inland wetland or tidal wetland area. No wetland area may be filled in to provide additional building lot areas. No dwelling, accessory building or other structure shall be erected within 25 feet of any coastal bluffs, escarpments and cliffs;
- g. Minimum Space between Clusters: Not more than five individual lots, if of any size smaller than allowed by regular zoning, may be located together in a Cluster. Clusters must be separated by a distance at least equal to twice the minimum width of a plot of the regular zoning district in which the Clusters are located.

D-5 Standards and Conditions for Other Improvements

- a. Private Roads, Driveways, and Parking Areas All roads serving a Open Space Residential Community shall be constructed with a minimum road surface width of 20 feet for two-way traffic; all driveways serving individual dwellings shall be constructed with a minimum road surface width of 12 feet. Minimum diameter of a cul-de-sac turn-around circle must be 50 feet. If any roads are located within the 100-year flood plain the minimum elevation must be within one foot of the base flood plain level and the road boundary must be marked with positive indicators of water level above the normal road surface. These roads shall be graded to meet any existing roads, drives or lanes where and when appropriate.
- b. Parking: At least 2 off-street parking spaces shall be provided for each dwelling unit. This requirement is independent of garage or carport spaces available.

- c. Clubhouses: No more than one clubhouse may be erected on each five (5) acres of Common Land, except that none shall be permitted if the area of Common Land is less than three (3) acres. A clubhouse is to be of one story, except that houses of designated historical interest may be used as a clubhouse.
- d. Swimming Pools, Tennis and other game courts. These recreational facilities when located within the proposed development shall:
1. be fenced in and planted around with shrubbery or hedges to provide adequate buffering of noise between them and adjoining dwelling lots.
 2. be arranged so that there is no discharge of halogen based effluent or other chemical systems, or any water injurious to the natural life and organisms within wetlands, into tidal marsh, streams or swamplands.

D-6 Preliminary Consideration: Prior to the formal submission of an Application for a Special Permit, the applicant should request the Planning Committee to review in a preliminary and informal manner his proposal for a Open-Space Residential Community. Informal plans should meet all the requirements for an Open-Space Residential Community as specified under paragraphs D-2, D-3, D-4 and D-5 of these regulations. The Planning Committee may request the applicant to submit such additional information as it finds necessary. Any decision rendered at this stage is "tentative".

D-7 Application Application for a SPECIAL USE PERMIT pertaining to a proposed Open-Space Residential Community shall be submitted in writing to the Zoning Authority, and shall be accompanied by an Application for a Certificate of Zoning Conformity and an application fee of \$250.00 or \$20.00 per building lot, whichever is less, together with the following documentation:

- a. Statement: A written statement describing the purposes to be achieved by the Community, the proposed treatment of the site, the proposed type of property ownership and, in the case of a Homeowners' Association, a copy of the covenant relating to the rights and responsibilities of the dwelling owners in the Common Land and its Open Space, and the proposed method and maintenance of the Common Land and the improvements thereon.
- b. Site Development Plans: A set of Comprehensive Site Development Plans certified by a land surveyor and/or Professional Engineer, drawn to a scale of not less than forty (40) feet to one inch, shall be submitted and include:
 1. Open-Space Development Plan: showing a topographic map of the area of the Open Space Residential Community, with its location, boundaries and size, proposed for the

special use, with topography both existing and proposed at a maximum contour interval of two feet, and the location of wetlands, water bodies and watercourses, wooded areas, major rock outcroppings, and other significant natural features. The proposed location of buildings, recreational facilities and utilities in the common land and the boundaries of the Open Space shall be denoted thereon. The acreage of the whole Community, of the aggregate of all building lots, of the wetlands (as used in Section D-4c) and the Common Open Space shall be given.

2. Open-Space Residential Development Plan: with a topography at a maximum contour interval of two feet and showing the location of lots, parking spaces, any recreational facilities, utilities, the configuration of the main roads and individual driveways and road intersections designed to protect the public safety;
3. Open-Space Record Subdivision Map: if applicable. For applications involving the establishment of a new street, a change in the right of way of an existing street, or the creation of individual lots for single family dwellings, a final subdivision map meeting the requirements for Record Subdivision Map under the Subdivision Regulations of the Town of Branford shall be submitted, incorporating as specific restrictions the maximum number of individual lots for single family dwellings and the minimum area of permanently reserved Common Open Space specified in paragraphs D-3, D-4 and D-5;
4. Coastal Site Plan Review: The use of land, buildings and other structures within the Coastal Management District are subject to review and approval in accordance with the Coastal Management Act (ref Section 45, Zoning Regulations of the Town of Branford, Coastal Management District). Evidence of this approval is required.

