



PINE ORCHARD ASSOCIATION
Branford, Connecticut

**PINE ORCHARD ASSOCIATION
EXECUTIVE BOARD MEETING NOTICE
AND AGENDA
MONDAY, Nov. 4th, 2024**

At the call of the President, The Pine Orchard Executive Board will hold its' November board meeting at the POA office at 180 Pine Orchard Road and via Zoom on Monday Nov. 4th, 2024, at 7PM. All are welcomed to attend.

- 1) Call to order
- 2) Approve minutes from Sept. 3rd, 2024, Executive Board Meeting
- 3) Officers and Committee Reports:
 - Treasurer – John Grathwol
 - Tax Collection - John Grathwol
 - Zoning - Matt Barez & Thomas Roche
 - Nominating - George O'Dowd
 - Building - Andrew Ruff
 - Waterfront - David Silverstone, Karen Jubanyik
 - By Laws & Beautification – David Scheer
 - Office Manager - Peter Robinson
- 4) New Business
 - Neighborhood Security
 - Spring Rock Road safety traffic issue
 - Cutback program to improve sightlines
- 5) Old Business – ZBA hearing outcome - Wihbey v. POA- ZBA
- 6) The Executive Board reserves the right to move to Executive Session related to any of the subjects brought before the Board.

Public Comment Rules:

1. Individual public comments are limited to 3 minutes.
2. Individuals shall identify themselves by name and address.
3. The public portion of the meeting shall be limited to 15 minutes in total.
4. Proper and respectful conduct is expected from any speaker during the public comment section of the meeting. Those not adhering to such guidelines will be given a warning, and absent restoration of orderly questions and/or comments the speaker's privilege to participate in the public comment via this meeting site will be terminated.

Zoom meeting info

Click on the button below to Join Zoom Meeting

Meeting ID: 849 1637 7635

Passcode: 977003

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Vincent Giordano

President, POA Executive Board

Pine Orchard Association | 180 Pine Orchard Road | Branford, CT 06405 US

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Pine Orchard Association

Executive Board Meeting Minutes

Date: November 4, 2024

Location: POA Office and via Zoom

Time: 7:00 PM

1) Call to Order

The meeting was called to order at 7:00 PM by President Vincent Giordano. A quorum was confirmed. Present for the meeting were: David Scheer, Niall Ferguson, Vincent Giordano, Matt Barez, Kerri Beckert, Thomas Roche, George O'Dowd, John Grathwohl, Karen Jubanyik, and Andrew Ruff (virtually) and OM Peter Robinson. Absent were David Silverstone and Frank Telo.

2) Approval of Minutes from September 3rd, 2024, Executive Board Meeting

A motion was made (Thomas Roche) and seconded (Niall Ferguson) to approve the minutes from the September 3rd, 2024, Executive Board meeting. The minutes were unanimously approved.

3) Officers and Committee Reports

- **Treasurer/Tax Collection:**

John Grathwol provided the Treasurer's report. Tax receipts of \$94,592 have been collected, which is slightly under the budgeted amount of \$96,878. Rent collections stand at \$3,400, with an expected \$5,200 for the year. Building permits and other fees have generated \$1,925, with a target of \$5,000.

- **Disbursements:**

- Shorefront maintenance expenses remain at \$0 (budgeted: \$60,000).
- Building maintenance has been \$2,819 (about 1/3 of budgeted amount).
- Office expenses and utilities are on track.
- Legal expenditures are expected to stay within budget.
- Beautification and zoning budgets remain unspent as of the end of the reporting period.

John noted that there have been no unexpected or significant expenses. Questions from Board members were addressed,

particularly regarding the insurance payment, which had been a slight delay in processing due to bank clearing issues.

- A full report is available as an attachment to these minutes.
- Zoning Report:
Matt Barez and Thomas Roche reported that the zoning matters mainly pertain to a few permits issued, including for two pools, a generator, and various remodeling work.
 - Short-Term Rentals: The ongoing issue with short-term rentals It was noted that the zoning officer is awaiting language from the association's attorney before proceeding further with enforcement. The Board expressed concern about the lack of follow-up on this matter and suggested a separate meeting to clarify the next steps.
- Nominating Committee:
George O'Dowd reminded the Board that nominations for open positions must be in place by the May meeting. He will work with Peter Robinson to ensure the nominating committee is formed and active.

The Board also discussed the ZBA alternate position, with a second candidate to be contacted.

- Building Committee:
Andrew Ruff had no specific updates but mentioned that seasonal preparations, such as draining pipes for winter, had been completed.
- Waterfront Committee:
Karen Jubanyik reported on several ongoing projects:
 - Island View Seawall: Repairs are planned for a deteriorating section of the seawall.
 - Sidewalk Repairs: Work will be done to address uneven sections of sidewalk across from Chapel.
 - Crescent Bluff Stairway: The railing on the stairway will be replaced, but the stairs themselves are in good condition.

