

Minutes, Public Hearing of Zoning Board of Appeals Meeting held June 10, 2014

The Regular Meeting of the Zoning Board of Appeals of Milford, CT, was held on Tuesday, June 10, 2014, beginning at 7:00 p.m. in CITY HALL AUDITORIUM, 110 RIVER STREET, Milford, CT, to hear all parties concerning the following applications, some of which may have required Coastal Area Site Plan Reviews or exemptions.

A. PLEDGE OF ALLEGIANCE / ROLL CALL

MEMBERS PRESENT: Joseph Tuozzola (Ch), Howard Haberman (Sec,) Richard Carey, William Soda, John Vaccino

ALTERNATES PRESENT: Gary Dubois, Sarah Ferrante, Robert Thomas

MEMBERS/ALTERNATES ABSENT: None

STAFF PRESENT: Stephen Harris, Zoning Enforcement Officer; Meg Greene, Clerk

Mr. Tuozzola called the meeting to order at 7:00 p.m. He said that until Mr. Carey arrived, **Mr. Thomas** would provide the fifth vote. He asked for known conflicts of interest for board members with any of the items on the agenda; none were raised.

B. CONSIDERATION OF AGENDA ITEMS

1. **7 Beach Avenue** (R-12.5) Dave Salerno, agent, for Davida Pepe, owner; Vary Sec. 3.1.4.1 front-ym setback to 17.7' where 30' req; side-ym setback to 4.9' where 10' req, to build a new elevated single family home. Map 82, Block 784, Parcel 5

Mr. Salerno, Compass Builders, 77 Canoe Brook Road, Trumbull, addressed the board. He said the hardship was the narrowness of the lot and that the existing structures would be demolished. He clarified that the side-yard variance only related to the proposed garage. He said the plan would provide additional parking. He showed photos of the existing lot. He said current parking density often blocked a neighbor's property and that the proposed design would alleviate this. He said the property was partially in the VE flood zone and that the plan would move the house out of that zone. He said the garage would be in line with other garages in the area and that the overall plans were in harmony with the rest of the neighborhood.

DISCUSSION

Mr. Tuozzola confirmed that the owners wanted the garage placed further to the side of the lot to provide more parking and expressed a concern that it be more centered. **Mr. Salerno** said that 17.7' did not allow much room for parking in the driveway. He said the wider parking area would better accommodate emergency vehicles, if needed. **Mr. Soda** confirmed that the apron depth is approx 5' and that no sidewalk is there.

OPPOSITION

Naomi Rottman, 5 Beach Ave, said she opposed the project. She complained about short notice of the meeting and said she didn't see the sign. She said there was no hardship. She said parking was crowded in the area and she felt the normal 30' front-yard setback was needed. She said the small side-yard setback would affect drainage on her lot. **Mr. Tuozzola** said the existing drainage problem would most likely be eliminated with new construction. **Ms. Rottman** said a 3-story house near her house would be detrimental. She described a fire some years ago at 8 Beach. **Mr. Tuozzola** said this was a speculative comment.

REBUTTAL

Mr. Salerno said he mailed all notification letters from Trumbull on June 2. He agreed that the present drainage is bad, but said the new house would have an underground infiltrator system to eliminate the problem. He said parking had been carefully considered. He reiterated that emergency equipment can be more easily get to the structure if there were another fire. **Mr. Haberman** confirmed that living space would be included over the garage. **Mr. Vaccino** confirmed that 4 cars could be parked on the lot's grass and said he felt there would be enough parking. **Mr. Salerno** said that a centered garage would compromise parallel-parking on the street. **Mr. Tuozzola** confirmed with Mr. Harris that the notification letter was timely.

BOARD DISCUSSION

Mr. Soda said he felt the garage could be centered. **Mr. Haberman** said that to get the cars off the apron completely was more desirable. **Mr. Vaccino** said the house could be moved a little bit closer to the flood zone to open the driveway. **Mr. Soda** said the deck was should be reduced in size as well.

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Mr. Vaccino motioned to deny without prejudice to let the plan be modified based on the board's responses. **Mr. Soda** seconded. The motion carried with **Messrs. Haberman, Soda, Thomas, Vaccino** and **Tuozzola** voting **with the motion**.

2. **53 Orland Street** (R-5) James McElroy, agent, for Carl Blandina, owner; Vary Sec. 3.1.4.1 side-yd setback to 5' where 10' req; 4.1.4 eave proj to 4' where 8' perm to build a new elevated single family home. Map 38, Block 559, Parcel 45

James McElroy, 26 Hauser Street, addressed the board. He stated that the proposed dwelling would be a year-round home for his client's family. He said the goal was to elevate the house and that the best option would be to rebuild due to lack of structural integrity. He said the plan would bring one side of the structure into better conformity. He said 4 parking spaces would be created under the home plus 2 extra. He noted the use of a Nantucket style to be consistent with other homes in the area. He said the hardship was the small, narrow lot.

DISCUSSION

Mr. Tuozzola confirmed the side-yard setbacks and that the home would be set further back from street. **Mr. Vaccino** confirmed that the old garage was to be demolished **Mr. Soda** confirmed with Mr. Harris the house was 3 stories with an attic.

BOARD DISCUSSION

Mr. Tuozzola asked if anyone wished to speak in favor of or opposition to the application. Hearing none, he closed the hearing. After a short discussion, there were no issues in dispute, so he asked for a motion.

Mr. Vaccino motioned in favor of application. **Mr. Carey** seconded. **Mr. Vaccino** supported his motion by reason of hardship of the narrow lot, exactly as stated in the record. The motion carried with **Messrs. Carey, Haberman, Soda, Vaccino** and **Tuozzola** voting **with the motion**.

C. OLD BUSINESS

There was none.

D. NEW BUSINESS

Adoption of the proposed ZBA Bylaws was brought to a vote. **Mr. Soda** motioned to adopt them. **Mr. Vaccino** seconded. The motion carried with **Messrs. Carey, Haberman, Soda, Vaccino** and **Tuozzola** voting **with the motion**.

E. STAFF UPDATE

Ms. Greene reported that on 21 May, the Board of Aldermen voted to eliminate the position of Assistant City Planner and that Emmeline Harrigan's last day would be June 30.

F. ACCEPTANCE OF MINUTES FROM MAY 13, 2014, HEARING

Mr. Carey moved they be accepted; the motion carried unanimously.

G. ACCEPTANCE OF APPLICATIONS FOR JULY 8, 2014, HEARING

Mr. Harris reported a couple of inquiries.

The meeting was adjourned at 7:46 p.m.

Any other business not on the agenda, to be considered upon two-third's vote of those present and voting.

ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE DIRECTOR OF COMMUNITY DEVELOPMENT, 203-783-3230, PRIOR TO THE MEETING IF POSSIBLE.

Attest:

Meg Greene
Clerk, ZBA