D-8 Procedure and Public Hearing:

- a. Application for Special Permit under the terms of this section shall be submitted to the Chairman of the Zoning Authority. The Zoning Authority can determine when the Application is complete, and may request whatever additional information it deems necessary to make a decision on the application. Within sixty five days of the receipt of the complete application, the Zoning Authority shall hold a Public Hearing on the application. However, the applicant may consent in writing to an extension of time for the public hearing and action on the application within the limits allowed by law.

- b. As required by law, the Zoning Authority shall render its decision on the application within sixty-five days of the commencement of the Public Hearing. The Zoning Authority may approve the application, if it finds that the purposes specified in Paragraph D-2 will be accomplished, that the standards and conditions of Paragraphs D-3, D-4, D-5, have been met, and that the Development would have no significant adverse effect upon adjacent property or on the public health and safety.
- c. Bonding As a condition of approval and endorsement, the Zoning Authority may require the applicant to execute an Agreement and file a Bond with the Pine Orchard Association to guarantee completion of the public improvements including all roads and utilities, as specified in the Development Plan within two years. The bond shall be in the form and amount and with a surety acceptable to the Authority, and shall be a surety bond executed by a surety company authorized to enter into such bonds in the State of Connecticut.
- d. Separate Application for Dwelling Units It should be noted that approval of a Plan for an Open Space Residential Community under this Section does not extend to the erection or alteration of any single-family dwelling unit. Plans for such individual housing must be submitted separately, following the normal procedure, according to Section VI and IX of this Ordinance.

D-9 Endorsement: The approval of the Special Permit shall be noted on the Open-Space Residential Development Plan and the Record Subdivision Plan to be filed in the Office of the Branford Town Clerk. These shall be signed by the Chairman of the Zoning Authority with the Date of Approval indicated.

D-10 Expiration: Approval of an Application under this chapter is understood to be approval conditioned upon completion of the proposed development in accordance with the plans as approved, within a period of two (2) years after final approval is given. Said approval shall become null and void in the event of failure to complete the proposed development within the two (2) year period. Not more than two(2)-extensions of such period not to exceed one (1)year each, may be granted by the Zoning Authority for good cause provided that all roads and at least two dwellings have been completed, and with safeguards to the welfare and property values in the neighborhood.

Submitted on January 16, 1986
 Accepted F. Allen Sherb

MINUTES OF A PUBLIC HEARING AND SPECIAL MEETING OF THE
EXECUTIVE BOARD OF THE PINE ORCHARD ASSOCIATION
FEBRUARY 24, 1986

AGENDA FOR FEBRUARY 24TH MEETING
Legal Notice

ZONING AUTHORITY OF THE
PINE ORCHARD ASSOCIATION
BRANFORD, CONNECTICUT

The Zoning Authority of the Pine Orchard Association will meet on Monday, February 24, 1986 at 8 p.m. in the Pine Orchard Country Club, Grill Room, to conduct Public Hearings on the following matters:

- 1) The application of David and Susan Anderson, of 18 Grove Avenue, Branford, for re-subdivision of the building lot at 18-14 Grove Avenue, by Special Permit. This has been approved by the Planning Committee;
- 2) The proposal by the Planning Committee to amend Section VI of the Zoning Ordinance, 1977, as amended, by substituting a revised paragraph "Flood Plain";
- 3) The proposal by the Planning Committee and by Matthew Gailey of Juniper Point to amend Section V of the Zoning Ordinance, 1977, as amended, on Special Permit Uses, by adding a new section V.D on Open-Space Residential Communities; and also renumbering the present section V.D to become V.E.

It may be noted that the subjects of proposals 2 and 3 are the same as were discussed at the Public Hearing held October 21, 1985, but the text has been considerably revised. The above application and the texts of the proposed changes to the Regulations are on file and available for public inspection in the office of the Association at 8 Anchorage Farm Road - telephone 488-5180.

