

Minutes, Public Hearing of Zoning Board of Appeals Meeting held 9 October 2018

The Regular Meeting of the Zoning Board of Appeals of Milford, CT, was held on Tuesday, 9 October 2018, 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 was absent; **Ms. Ferrante** acted as chair in his stead. She called the meeting to order at 7:01 pm and asked **Mr. Hirsch** to serve as Executive Secretary for the evening. **Ms. Ferrante** asked **Mr. Dubois** to vote as well. She asked for conflicts of interest for board members with any agenda items; none were raised. She advised that **Ms. Valiquette** would recuse herself from the first item.

MEMBERS PRESENT: Sarah Ferrante, William Soda, Christine Valiquette

ALTERNATES PRESENT: Gary Dubois, Etan Hirsch

MEMBERS/ALTERNATES ABSENT: Joseph Tuozzola (Ch)

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

B. CONSIDERATION OF AGENDA ITEMS

1. **10 Seaview Avenue.** MBP: 9/79/2. R-10, John Bennett, agent, for Stephen Valiquette, owner; Vary Sec 3.1.4.1 side-yd setback to 8.4' where 10' req; 6.3.2 expansion of a nonconforming structure; to construct garage and 2nd floor addition.

Mr. Bennett, 712 East Broadway, addressed the board. He described the variance request and provided some history of the house. He said the request didn't exceed the current footprint of the structure.

BOARD DISCUSSION

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

Mr. Soda motioned to **approve**. **Mr. Hirsch** seconded. **Mr. Soda** supported the motion based on the hardship of the small lot; in accordance with submitted materials. The motion carried with **Ms. Ferrante** and **Messrs. Dubois, Hirsch,** and **Soda** voting **with the motion**.

2. **183 Point Beach Drive.** MBP: 30/613/38. R-7.5, George Germano, owner; Vary Sec 3.1.4.1. front-yd setback to 14.5' where 20' req; 4.1.4 proj. to 8' where 16' perm; 6.3.2 expansion of a nonconforming structure.

Ray Oliver, architect, 3 Lafayette Street, addressed the board. He described the addition, noting that the request was minimal and would be in line with the existing structure. He said resulting aesthetic would enhance the neighborhood, provide additional parking, and meet flood mitigation rules. **Ms. Ferrante** reviewed the current and proposed stoop projection. **Mr. Hirsch** asked for the hardship; **Mr. Oliver** said the footprint was created prior to zoning.

BOARD DISCUSSION

Mr. Soda motioned to **approve**. **Mr. Hirsch** seconded. **Mr. Soda** supported the motion based on the hardship of the nonconforming lot; in accordance with submitted materials. The motion carried with **Mss. Ferrante** and **Valiquette** and **Messrs. Dubois, Hirsch,** and **Soda** voting **with the motion**.

3. **43 Erna Avenue.** MBP: 43/304/41. CDD-1, Thomas Lynch, Esq. for Gabor Pernyeszi, owner; Vary Sec 5.1.4.16 parking requirement from 21 spaces to 2 to establish a dog day care center.

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Attorney Lynch, 63 Cherry Street, addressed the board. He noted the presence of Melissa Marter, the owner of “Who’s Your Doggie” daycare. He described the proposed location of the business in the industrial zone. He reviewed the events leading up to Ms. Marter leasing space on the property. He said half the building is an appliance warehouse with the remainder of the space unoccupied at present. He said Ms. Marter’s business would take approximately half the open space. He said the portion of the current dog daycare space that is outdoors would be brought inside in the new space. He noted that if the variance application was approved, the next step would be to submit a Site Plan Review and a Special Exception application to the Planning and Zoning Board. Attorney Lynch said in his initial conversations about the project with City Planner David Sulkis, Mr. Sulkis had identified the need for a variance for parking requirements. Attorney Lynch said the building encompasses virtually the entire lot, noting that it was built in the 1950s. He said the appliance warehouse side has 3 dedicated parking spaces and that 2 spaces were available for the dog daycare. He said the parking spaces would be used by employees and customers would use Honey Street to drop off and pick up their pets. He stressed that no use of the space could ever meet current parking requirements. **Ms. Ferrante** asked about the timing of picking and dropping off and was assured that there would be adequate street parking. She confirmed that outdoor activities for dogs would never make use of the parking spaces. **Mr. Hirsch** asked if the warehouse business had concerns about the dogs being there; **Attorney Lynch** said the warehouse use involved minimal staffing.

BOARD DISCUSSION

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

Mr. Soda motioned to **approve**. **Mr. Hirsch** seconded. **Mr. Soda** supported the motion based on the hardship of the extreme lot coverage; in accordance with submitted materials. The motion carried with **Mss. Ferrante** and **Valiquette** and **Messrs. Dubois, Hirsch, and Soda** voting **with the motion**.

C. OLD BUSINESS-None

D. NEW BUSINESS-None

E. STAFF UPDATE-None

F. ACCEPTANCE OF MINUTES 11 September 2018: Approved.

G. ACCEPTANCE OF APPLICATIONS for 13 November 2018 hearing; none so far.

Adjournment was at 7:24 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