The Board also discussed the access rights for Selden Avenue and Juniper Point. A letter has been sent to the Town Selectman and attorney to clarify ownership of the right-of-way and the responsibilities of the association for maintenance. The legal opinion suggests that

the Town of Branford has shared ownership of the western half of the walkway, but the current landowner disagrees. A resolution is pending.

- **Bylaws & Beautification:**

David Scheer reported no new activity on bylaws.

The Beautification Committee, led by David Scheer, including Niall Ferguson and John Grathwohl, had several meetings, including with Gary Zolinsky from the Town.

The committee focused on three main areas:

- Crescent Bluff Path (now owned by POA)
- Triangle Park
- Spring Rock Common Area (town-owned)

Improvements are underway, with the town committing to handle some of the work, including tree removal, brush clearing, and planting. The association's financial burden will be reduced as a result. The committee also discussed curb restoration at the end of Spring Rock, which is expected to occur after gas company work is finished.

4) New Business

Neighborhood Security:

Peter Robinson provided an update on the progress of the Neighborhood Security initiative. He explained that the committee had reviewed various recommendations, with the overarching message continuing to emphasize the importance of securing homes through basic precautions, such as locking doors and windows.

- To further this initiative, the website has been updated with a new feature under "Neighborhood Secure". This page aims to provide the community with key information about neighborhood security, such as:
- **Security Tips & Recommendations:** An overview of actions residents should take to enhance security.
- **Incident Reporting:** A table detailing recent neighborhood security incidents, including location, description, and outcomes. This will be regularly updated with data sourced from residents.
- **Discounts for Security Products:** Potential future opportunities for residents to access discounts on security products, such as motion-sensor lights or video doorbells.

- Additionally, Robinson emphasized the plan to send out a bi-monthly email update summarizing all activities, incidents, and updates to keep the community informed. This will be sent a few days before each board meeting to ensure the information remains current.
- The Neighborhood Secure platform will also encourage input from residents, and an email will be sent out to solicit feedback regarding any additional features or information they feel should be included.
- Discussion Points:
- Repetition of Information: A question was raised about the potential for similar platforms, like "Citizen" and "Safer," which also provide security updates and incident data. Robinson explained that these platforms can be cluttered with irrelevant information, such as ads or posts unrelated to security. The committee's platform will remain focused on the Pine Orchard neighborhood specifically, providing a streamlined, moderated experience.
- Moderation and Verification: Robinson will moderate the platform to ensure that only verified, relevant information is shared. Any reports submitted will be reviewed for legitimacy before being posted to the website. If the platform is self-reported, there may be a slight delay in data entry, but all information will be verified before publication.
- Incident Reporting Guidelines: It was clarified that only certain types of criminal activities would be logged, such as property crimes (e.g., burglaries, thefts, etc.). Sensitive personal matters, such as domestic disputes, would not be included in the report.
- Feedback & Further Improvements: The committee will continue to seek feedback from residents and explore further improvements.

Spring Rock Road Safety & Traffic Issues

An ad hoc committee was formed to address specific safety concerns related to Spring Rock Road. The committee conducted a survey within the community to gather feedback, which was then analyzed and distilled into concrete recommendations.

- The committee met with Jamie Cosgrove and the town engineer to discuss possible improvements, particularly focusing on site line obstructions and traffic flow.
- Site Line Obstruction:

- The primary issue raised was the site line obstruction at the intersection of Spring Rock Road and Pine Orchard Road. The town engineer suggested two potential actions to improve visibility:
 - Relocate the sign that is partially obstructing the site line.
 - Trim back pine trees and shrubs (located on private property) to improve the sight line..
- The committee also explored options to reduce speeding and improve traffic flow, including
- A suggestion to make the section of Spring Rock Road one-way, though this idea has mixed support from the community.
 - A proposal to change the intersection design from a fork to a T-intersection. This would involve reconfiguring the intersection so that vehicles coming from Spring Rock Road would turn more sharply onto Pine Orchard Road. The town engineer agreed to assess this option, though it would require significant engineering work.
- Speeding on Pine Orchard Road:

A major concern raised was the speeding issue on Pine Orchard Road, particularly as vehicles approach from Hutchins Grove Road. The committee recommended the installation of an electronic speed indicator sign in the vicinity of Birch Road. This sign would display drivers' speeds and act as a reminder to slow down.

- Ongoing Discussion and Follow-Up:

There was some disagreement about the most effective approach to addressing speeding and traffic safety. One suggestion was to install stop signs at the Spring Rock Road/Pine Orchard Road intersection to ensure vehicles slow down before entering the neighborhood. While this idea was discussed, it has not been widely embraced by the town engineer.

The committee plans to follow up with the town to push for additional stop signs, particularly at key intersections, and to further discuss the T-intersection redesign.

5) Old Business

- ZBA Hearing Outcome – Wihbey v. POA:
There were no new developments or further discussion on the Wihbey v. POA case, pending further updates.