REGULAR MEETING

1. Treasurer's Report
2. Status of breakwater
3. Sewer question
4. Question: Is it desirable for the Association to take a position on the possibility of making Young's Woods a part of the Branford Park System?
5. A personnel matter to be discussed in executive session.

F. Allen Sherk
President

PUBLIC HEARING AND MEETING OF ZONING AUTHORITY
FEBRUARY 24, 1986

Present: Buza, Crossley, Delfini, Farrel, Littlehales, Palisca, Sherk, Sherwood, Tweed and Usher; 17 public people.

VOTING RECORD:

Part I Public Hearing 8:05 - 9:30 P.M.

1. Anderson re-subdivision: Motion to approve by Usher, seconded by Tweed, passed unanimously.
2. Flood Plain section of proposed amendment to Zoning Regulations. Motion to accept Section VI "Flood Plain" by Farrel, seconded by Usher, passed unanimously.
3. Open Space addition to Zoning Regulations:
 - a. re. "bonding", motion to change auxiliary verb "may" to "shall" by Farrel, seconded by Tweed, passed unanimously
 - b. Crossley presented four suggested (minor) changes in wording, etc. by Department of Environmental Protection official: adding "dunes", "tidal wetlands", etc. Consensus fo accept these changes. No vote.

Part I adjourned.

Part II Zoning Authority (Executive Board) with public present.
9:35 - 10:20 P.M.

1. Moved, seconded and passed to accept as written minutes of May 22, July 16 and October 21, 1985.
2. Moved, seconded and passed to accept Treasurer's Report.
3. Vote on new section of Zoning Ordinance, "Open-Space Residential Communities": A motion was made by Crossley to accept this section with above modifications re. bonding and DEP changes and seconded by Tweed. A roll call vote was unanimous in favor and so passed.
4. The Breakwater matter will go to committe which would not include officers of the Pine Orchard Yacht & Country Club. The President will be in charge. No vote.
5. Question: Young's Woods to become part of Branford Park System?
It was felt advisable if, and only if, a member of the Pine Orchard Association Executive Board were to be a member of the Park Committee. No vote was taken on this matter. The President will be in charge.
6. Sewer Matter: There have been many changes since the Pine Orchard survey. It was decided to get together a fact-finding committee. The President will be in charge.

Part III Executive Session 10:20 - 10:45 P.M.

Part IV Zoning Authority - Board - ~~10:45~~-10.46 P.M.

Adjourned.

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
MAY 5, 1986

At the call of the President, members were telephoned and advised of this special meeting held at the Firehouse. Present were Crossley, Delfini, Healy, Littlehales, Palisca, Reynolds, Sherk, Sherwood, Tweed and Usher. President Sherk called the meeting to order at 8:06 P.M.

Mr. Sherwood distributed copies of the 1986 Tax List and reported that all 1985 taxes have been collected. Later in the meeting the Tax List was signed by all members present after being duly and unanimously accepted.

Mr. Sherk nominated Vining Bigelow to replace the late David Daggett as chairman of the breakwater moorings. Passed. The President also noted the impending resignation from the Board of Malcolm Farrel who has left Pine Orchard. He appointed Buza and Usher as a nominating committee to replace Mr. Farrel and to present a slate for election (four members of the Board) at the annual meeting in July. Persons suggested for Farrel's slot were Dr. David Pearson, Richard Greenalch and Mike Sturgess.

Mr. Tweed reported on police matters, including his meetings with Ptrl. Hutchins and the need for radar equipment installed in our police car. By purchasing it through Branford, the cost might be about \$1700, including mounting it in the car. Mr. Tweed explained the need for regular calibration of the radar, which is mandatory after a speeding arrest. He will explore the matter and also the proposed increase in policeman's wages in the town, with which Pine Orchard complies.

Mr. Sherk requested all budgets to be presented at the next meeting. He then discussed the problems of the Chapel which is in great need of repairs. Mr. Crossley proposed that we remove the property from its tax-exempt status and then sell it for renovation. The Board decided to confer with the current trustees of the Chapel Association through Healy and Sherk who themselves are trustees, and requested a title search after locating the original incorporation papers in Hartford. There is a problem of ownership.

