

## **Minutes, Public Hearing of Zoning Board of Appeals Meeting held 11 June 2019**

The Regular Meeting of the Zoning Board of Appeals of Milford, CT, was held on Tuesday, 11 June 2019, 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 require Coastal Area Site Plan Reviews or exemptions.

### **A. PLEDGE OF ALLEGIANCE / ROLL CALL**

**Mr. Tuozzola** asked for board member conflicts of interest with any agenda items; none were raised. He asked **Mr. Hirsch** to vote in place of Mr. Wolfe.

**MEMBERS PRESENT:** Sarah Ferrante, William Soda, Christine Valiquette, Joseph Tuozzola (Ch)

**ALTERNATES PRESENT:** Michael Casey, Etan Hirsch

**MEMBERS/ALTERNATES ABSENT:** Gary Dubois, Chris Wolfe

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

### **B. CONSIDERATION OF AGENDA ITEMS**

- 1. 793 Milford Point Road.** MBP 19/249/9. R-7.5, Kevin Curseaden, Esq. for Bella Properties Milford, LLC, Sec. 9.2.1 Appeal the Decision of the ZEO's Notice of Violation dated 1/28/2019 regarding a 3<sup>rd</sup> unpermitted dwelling unit and storage of a commercial container.

This item was withdrawn per Attorney Curseaden.

- 2. 13 Fairwood Avenue,** 9/130/14. R-5, Robert Klob, agent, for Tom Colby, owner; Vary sec. 4.1.13, roof area of 32% where 10% permitted; 3.1.4.1 front yard setback of 6' where 10' required; 4.1.4 bay window projection of 4'-5" where 8' permitted, and front steps projection of 2'-5" where 8' permitted.

This item was withdrawn per Attorney Curseaden.

- 3. 286 Broadway,** MBP 9/130/14. R-5, Alphonse Ippolito, owner; Vary sec. 3.1.4 Grant St. front-yard setback to 5' where 20' req. to construct a single family residence.

**Attorney Tim Lee** addressed the board. He reminded the board of its action last month to deny without prejudice. He reviewed the characteristics of the property, particularly the 2 front yard setback requirements associated with the corner lot. He said the revised plan moved the house more to the southern side of the property. He said the porch facing Grant Street projects 2' more than can be done by right and that the porch would not protrude further than the existing structural wall of the house. He said from the neighbor's perspective, it would be less intrusive than what is there now.

### **DISCUSSION**

**Mr. Soda** confirmed details of the relocation of the house versus the previous plan.

### **OPPOSED**

**Brian Higgins**, 11 Grant Street, said he appreciated the reduction of the plans, but maintained that there is no hardship involved because corner lots are widespread.

### **REBUTTAL**

**Attorney Lee** said there was also a consideration of minimizing an existing nonconformity.

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**Mr. Tuozzola** and **Mr. Soda** praised the homeowner for taking the board's comments seriously.

### **BOARD DISCUSSION**

**Mr. Tuozzola** asked if anyone wished to speak in favor of 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. Hirsch** motioned to **approve**. **Mr. Soda** seconded. **Mr. Hirsch** supported the motion based on the hardship of the corner lot; in accordance with submitted materials. The motion carried with **Mss. Ferrante** and **Valiquette** and **Messrs. Hirsch, Soda, and Tuozzola** voting **with the motion**.

**C. OLD BUSINESS**-None

**D. NEW BUSINESS**-None

**E. STAFF UPDATE**-None

**F. ACCEPTANCE OF MINUTES** 14 May 2019: Approved.

**G. ACCEPTANCE OF APPLICATIONS** for 9 July 2019 hearing.

Adjournment was at 7:12 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:

Meg Greene  
Clerk, ZBA