On October 22, 2024, the POA Zoning Board of Appeals (ZBA) ruled that Mr. Whitby of Three Crescent Bluff failed to provide sufficient evidence to prove a preexisting nonconforming use for his short-term rental. As a result, the ZBA's

decision upheld the restriction, meaning that Mr. Whitby will no longer be able to rent his property on a short-term basis unless future court proceedings allow otherwise.

- This decision reinforces the town's short-term rental policies, specifically addressing claims of grandfathering in properties that were allegedly in use before the 2018 zoning changes. The ruling clarifies that short-term rentals are prohibited unless they meet the 30-day minimum rental requirement.
- Peter has sent a community notice to inform residents about the ZBA ruling. The notice includes a link to the POA website, where you can access the full ZBA decision, along with additional documents and the official zoning ordinance.
- For now, residents are reminded to comply with the town's existing short-term rental regulations, which require a 30-day minimum for any rentals. This restriction applies to all current short-term rental activities, and advertising or renting for shorter periods remains prohibited.
- The case may proceed to court for further review, and the POA will continue to monitor the situation. The notice that Peter distributed should provide clarity on the current rules, and the website link allows residents to review the full details of the ruling and zoning policies.

6) Public Comments

The President opened the floor for public comments:

- Ryan Smith, a homeowner at 5 Waterside, addressed the board regarding the ongoing short-term rental issue, particularly highlighting concerns from the 2018 discussions. Mr. Smith noted that his own short term rental property has been the subject of legal notices due to his continued rental regardless of association rules against such rentals. He also pointed out the historical context of rental signs as a collector of old postcards from the shoreline of Connecticut. . He expressed concerns that the board may not have fully considered the long-term impact on property value and rights for homeowners.

- 7) Executive Session

No motion to move to Executive Session was made.

8) Adjournment

The motion to adjourn was made by Matt Barez and seconded by John Grathwohl. The meeting was adjourned at 8:50 PM.

Minutes submitted by: Kerri Costigan Beckert, Clerk

Date: 5 November 2024

Pine Orchard Association Treasurer's Budget Report November 2024
Current Approved Budget vs. Expenditure Activity YTD
as of 10/31/2024

	Approved Budget 13-May-25	Budget Activity YTD	\$ Remain. Budget	% Remain. Budget	
RECEIPTS					
Tax Collections	\$ 96,878	\$ 94,592	\$ 2,286	2%	<<< Includes #1 -
Rent	\$ 5,200	\$ 3,400	\$ 1,800	35%	received 6/21
Building & Permit Fees	\$ 5,700	\$ 1,925	\$ 3,775	66%	
Other (Int., Moorings)	\$ 55	\$ 29	\$ 26	47%	
Use of Capital Savings	\$ 17,000	\$ -	\$ 17,000	100%	
Total	\$ 124,833	\$ 99,946	\$ 24,887	20%	
DISBURSEMENTS					
Security	\$ -	\$ -	\$ -	-	
Shorefront Maintenance	\$ 60,000	\$ -	\$ 60,000	100%	
Building Maint/Utilities	\$ 9,000	\$ 2,819	\$ 6,181	69%	
Property Improvements	\$ -	\$ -	\$ -	-	
Office/General	\$ 18,000	\$ 5,962	\$ 12,038	67%	
Insurance	\$ 7,800	\$ 740	\$ 7,061	91%	
Legal**	\$ 17,750	\$ -	\$ 17,750	100%	
Zoning	\$ 5,000	\$ -	\$ 5,000	100%	
PO Web	\$ -	\$ -	\$ -	0%	
Acctg Annual Review	\$ 4,400	\$ 4,973	\$ (573)	-13%	
Beautification Com.	\$ 3,500	\$ -	\$ 3,500	100%	
Sidewalks	\$ -	\$ -	\$ -	-	
Total	\$ 125,450	\$ 14,493	\$ 110,957	88%	
NET INCOME (LOSS)	\$ (617)	\$ 85,452	N/A		

Account Balances	
As of 10/31/2024	
BOA checking	\$127,475.10
BOA Savings	\$67,861.47
BOA total balance	\$195,336.57

* The planned transfer of \$17,000 from BOA saving, to BOA checking, has not yet been made.

Office Manager Report for Sept and Oct 2024

1) **POA Tax Collection: Defer to John.**

2) **Zoning: Defer to Matt Barez and Thomas Roche**

3) **POA Office:**

Outreach:

- a. We have 76% coverage via email for all POA residences (510 emails).
- b. I continue to get back to 90% of the POA inquiries within 24 hours.
- c. Sent out 2 welcome letters this period.

4) **Building:** Winter preparation done.

- a. **Water turned off**
- b. **Furnace cleaning scheduled for November**
- c. **Generator maintenance scheduled for November**

Community:

- d. Will continue to support the Union Chapel with email announcement of their 2024/25 events.
- e. Added a web page dedicated to *Neighborhood Safe*
- f. Added a web page dedicated to *Short Term Rental under Zoning*.
- g. Set out notice to cut back vegetation with follow-up planed for the week of 11/11