

Minutes, Public Hearing of Zoning Board of Appeals Meeting held June 12, 2012

The Regular Meeting of the Zoning Board of Appeals of Milford, CT, was held on Tuesday, June 12, 2012, 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 required Coastal Area Site Plan Reviews or exemptions.

Mr. Tuozzola called the meeting to order at 7:02 p.m.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

MEMBERS PRESENT: Joseph Tuozzola (Chmn.) Howard Haberman (Sec.), Richard Carey, William Evasick, John Vaccino

ALTERNATES PRESENT: Gary Dubois

MEMBERS/ALTERNATES ABSENT: John Collins, Robert Thomas

STAFF PRESENT: Emmeline Harrigan, Assistant City Planner; Stephen Harris, Zoning Enforcement Officer; Meg Greene, Clerk

C. CONSIDERATION OF AGENDA ITEMS

1. **990 Naugatuck Avenue** (HDD) Willinger, Willinger and Bucci, PC, appellant, for Recycling, Inc, owner; Appeal the decision of the Assistant City Planner in accordance with Section 9.2.1 regarding Cease and Desist Order dated March 20, 2012. Map 40, Block 300, Parcel 2; was previously **POSTPONED** from 5/8/12 meeting.

Mr. Tuozzola advised that this appellant had requested and was granted a **SECOND POSTPONEMENT** to the July ZBA agenda

Mr. Tuozzola asked for board-member conflicts of interest with any item on the agenda; none were raised.

2. **0 Sumner Avenue (vacant parcel)** (R-10) Thomas Lynch, Esq., appellant, for Robert and Lorraine Iacozza, owners; Vary Section 3.1.4.1 front-yard setback from 25' required to 10'; vary rear-yard setback from 25' required to 9.3' proposed to construct single-family residence on combined non-conforming lots—lot area of 5,208 sq ft where 10,000 sq ft is required, and lot depth of 36.8' where 100' is required. Map 15, Block 44, Parcel 8-9

Attorney Thomas Lynch, of the Lynch, Tremblicki and Boynton Law Firm, 63 Cherry Street, Milford, addressed the board. **Attorney Lynch** provided handouts and noted the attendance of the property owners, their son, and his girlfriend. **Attorney Lynch** stated that the Iacozza's residence is down the street from the parcel in question and that they intend to construct a house for their son and his future wife, not for speculation. He provided a 1910 subdivision map for Sumner Avenue and stated that most of the current residences were based on the combination of 3 or 4 of the 20' x 100' lots shown on the map, ultimately creating lots of about 6000-to-8000 square feet. He said that although most of the surrounding areas is zoned R-7.5, Sumner Avenue is still zoned R-10. He stated that the Iacozzas bought their house, also on Sumner, in 1998, along with the subject property, the latter of which contains a garage and is the combination of 3 lots cited on 1910 subdivision map. He said they were proposing to vary Section 3.1.4.1 and emphasized that the lot is unique. He referred to the deed which indicates that the deeded line runs parallel to Sumner Avenue. He referred to the second page of the handout he provided called "Setbacks and Lot Area in Reality." He noted that the deeded lot size is 5000 sq ft in the R-10 zone, but in preparation for the ZBA hearing, he noted an error in the map scale and called Ron Wassmer, who verified this.

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Attorney Lynch said that with the correction, if you measure from deeded line to the improved street line of Sumner Avenue, there are actually 17 more feet. He noted that regulations call for measurement between the proposed house and the deed line, but this parcel presents a unique situation because given the real setbacks of all the houses currently on Sumner Avenue, the street would never be widened. He stated that if you take the 17 feet from the deeded line to the pavement line and add it to the 10 feet on the survey, it creates in essence 27' setback from the street. He added that the lot area is part of the requested variance, but reemphasized that most lots in the area are actually 6000-to-8000 square feet, whereas with the "reality" calculation, the lot area of the vacant parcel is in essence 7200 sq ft.

Attorney Lynch then summarized the highlights of his request and referred to a legal precedent on ownership to the centerline of a highway. He reiterated that the hardship arises from the shape of lot where there is little depth but excess width, and that it is unique because of the area between the deeded line and the pavement. The proposed house is a 2-story raised ranch providing 2 spaces of off-street parking, which the Iacozzas intend to turn over to their son, who is getting married. Attorney Lynch submitted a petition in favor of the variance signed by group of about 20 neighbors.