Mr. Healy then spoke at length for the sewer committee of which he is chairman, with Delfini, Flaherty and Littlehales as members. At their meeting on April 28 they discussed the misleading article in the paper, and ascertained that the Branford Sewer Commission is ready to discuss Pine Orchard when the majority of PO's residents are willing to proceed with sewer construction with its concomitant financial assessments, etc. Mr. Sherk distributed copies of his summary, "Changes in sewer situation since 1983" when the residents were canvassed. The Board agreed that the Sewer Committee would probably need to obtain another count of the residents about desiring sewers, that the facts be obtained from the Sewer Commission and the Town Engineer re financing, and that the Board should take a firm positive stand this time on sewerage Pine Orchard. It was moved, seconded and unanimously passed by a roll call vote that the Board recommend to the Pine Orchard Association that sewers be seriously considered.

Mr. Reynolds reported that the Pine Orchard Club is willing to take over the Breakwater and maintain it only if it is presented without contingencies or reservations. Buza and Usher will proceed.

Adjournment was at 9:15 P.M.

Respectfully submitted,

Jane A. P. Palisca, Clerk

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

20206

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

"Pine Orchard, CT
May 9, 1986

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 19, 1986 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, to discuss sewers, and to transact any business within the power of the Board which may come before the meeting.

Attest:

Jane A. P. Palisca
Clerk"

President Sherk called the meeting to order at 8:05 P. M., there being a quorum present--Delfini, Healy, Palisca, Sherk, Sherwood, Tweed and Usher. The minutes of May 5, 1986 were accepted as written and distributed.

The Treasurer, Mr. Sherwood, presented a proposed budget for 1986-87, with copies distributed to those present and a copy attached herewith. He briefly discussed each item except the police estimate. Regarding the municipal building, he noted that an increase of \$2500 was for staining the exterior. Mrs. Palisca requested that a signboard be attached outside the building for posting notices of meetings, minutes, etc. Then Mr. Tweed suggested that the Town be asked to increase its annual payment for use of the building as a firehouse by \$1000, which would make the figure \$4500 for 1987-88.

Mr. Tweed then spoke at length about the Police budget, the largest item. He urged the purchase of a new radio for ca. \$800 and noted that the new radar installation would be ca. \$1700. The largest increase in the police budget is for wages, with a grand total of \$37,700 proposed. After considerable discussion it was decided to modify the labor segment by reducing it by \$4500 to change the police budget to \$32,880. Several members suggested trying out a radar before purchase to evaluate its use and efficacy. Mr. Tweed will investigate the possibility. Other members stated their wish for the immediate installation of radar.

With the total proposed budget adjusted to \$50,580, less \$5220 available as a carryover on July 1, the funds necessary to be collected by Real Estate Taxes are \$45,360. Mr. Sherwood moved that the mill rate be set at 1.7, yielding \$46,339.82. Passed. Members signed the statement of the 1.7 mill rate for 1986-87.

PINE ORCHARD SEWER SITUATION FACT SHEET

"The time has come" to talk seriously about sewers in Pine Orchard. There have been so many changes since this issue was last brought up in 1983 that the Board has now voted unanimously to urge your positive consideration.

These changes are:

1. A new Sewer Commission Chairman, Ed Surprenant, who wants engineering done before giving a final price quotation. Who wants all easements signed before starting to dig. And who does not believe that "Pine Orchard is wealthy" and can afford to make up for previous miscalculations.
2. A new town Engineer, Stephen Dudley, who has produced the first sewer layout map with elevations that we have seen. Who would like to build in three phases according to concentration of houses and problems. (North of the Railroad tracks will be considered separately and later.) And who would have all engineering done before starting.
3. A large number of letters and phone calls have been received from residents complaining about our lack of sewers; both from those with real problems and those concerned about the environment.
4. Building permits for expansion of home are being denied unless a new septic tank system is installed with adequate effluent drainage, which is not always possible.
5. Interest rates on a sewer bond issue are much lower than they were three years ago.
6. The Pine Orchard Club has a serious septic problem and could form a separate sewer district with Thimble Farms, resulting in digging up our main roads anyway with ultimate higher cost and inconvenience to all.

