

Minutes, Public Hearing of Zoning Board of Appeals Meeting held 10 August 2021

The Regular Meeting of the Zoning Board of Appeals of Milford, CT, was held on Tuesday 10 August 2021, beginning at 7:00 p.m. at 110 River Street, to hear all parties concerning the following applications, some of which require Coastal Area Site Plan Reviews or exemptions.

A. PLEDGE OF ALLEGIANCE / ROLL CALL

Mr. Tuozzola called the meeting to order at 7:00 pm. He asked Mr. Dubois to vote in Ms. Valiquette's absence and Mr. Casey to vote in Mr. Soda's absence.

MEMBERS PRESENT: Sarah Ferrante, Chris Wolfe, Joseph Tuozzola (Ch)

ALTERNATES PRESENT: Michael Casey, Gary Dubois

MEMBERS/ALTERNATES ABSENT: Etan Hirsch, William Soda, Christine Valiquette

STAFF PRESENT: Stephen Harris, Zoning Enforcement Officer; Meg Greene, Clerk; ~~Joseph Griffith, DPLU Director~~

B. CONSIDERATION OF AGENDA ITEMS

- 1) **10-12 Darina Place** MBP 54/321/12; MCDD; Mark Hoffman, owner; Vary Sec. 3.21.4.2(b) side-yard setback to 2.8' where 4' req. to construct a 1st story addition.

Mr. Hoffman addressed the board. He said he planned to extend a small section of the back of his home. He said the second-floor corner of the house already projects over the space that he would like to square off on the first floor. He said the MCDD regulations would allow the addition to extend to the lot line, but this would create cost and is excessive space-wise.

FAVOR

Diana Nytko, 7 Darina Place, spoke in support of the plan.

Attorney Tom Lynch, 63 Cherry Street, said he also supported the application.

BOARD DISCUSSION

Mr. Tuozzola asked if anyone wished to speak in opposition to the application; hearing none, he closed the hearing and asked for a motion.

Mr. Wolfe motioned to **approve** based on existing lot. **Ms. Ferrante** seconded. The motion carried with **Ms. Ferrante** and **Messrs. Casey, Dubois, Wolfe** and **Tuozzola** voting with the motion.

- 2) **1201 Boston Post Road** MBP 89/812/40A A; SCD; Ken Sturba, agent for Centennial Collection, owner; Vary section 5.3.3.3(2) for 2 temporary signs (6'x30'), front-facing and rear-facing for 90 days from 1 Aug 2021 to 1 Nov 2021.

Ann Marie Davis, 70 Mr. Pleasant Street, Derby, addressed the board. She described the placement of the signs and how they would be affixed to the building, and that they would be displayed for less than 90 days.

DISCUSSION

Ms. Ferrante asked if any damage inadvertently caused to the mall façade would be repaired; **Ms. Davis** said it would.

BOARD DISCUSSION

Mr. Tuozzola asked if anyone wished to speak in favor of or in opposition to the application; hearing none, closed the hearing and asked for a motion.

Mr. Wolfe motioned to **approve** based on temporary basis of the project. **Ms. Ferrante** seconded. The motion carried with **Ms. Ferrante** and **Messrs. Casey, Dubois, Wolfe** and **Tuozzola** voting with the motion.

- 3) **28 Bayshore Drive** MBP 29/585/4; R-5; Thomas Lynch, Esq., attorney for John and Lisa Lombard, owners; Vary Sec. 3.1.4.1 east side-yard setback to 4.34' where 10' req.; 4.1.4 west eave proj. to 3.5 where 4' perm., east eave proj. to 2.84 where 8' perm., east deck proj. to 4.34 where 8' perm. to construct a single-family residence.

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Attorney Lynch, 63 Cherry Street, distributed color elevation renderings and floorplans to the board. He introduced his clients and noted the presence of designer Jim Denno. He reviewed existing nonconformities that would be eliminated under the plan. He said the existing house was 2200 sf and had a nonconforming detached garage. He said the west setback would be met, but the east would need a variance. He said the reduced nonconformity provides a rationale for requesting a variance. He said the new house would be a 3-story 4400 sf house that will meet FEMA flood mitigation requirements. He said the PZ board would review the plan in a subsequent application. He said the lot was narrow, that the other requests for setbacks and projection allowances were typical in the R-5 zone, and that the house would be consistent with other homes in the neighborhood.

DISCUSSION

Ms. Ferrante confirmed that the current house has less than 5' on either side now.

Jim Denno, 93 Sunnyside Court, reviewed the floor plans in detail. He said a walkway to the beach was provided on one side and that the garage and house would be connected, unlike the existing configuration.

DISCUSSION

Mr. Wolfe asked if helical coils would be used and for more detail and about the breakaway walls.

Attorney Lynch said his clients resided in the neighborhood and had discussed the plan with the most affected neighbors.

BOARD DISCUSSION

Mr. Tuozzola asked if anyone wished to speak in favor of or in opposition to the application.

OPPOSED

Ms. Greene said an email in opposition had been submitted. **Ms. Ferrante** read it into the record. **Attorney Lynch** said Mrs. Lombard spoke with a signatory to the email after the time stamp and had addressed the concerns raised, eliminating the opposition.

Mr. Tuozzola closed the hearing.

Mr. Wolfe said he found the design appealing and that it resembles other homes in the neighborhood. **Ms. Ferrante** said she was concerned about the size of the house, but since the current house's nonconformity would be reduced, the request did not seem excessive. **Mr. Wolfe** approved of the ample amount of parking.

Mr. Wolfe motioned to **approve** based on reduction in nonconformity. **Mr. Ferrante** seconded. The motion carried with **Ms. Ferrante** and **Messrs. Casey, Dubois, Wolfe** and **Tuozzola** voting with the motion.

- A. **NEW BUSINESS** - None
- B. **OLD BUSINESS** - None
- C. **STAFF UPDATE** - None
- D. **ACCEPTANCE OF MINUTES FROM 14 JULY 2021 HEARING:** Approved. **Mr. Tuozzola** asked for a publication deadline to provide a decision as to continue in person meetings; **Mr. Harris** said 2-3 weeks before the next meeting.
- E. **ACCEPTANCE OF APPLICATIONS FOR 10 SEPTEMBER 2021 HEARING**

Adjournment was at 7:35 PM.

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:

M.E. Greene, Clerk, ZBA