Mr. Tuozzola asked if the garage is to be demolished. Attorney Lynch said yes. **Mr. Tuozzola** asked if there was any plan to try and replace the garage. Attorney Lynch said no. **Mr. Carey** asked if placement of the house on the lot will be uniform with the rest of street. Attorney Lynch said yes.

Mr. Tuozzola asked if anyone wished to speak in favor of the appeal.

IN FAVOR OF

John LaBelle, 27 Sumner Avenue, stated he lives across the street. He felt the proposed house would be a great asset to the neighborhood and would be glad to see the garage removed and the wooded area replaced. He expressed support for the Iacozzas as good neighbors.

More neighbors expressed similar sentiments. Speakers were:

Robin Soltesz, 27 Sumner Avenue

Kevin Clay, 69 Miller Avenue

Christine Magazine, 32 Sumner Avenue

Richard Dlugos, 55 Miller Avenue

Mr. Tuozzola asked if anyone wished to speak in opposition to the appeal.

OPPOSITION

None was presented.

Mr. Tuozzola asked for further questions; none being posed, he closed the hearing.

DISCUSSION

Mr. Evasick expressed support for this instance of adjusting zoning regulations such that a family can provide a home for their children with the support of their neighbors. **Mr. Tuozzola** agreed that the project will improve the neighborhood.

Mr. Tuozzola asked for further comments, hearing none, he asked for a motion.

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Mr. Evasick motioned in favor of appeal. **Mr. Haberman** seconded. **Mr. Evasick** supported his motion by reason of the unique lot size and shape. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

- 3. 13 Trumbull Avenue,** (R-7.5) Dorothy H. Knauert, owner; Vary Section 3.1.4.1 front-yard setback from 20' required to 18' proposed, in order to construct a 13' x 22' single-car garage. Map 35, Block 419, Parcel 2

Ms. Melissa Knauert, 109 Grand Street, Milford, daughter of Dorothy Knauert, addressed the board on behalf of her mother who is out of town. **Ms. Knauert** stated that the request was for a 2-ft variance for a garage, because the garage will be too small without it. **Mr. Tuozzola** asked if the shed currently on the lot would be removed. **Ms. Knauert** said yes.

Mr. Tuozzola asked if anyone wished to speak in favor of the appeal.

IN FAVOR OF
None spoke.

Mr. Tuozzola asked if anyone wished to speak in opposition to the appeal.

OPPOSITION

Louis and Laura Hunt, 29 Crown Street; Mr. Hunt stated that Dorothy Knauert's driveway is alongside theirs and that he didn't intend to argue against the garage itself but disagreed with the need to extend the proposed garage to 22 ft as this will result in the loss of the Hunts' view. He doesn't see a hardship. Mr. Hunt stated that his porch is 8 ft from their shared property line. He stated that they have refinanced twice in recent years and the appraiser has photographed their view because it adds to value of house and affects their tax rates. He said he doesn't see a need for extra storage because the house has a full basement. He stated that neighborhood yards are small and that people have asked for what they want, not what they need.

Mr. Tuozzola asked what Mr. Hunt he would consider a standard-sized garage. Mr. Hunt said 20' x 13'. Mr. Hunt felt that the way the garage was being built, the owner was just looking for storage which did not merit a 2-ft intrusion in front of his property.

Mr. Tuozzola said that loss of a view can't be considered by the board in its decision. He asked if others wished to speak against the proposal.

Ms. Jane Edmunds, 19 Seaside Avenue compared the size of the requested garage with her 18-ft x 10 ft carriage house where she is able to park her car. She stated that she is opposed to variances in waterfront areas because in revaluations, waterviews are taxed. She questioned why the garage was not on a previous variance, the lot coverage percentages, and the hardship.

Mr. Dennis Wheeler, 4 Crown Street, said he had lived all his life there. He said that it's a gorgeous house, with breezes and views and that the garage would eliminate them.