Arguments in favor of sewers given in 1983 and still applicable in 1986 are:

1. The majority of P. O. homes are on small lots that do not provide adequate effluent fields.
2. Many homes were built for summer occupancy only and their current 12-month intensive use taxes the area's water absorption ability
3. A fair number of homes have old cesspools (NOT septic tanks) which are logged with accumulated waste.
4. Sewer construction will only cost more in the future and could be MAN-DATED by the Department of Environmental Protection because of our proximity to Long Island Sound.
5. The cost of sewers would undoubtedly add to the market value of your home. Payments may be made over a 10-year period and is a cost transferable to a possible purchaser of your home.
6. In NO WAY would sewers encourage condominiums because we are lightly zoned for one family use only.

There will be an informational meeting on MONDAY, JUNE 2, 1986 at 8:00 PM in the Pine Orchard Chapel. Branford's Sewer Commission Chairman and Town Engineer will be present to answer your questions. Please make every effort to be there.

A post card ballot will be mailed to every home owner which must be returned by 4:00 PM June 16, 1986.

The Board will petition the Town of Branford for sewers if the vote is favorable.

Pine Orchard, thanks to the A.M. Young Co. prided itself on providing the first water, gas and electricity in the area but appears very backward when it comes to sewers. We are all concerned with air pollution. Why not an equal concern with ground and water pollution?

Pine Orchard Sewer Committee

Joseph Healy, Chairman

Marcia Delfini

Hugh Flaherty

Elaine Littlehales

May 14, 1986

THE PINE ORCHARD ASSOCIATION NEWSLETTER
MAY 14, 1986

ZONING AMENDMENTS

After more than a year's careful study, Erskine Crossley's Planning and Zoning Committee came up with an eleven page zoning amendment that was unanimously approved by the Board after a public hearing early this spring. The document tightens our single family zoning and makes provision for "cluster housing". (Cluster housing allows single family houses to be built closer together than previous zoning allowed, but does not allow more units per acre than before.) The benefit is that more land can be left as open space. It has absolutely nothing whatsoever to do with condominiums, which are not allowed. Copies of the zoning amendment may be seen in the office at 8 Anchorage Farm Road.

HARBOR MOORINGS

Vining Bigelow (14 Island View Avenue, 488-2049) has kindly agreed to be in charge of the moorings between the pilings off the breakwater in the harbor. If you are interested in mooring a boat there, give him a discription of your boat and \$25 and he will assign you a place.

Radar Gun - Beware!

Because of speeding on our three main streets, the Executive Board has voted to purchase a radar gun for our Pine Orchard Police vehicle in the hopes that this will curtail the violations that we all see every day.

Fire Department

A 5 KW alternator has been provided the Engine 6 firehouse by the Town of Branford so that it can be operated in case of a power failure. (Who will soon forget the week of 10 days we were without electricity following Gloria's visit!) At thistime Engine 6 is well manned and we are in no danger of losing its valued and strategically located services. However, if you wish to volunteer, do so; there can never be too many fireman.

Young's Woods

The paths and roads of this lovely park have been cleared of the fallen threes left by Gloria and you are urged to reacquaint yourselves with this sylvan setting.

Annual Meeting

Reserve Monday, July 7 at 8:00 P.M. for the Annual Meeting in the Pine Orchard Chapel. Details at a later date.

Ordinances

If you have a hedge on a corner, please keep it trimmed low enough for motorists to see OVER.

Both the State of Connecticut and the Town of Branford have laws requiring that dogs be on a leash whenever they are in public places. Public places include the roads and the beaches. Roaming dogs overturn garbage cans and scatter the contents, chase cars and bikers and joggers and harass folks walking their dogs legally, and soil the neighbor's lawns. Be considerate of your neighbors and control your dog, and obey the law. Having your house number clearly displayed not only makes good sense, it is the law!