Eileen Thibeault, 14 Crown, stated that if the garage is built, it will ruin memories of sitting on porch. She said that the house has already been expanded, and that the garage will hurt quality of quality of life on Crown Street because everyone will want them. She doesn't think the garage is needed. She said the neighbors are upset and that the garage will affect side street residents in an unfair way.

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Mr. Tuozzola asked if **Ms. Knauert** wished to rebut.

REBUTTAL

Ms. Knauert said she understands that the house holds memories for the neighbors, but that her mother loves the neighborhood. She stated that her mother is 70 years old and can't get a lawnmower in and out of the basement, so ground-level storage space is needed. She stated that she knew the previous owner put a big addition onto the house which impacted views. She said she felt the garage would look nicer than the current shed. She also cited snow removal issues for her mother and that there would be more useful space with 2 feet in additional length.

Mr. Tuozzola asked for further questions; none being posed, he closed the hearing.

DISCUSSION

Mr. Haberman asked about setback choices to provide storage by widening it; **Mr. Harris** clarified them.

Mr. Tuozzola closed the hearing.

Mr. Evasick stated that a typical 1-car garage is 18-20 feet long. He noted that the garage can be built at 13 ft x 20 ft. He said he felt this size is adequate. **Mr. Haberman** noted that even if a property has lot issues, it doesn't necessarily constitute a hardship and make the owner entitled to a variance; that if a structure can build on a non-conforming lot, there really is no hardship. **Mr. Evasick** suggested that a variance is not needed for the project.

Mr. Tuozzola asked for further comments, hearing none, he asked for a motion.

Mr. Haberman motioned to deny of appeal. **Mr. Evasick** seconded. **Mr. Haberman** supported his motion by reason of the garage can be built without a variance; therefore, no hardship has been demonstrated. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

- 4. 54 Melba Street** (R-5) Jordan Bull, appellant for Mr. William Leonard and Ms. Kimberly Pease, owners; Appeal the decision of the Assistant City Planner on May 22, 2012, in accordance with Section 9.2.1 regarding interpretation of definition of "lowest floor," as applies to "first floor," as applies to "story." Map 29, Block 558, Parcel 21

Mr. Jordan Bull, 117 Welles Bridge Road, Roxbury, CT, 06783, addressed the board on behalf of Mr. Leonard and Ms. Pease. **Mr. Bull** was hired to do additions to the 2nd and 3rd stories. When he went for a zoning permit, he was told the house was classified as a 4-story structure, whereas the owners think it is a 3-story structure with an elevated basement for a garage.

Mr. Tuozzola asked if anyone wished to speak in favor of the appeal.

IN FAVOR OF

None.

Mr. Tuozzola asked if anyone wished to speak in opposition to the application. Hearing none, he invited **Assistant City Planner Emmeline Harrigan** to address the board.

OPPOSITION

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Assistant City Planner Emmeline Harrigan handed out a memo explaining some terminology. She stated that the house is in R-5 zone; she provided a table with setback requirements. She stated that in all residential zones in Milford, height is limited to 3 stories and 35' at the roof's midpoint. She said a misconception exists that the words "story" and "floor" are interchangeable. The City of Milford determines how many stories a house has by considering whether a house has a crawl space, which is defined as a space less than 4' high from the basement floor or slab. If it exceeds 4', it's a story. Ms. Harrigan said that along the shoreline, sometimes a 1st story must be used as a garage due to need for flood elevation. She provided a definition for "story" and attached emails of conversations with Mr. Bull about the existing structure. She said Mr. Bull would be correct about the number of stories under the old definitions. She described the wide variation in elevation requirements in Milford. The old regulations used to let basements be excluded, but when shoreline property owners began to build 3 stories over elevated garages, there was a neighborhood outcry against allowing de facto 4 story houses. In response, the Planning and Zoning Board tightened the regulations. She stated that for this legal non-conforming structure, additions to the 3rd story can be approved, but the existing non-conformity can't be expanded. Therefore, the addition to the 3rd story can be approved, but not the 4th. She clarified the confusion over "first floor" and "lowest floor" which relates to uses permitted on the lowest floor in the flood hazard zone—storage, parking and access to the first finished floor level.