THE PINE ORCHARD ASSOCIATION

	1985-1986		Budget
	<u>Budget</u>	<u>Est. Expenses</u>	<u>1986-1987 Adjusted</u>
Police	\$28,000	\$26,000	\$37,700
Audit	420	440	450
Insurance (other than Firehouse and Police)	1,000	2,724	5,500
Firehouse	4,000	3,000	5,500
Less payment by Town of Branford	(3,500)	(3,500)	(3,500)
Fees	5,000	5,000	5,000
Postage & Miscellaneous	750	830	750
Legal and Zoning	1,000	1,902	1,000
Waterfront Repairs	3,000	3,000	3,000
Office Equipment	<u>750</u>	<u>610</u>	<u>-0-</u>
<u>Total</u>	\$40,420	\$40,006	\$55,400

Estimated Cash Position June 30, 1986 (Before payments listed below)

Branford Savings MM	\$11,636.39	
Checking Account	<u>2,283.65</u>	\$13,920.04
Less Bills Payable	<u>8,700.00</u>	
	\$ 5,220.04	(Available for 1986-1987)
		<u>5,220</u>

Funds necessary for 1986-1987 to be collected by
Real Estate Taxes \$50,180

Grand List --- Net \$27,258,716

@ 1.7	\$46,339.82
@ 1.8	49,065.69
@ 1.9	51,791.56

Yearly Estimate--C/D and Savings Bank Interest \$1,400

May 15, 1986

Mr. Healy spoke for the Sewer Committee about the scheduled public informational meeting on June 2, 1986 at either the Chapel or the Pine Orchard Club. A post card will be enclosed for a yes-or-no vote after the meeting, when financial estimates will be forthcoming from Town officials. The recent mailing of the "Sewer Situation Fact Sheet" and the "Association Newsletter" was noted by the President and the Sewer Chairman.

Mr. Usher spoke for the nominating committee and moved that Robert Corley be elected by the Board to fill Mr. Farrel's slot; this motion was seconded and passed. He also moved the re-election of four members of the Board for three years at the Annual Meeting: i.e., Corley, Delfini, Littlehales and Sherwood. This slate was unanimously adopted and will be proposed to the general membership.

The Breakwater transfer to the Pine Orchard Club was discussed. Mr. Usher with Mr. Buza believe the Club is correct in deciding to accept it only without any reservations. It was decided that Mr. Sherk will inform the Annual Meeting of the status of negotiations and inform the membership that the Executive Board will be voting on the matter in the near future.

Adjournment was at 9:45 P.M.

Respectfully submitted,

Jane A. P. Palisca, Clerk

June 17, 1986

To the Pine Orchard Board of Directors:

Last night we counted the post card ballots on the sewer vote in Pine Orchard with the following results:

Ballots sent out to all taxpayers by mail	<u>262</u>
Ballots return by June 16th deadline	<u>192</u>
Percent of ballots returned	<u>74.7%</u>
Ballots in favor of sewers	<u>151</u>
Ballots opposed to sewers	<u>39</u>
Neutral ballots	<u>2</u>

Based on the above it is our recommendation that the president of our association be empowered to petition the Sewer Authority of Branford to install sewers in Pine Orchard at their earliest convenience.

Respectfully submitted

Joseph P. Hedy Chairman

Haris W. Pittelbach

Marcia Setfiew

(Rather than calling a special meeting, would you please call Allen Sherk at 488-2259 and indicate whether you are for or against such a letter)

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:

"June 3, 1986
Pine Orchard, CT

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 7, 1986 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 discuss the possibility of turning over the break-water to the Pine Orchard Club.
3. To announce the results of the sewer vote.
4. To transact any other business within the power of the meeting which may be brought before it.

Attest:

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

The Executive Board nominates the persons listed below for a three year term:

Robert O. Corley	Marcia Delfini
Elaine Littlehales	Robert B. Sherwood

Other nominations will be accepted from the floor. Such nominees should express to nominators their willingness to serve.

	1985-1986		1986-1987
	Budget	Est. Exp	Budget
Police	\$28,000	\$26,000	\$32,880
Audit	420	440	450
Insurance (other than Firehouse and Police)	1,000	2,724	5,500
Firehouse	4,000	3,000	5,500
Less payment by Town of Branford	(3,500)	(3,500)	(3,500)
Fees	5,000	5,000	5,000
Postage and Miscellaneous	750	830	750
Legal and Zoning	1,000	1,902	1,000
Waterfront Repairs	3,000	3,000	3,000
Office Equipment	750	610	-0-
Total	\$40,420	\$40,006	\$50,580

Estimated Cash Position June 30, 1986	5,220
Funds necessary for 1986-1987 from Real Estate Taxes	\$45,360

Grand List--Net \$27,258,716
The Board voted the mill rate @ 1.7 mills \$46,339.82

The 84th Annual Meeting convened at 8:05 P. M. by President Allen Sherk with the following announcements and commendations.

1. Friends of Helen Flanders and Jack Kirby have contributed over \$4,000 for repairs and painting of the Pine Orchard Chapel.
2. Thanks to Nancy Wheeler and Trustees of the Chapel for its us at Annual Meetings.
3. Particular thanks to Hazel Swanfelder for her unstinting service to the Association, voiced by both Mr. Sherk and Mr. Sherwood.
4. Jane Palisca has resigned as Clerk, due to the pressure of other demands on her time. She will continue, however to serve on the Board of Directors.

Vice President, Joe Healy read the call to the meeting. The agenda:

1. Elect 4 persons to serve 3 years on the Executive Board.
2. Report on the status of the breakwater.
3. Report on the results of the sewer ballots.
4. Any other business to be brought before the meeting.

A slate of four members of the executive board, presented by the nominating committee, was accepted by voice vote. Re-elected were: Marcia Delfini, Elaine Littlehales and Robert Sherwood. Newly elected was Robert O corley, previously appointed to fill the term of Malcolm Farrell.

Treasurer's Report by Robert Sherwood was presented in summary form. Last year's receipts and expenditures were each about \$43,000, leaving a \$5000 cash balance. The mil rate has been increased to 1.7 to cover a \$45,000 budget for next year. The bulk of the increase is for police patrol and related expenses. Advised that a detailed accounting is available upon request, the report was accepted as presented.

A report on Police and Fire Protection was presented by Jack Tweed, who has agreed to serve as Police Commissioner following the resignation of Ed. Reynolds. Mr. Tweed summarized the arrest reports of Patrolmen Hutchins and Modzelewski. He stressed the emphasis being placed on high visibility by the patrolmen.

Mr. Tweed called attention to the operation of golf carts on public roadways, pointing out that such operation requires a motor vehicle registration. Notices to this effect will be posted at the Pine Orchard Club; and subsequently, the police will enforce this law. He reminded the members that the 911 emergency number is in operation and urged its use. He further urged that parents supervise their children's use of skateboards.

A complaint from the floor was presented and duly noted, regarding speeding on Island View Avenue and Chapel Drive.

Joe Healy reported for the Sewer Committee. The result of the opinion poll taken within the Association was 151 in favor of sewers and 39 opposed. In response to the mandate, the committee has advised the Branford Sewer Commission of Pine Orchard's desire to have sewers. There will be a public hearing July 16 at Canoe Brook Road Senior Citizen's Center at 7:30 P.M. Upon approval by the Branford Sewer Commission, Pine Orchard's request will go before the Branford Board of Finance, and then to the RTM for final approval. Pine Orchard Association's balloting procedure was questioned from the floor on the grounds it might eventually face a legal challenge, and a motion was made that Pine Orchard request for sewers be delayed three weeks

for further study. This motion was defeated in a hand vote--two in favor vs the rest against.

Erskine Crossley, representing a Branford Town Committee charged with "What to do about garbage", presented an interesting and sobering review, the key conclusion being:

- a) The town dump has 2-3 years maximum remaining life
- b) thereafter, incineration of garbage is the only visable alternative.
- c) New Haven's incinerator facility or one built by Branford appears to be the only practical options.
- d) Either way, Branford residents will be faced with a tax rate increase in excess of 2.5 mils.

Mr. Sherk commented on the splendid job done by Vining Bigelow's committee in installing moorings along the breakwater for use by association members. Nineteen moorings have been rented to date, and more are available.

The committee formed to develop a plan for turning responsibility for the breakwater over to the Pine Orchard Yacht & Country Club requested a postponement of its report, as negotiations are still in progress.

It was brought to the attention of the members that in addressing mail "Pine Orchard" is no longer sufficient address and can result in mail being returned to sender. "Branford" must be included in the address.

The meeting adjourned at approximately 9:30 P.M.

Respectfully submitted,



Robert O. Corley, Clerk

MINUTES OF ORGANIZATION MEETING OF THE EXECUTIVE BOARD held immediately following adjourment.