Mr. Tuozzola asked how tall the house is now. Ms. Harrigan recalled that it is 42' to the midpoint of the roof and confirmed that only 35' to midpoint of roof is currently permitted. **Mr. Evasick** asked if similar cases had established a precedent about pre-existing regulations. **Ms. Harrigan** recalled another case that came before the ZBA where an owner wanted to finish an attic, but there was no change to the square footage of the house. Ms. Harrigan further stated that state building codes don't allow 4 stories. **Mr. Haberman** confirmed that the 4th-floor addition has not been done yet.

Mr. Tuozzola asked if **Mr. Bull** wished to rebut.

REBUTTAL

Mr. Bull said the building department agreed that the house was an elevated 3-story building. He said the project's architect modified the plan for a flat roof to bring the addition's midpoint below 35'. He disputed the definitions provided by Ms. Harrigan. **Mr. Tuozzola** asked about Mr. Bull's statement about building inspection's opinion. **Ms. Harrigan** said that the Chief Building Inspector has confirmed his understanding of the 4th-floor regulations directly with her. **Mr. Evasick** confirmed that if Ms. Harrigan's decision is upheld, the owners can do the 3rd-floor additions without a variance.

Mr. Tuozzola asked for further questions; none being posed, he closed the hearing.

DISCUSSION

Mr. Tuozzola asked for further comments, hearing none, he asked for a motion.

Mr. Evasick motioned to deny the appeal. **Mr. Haberman** seconded. **Mr. Evasick** supported his motion by reason of agreeing with the Assistant City Planner's interpretation of the relevant building and zoning codes. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

- 5. 39 Deerfield Avenue** (R-5) John Wicko, appellant, for Charles and Nancy Wolfe, owners; Vary Section 4.1.4 front-yard projection 33% where 20% is allowed; side-yard projection 45% where 20% is allowed. Map 28, Block 577, Parcel 2

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Mr. Wicko, Architect, LLC, 50 Broad Street, Milford, CT, addressed the board on behalf of Mr. and Mrs. Wolfe. **Mr. Wicko** noted that parcel is in flood hazard area AE11 and that the project is meant to restore storm damage from TS Irene. The plan is to raise the house, comply with FEMA standards and provide 2 car spaces under house. The hardship is that the lot's narrow width constrains the placement of stairs for ingress and egress at front door; raising the house exacerbates this issue. Therefore he had to locate the stairs in the side yard and request the variance to do so.

Mr. Haberman confirmed that the original house footprint is intact. **Mr. Vaccino** asked about the existing storage shed and Mr. Wicko said a rear storage shed was pushed off its foundation by the storm, but will be repaired.

Mr. Tuozzola asked if anyone wished to speak in favor of the appeal. Hearing none, he asked if anyone wished to speak in opposition to the appeal; hearing none, he closed the hearing.

DISCUSSION

Mr. Haberman stated that he had no issue with the merits of the appeal. **Mr. Vaccino** agreed.

Mr. Tuozzola asked for further comments, hearing none, he asked for a motion.

Mr. Haberman motioned in favor of the appeal. **Mr. Vaccino** seconded. **Mr. Haberman** supported his motion by reason of the size of the lot, staying within the existing footprint, allowing access to the upper level, and providing additional parking. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

6. **254 Melba Street** (BD) Anthony Avallone, Esq., appellant, for Scott Griffin; Appeal the 3/26/2012 zoning approval of the Zoning Enforcement Officer in accordance with Section 9.2.1 for a tenant-fit-up for a liquor store. Discovery on 5/10/12. Map 39, Block 542, Parcel 2

Attorney Kevin Curseaden of Carroll, Curseaden and Moore, 26 Cherry Street, Milford, CT, apologized for interjecting at the start of the hearing, but cited the untimeliness of application. **Mr. Harris** stated that he had been advised by the City Attorney to let the hearing proceed.