Members present were Buza, Corley, Crossley, Healy, Littlehales, Sherk, Sherwood, Tweed and Usher. The following were appointed to continue to serve in their present capacity:

President, Allen Sherk
Vice-President, Joseph Healy
Treasurer and Tax Collector, Robert Sherwood
Clerk, Robert Corley, replacing Jane Palisca, resigned
Assistant Treasurer, Tax Collector and Secretary, Hazel Swanfelder

Respectfully submitted,


Robert O. Corley, 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, CT
August 22, 1986

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, September 8th, 1986 to consider the following matters and any others that may properly come before the Board.

1. Report of the Breakwater Committee.
2. Report of the Sewer Committee.
3. Appointment of alternates to the Board of Zoning Appeals.
4. Discuss a name for town road going to Trap Rock Company.
5. What do we do about real estate firms that advertise houses "in Pine Ordhard" when they are not.
6. Report on effectiveness of radar.
7. Report on tax collections.

Attest:


Robert O. Corley
Clerk"

P.S. There will be a Board of Appeals meeting September 4, 1986 at 8:00 P.M. at the P.O.A. Municipal Building to consider the appeal of Mrs. Sheila Breunich.

President Sherk called the meeting to order at 8:00 P.M. with the following members present: Buza, Corley, Delfini, Healy, Littlehales, Reynolds, Sherk, Sherwood and Tweed. The meeting had been called by President Sherk to address the seven topics to business reported below.

1. Report of the Breakwater Committee was presented by Mr. Buza. In response to a petition by boatowners and in consideration of a letter of reassurance from V. F. McNeil Co. regarding insurability, the committee recommended continuing ownership of the breakwater. A motion to this effect carried, with Mr. Reynolds abstaining.

Joe Buza was requested to get details of proposed insurance coverage and review them with Allen Sherk. Mr. Sherk offered to repair and upgrade the "No Trespassing" signs.

2. Report of the Sewer Committee by Joe Healy advised that approval of the Pine Orchard sewer proposal by the RTM looks favorable, and the next steps will be to complete the engineering and obtain the necessary easements.
3. Appointment of alternates to the Board of Zoning Appeals: Archie Welch was agreed upon. In the event he is not available, Charles Spiegel is to be invited to serve as alternate.
4. Name for town road going to Trap Rock Co. A motion was made and carried that "Goss Lane" be recommended to the town.
" "
5. The mis-designation of "Pine Orchard" in real estate advertising was discussed, and it was agreed that the negative effect on the community is too small to warrant action.
6. Effectiveness of Radar was reported by Mr. Tweed. He cited 12 arrests within the last month, and expressed his opinion that there is a noticeable reduction in speeding.
7. Report on Tax Collection. Mr. Sherwood reported 12 delinquent taxpayers, and indicated he will proceed through legal steps to collect, including liens on property if necessary.

Additional Business

A. Mr. Sherk's review of CL&P's experimental plan to install underground wires on three streets elicited general approval, and the hope was expressed that such installation can be extended throughout Pine Orchard.

In response to a request by board members, Mr. Sherk offered to write a letter to the gas company requesting that inspection of gas mains be conducted in conjunction with sewer installation.

B. Zoning Issues

Mr. Sherk advised the board of the expected request for a zoning change from industrial to residential, to be presented by developers seeking to build condominiums on the Cosgrove property off Pine Orchard Road adjacent to the railroad.

Mr. Sherk advised of three zoning regulation violations; and the board was unanimous in urging that compliance be enforced. It was recommended that the Association's lawyer write the owner of the Pine Orchard Market property regarding legal action to be taken in response to his defiance of repeated demands to return the number of apartments from two to one. A letter to Peter Zack pointing out the violations on two residential properties was also recommended.

C. Maintenance of Town Property

In voicing separate but related complaints, board members, Reynolds, Littlehales and Tweed requested a letter from the president to Mrs. Gott calling her attention to poor maintenance of Pine Orchard Road between Knollwood Drive and the armory, the deficiency of warning signs at the railroad overpass, and inadequate ground maintenance around Mirror Lake, the triangle at Pine Orchard Road and Elizabeth Street and Young's Pond parking area.

The meeting was adjourned at 9:10 P.M.

Respectfully submitted

Robert O. Corley
Robert O. Corley, Clerk