Anthony Avallone of 89 Broad Street, Milford, CT, asked if he could present the application and address the board on the merits of the case. **Mr. Tuozzola** confirmed that Mr. Avallone would speak about permits issued for the interior of the space prior to construction and then advised him to proceed. **Attorney Avallone** stated that regulations require that permits can only be issued if all requirements of the ordinance are met. He stated that Section 5.5.1.2 has not been met; this section states that no alcoholic use of property can occur within 300 ft of a park or playground. He stated that the matter shouldn't have come before the Planning and Zoning Board, but the Zoning Board of Appeals because it dealt with a use variance, not a site plan issue. Attorney Avallone argued that the Planning and Zoning Board did not have jurisdiction and could set an improper precedent. He reviewed the history of the case.

Mr. Tuozzola asked if others wished to speak. **Mr. Harris** stated that the ZBA is empowered to grant variances, not to judge the decisions of the Planning and Zoning Board. Therefore the issue before the board is to decide whether appeal period has expired for the permit issued. **Mr. Tuozzola** asked **Ms. Harrigan** what is at issue. She noted that the issue is not the Planning and Zoning Board's approval of use. She stated that the language of the appeal speaks to a permit for a tenant fit-out. She reiterated that someone can't appeal Planning and Zoning Board decisions to the ZBA—those appeals go directly to court,

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as do disputes between the boards. She stated that the timeframe to appeal the P&Z Board's decision has expired.

Attorney Avallone went into more detail to support his interpretation of events associated with the case history, leading once again to the issue of whether the initial application should have taken the form of a site plan or a variance.

Mr. Tuozzola asked if **Ms. Harrigan** had more to add. She noted that much legal jargon had been used and that there was no requirement to decide the appeal that night; there is an option to wait and ask for an opinion from city attorney.

Mr. Tuozzola allowed **Attorney Curseaden** to provide support for his initial statement about the appeal being untimely. He noted that there is a pending case in Superior Court, which has jurisdiction. He noted that even if something is under appeal, if the Planning and Zoning Board has approved it, the Zoning Enforcement Officer can issue permits. Permit can be granted at the owner's risk because the court could eventually shut the project down.

Mr. Craig Davis, 64 Sylvan Court, Milford, who owns the liquor store at 254 Melba Street, reviewed his perspective on the history of the case. He stated that the neighborhood has been supportive of the store. He stated that he thought the lawsuit brought by Mr. Griffin was designed to prevent competition from a new liquor store.

Attorney Avallone gave **Mr. Tuozzola** a copy of the statute and rebutted Attorney Curseaden's remarks.

Mr. Tuozzola said that he felt the board did not have jurisdiction if the appeal period had expired and also felt the ZBA could not make a decision without legal counsel from the city. He closed the hearing.

Mr. Haberman motioned to table the appeal and request an opinion from the City Attorney on jurisdiction. **Mr. Evasick** seconded. **Mr. Haberman** supported his motion by reason of need for legal counsel on ZBA jurisdiction. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

- 7. 687 East Broadway** (R-5) George Adams, Esq., appellant, for Maria Vita, owner; Vary Section 4.1.4 one side-yard setback from 10.0' to 0'; other side-yard setback from 5' to 0.8' to construct a wraparound deck. CAM received. Map 22, Block 474, Parcel 6

Attorney Danielle Bercury of 1 New Haven Avenue, Suite 100, Milford, CT, addressed the board. **Attorney Bercury** stated that Maria Vita's home sustained damage in TS Irene with her rear and side deck being destroyed. The variance request was solely to reconstruct Ms. Vita's deck as it existed before the storm. She noted that the side deck went to property line. She stated that she went to the building inspection office to determine that the proximity of the decks isn't a building code violation. She stated that the hardship is a pre-existing non-conforming house on a narrow lot. She provided a letter from Sandra and Thomas Haley, 685 E Broadway, whose deck abuts Ms. Vita's. Attorney Bercury read their letter in support of the application which, in summary, requested that the deck be self-supporting on its own and not rely on the Haley's deck for physical support. Attorney Bercury said Ms. Vita will comply with this request.

Mr. Evasick asked if decreasing the width of the deck on either side had been considered. Attorney Bercury noted that all the decks align and that the wraparound deck compensates for the small size of the lots. Discussion revealed that a portion of one side of the deck still exists and would block any practical use of an

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reduced adjacent section.

Mr. Tuozzola asked if anyone wished to speak in favor of or in opposition to the appeal; hearing none, he closed the hearing.

DISCUSSION

Mr. Evasick couldn't see why the deck can't be reduced to relieve property boundaries. **Mr. Vaccino** didn't see a problem with the application given the consent of the neighbors and that it was a simple replacement of what was lost in the storm. It was noted during discussion that no permits existed for the old deck, so the board couldn't determine when it was erected. **Mr. Harris** said it could have been built prior to 1973 and then-current regulations wouldn't have prevented it. **Mr. Tuozzola** said that to single this owner out now seemed unfair when others had been permitted to rebuild what they had.

Mr. Tuozzola asked for a motion. **Mr. Carey** motioned in favor of appeal. **Mr. Haberman** seconded. **Mr. Carey** supported his motion by reason of deck was there prior to the storm and the applicant was not asking for more; also other neighborhood decks are similar.

Mr. Tuozzola asked for a vote. The motion carried with **Messrs. Carey, Haberman, Vaccino** and **Tuozzola** voting **with the motion** and **Mr. Evasick** voting **against the motion**.

- 8. 138 Joyce Court** (R-10) Brian Elam, owner; Vary Section 3.1.4.1 front-yard setback from 25' required to 18' proposed; vary Section 4.1.4 front-porch projection from 21' required to 15' proposed. Map 75 Block 930 Parcel 53

Mr. Brian Elam, 116 Joyce Court, Milford, CT, addressed the board. **Mr. Elam** noted that he received approval from city when zoning relief was required.

Mr. Tuozzola asked if anyone wished to speak in favor of the appeal.

IN FAVOR OF

Mr. Graham Lapham, 146 Joyce Court, stated that he is a next-door neighbor and considers the structure the nicest house in the neighborhood. He said that if he ever has to resell his home, he feels that the quality of the house at 138 Joyce Court will raise the value of his own property. He fully supports the application. Neighbors with similar comments were:

Mr. Robert Keller, 130 Joyce Court

Ms. Barbara Rosiak, 108 Joyce Court

Ms. Kathryn Thomas, 115 Joyce Court

Mr. Tuozzola asked if anyone wished to speak in opposition to the appeal.

OPPOSITION

Richard Trenchard, 141 Joyce Court stated that he was not opposed to house but opposed to the way the way the project was done because permission should be granted prior to rather than after the fact. **Mr. Tuozzola** described the timeline by which permits were granted and that it was the city's oversight for not picking up on the need for a variance. He asked Mr. Harris to provide detail. **Mr. Harris** stated that the applicant was given a zoning permit without benefit of an A2 survey, but when Mr. Elam returned with the As-Built A2 survey as is required at the end of a construction project, the need for a variance was noted. Therefore the need arose for these 2 variances to legalize the house.

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Mr. Tuozzola asked for further questions; none being posed, he closed the hearing.

DISCUSSION

Mr. Evasick asked if the zoning permit had been granted, followed by a building permit. **Mr. Harris** described the permitting process where a zoning permit is issued, followed by building permits, which give permission to build the house. However, when the As-Built A2 Survey was submitted, the need for a variance was noted. **Ms. Harrigan** stated that the original application was for a 2nd story addition plus a garage. During construction, the builder saw that the foundation wasn't strong enough to support the addition and that teardown was required. When the switch from addition to new construction was done, the A2 survey was not requested due to oversight.

Mr. Tuozzola asked for a motion. **Mr. Evasick** motioned in favor of appeal. **Mr. Haberman** seconded. **Mr. Evasick** supported his motion by reason of unintentional oversight of city regarding the setback required. The motion carried with **Messrs. Carey, Evasick, Haberman, Vaccino** and **Tuozzola** voting **with the motion**.

C. OLD BUSINESS

There was none.

D. NEW BUSINESS

There was none.

E. STAFF UPDATE

There was none.

F. ACCEPTANCE OF MINUTES FROM MAY 8, 2012 HEARING

Mr. Haberman moved they be accepted; **Mr. Vaccino** seconded. The motion carried unanimously.

H. ACCEPTANCE OF APPLICATIONS FOR JULY 10, 2012 HEARING

Mr. Harris said 990 Naugatuck had been granted an extension and could appear on the July agenda within the statutory time limits.

The meeting was adjourned at 9:00 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