

July 25, 2011

MINUTES: THE ZONING BOARD OF APPEALS, Town of Hamden, held a Public Hearing and Regular Meeting on Thursday, July 21, 2011 at 7:00 p.m. in the 3rd Floor Conference Room, Hamden Government Center, 2750 Dixwell Avenue, Hamden, CT. and the following items were reviewed:

Commissioners in attendance:

Jeff Vita, Chair
Wayne Chorney
Fran Nelson
Bill Reynolds
Steve Walsh, sitting for Elaine Dove

Staff in attendance:

Dan Kops, Assistant Town Planner
Holly Masi, Zoning Enforcement Officer
Stacy Shellard, Commission Clerk
Lisa Raccio, Stenographer

Mr. Vita called the meeting to order at 7:00 p.m., reviewed the agenda and meeting procedures, and the panel introduced themselves.

A. Public Hearing

- 1) **11-6426** 21 Orchard Court, Requesting a variance of the following: Section 220, Table 2.3, to permit a side yard of 8 feet where 12 feet is required for a deck. Section 220, Table 2.3 to permit a rear yard of 11 feet where 25 feet is required. R-4 Zone,
Charles Taylor, Applicant

Mr. Charles Taylor, Applicant, addressed the Commission and reviewed the application. He said that the house is located on a cul-de-sac and is an odd shaped lot with a rear yard that is shallow. The rear of the house is 8 feet from the property line. The back of the house to the furthest point of the property line is approximately 25 feet. Mr. Taylor reviewed the placement of the deck and said it will be 14 feet in width and will be 11 feet from the side yard property line. He explained that there is no other location to place the deck.

Mr. Vita said that the picture submitted shows that the proposed deck will not be as close to the property line as the existing back of the house and Mr. Taylor agreed.

Mr. Chorney asked what the height of deck would be. Mr. Taylor said that the deck would be 18-22 inches in height. There is a set of rear entry doors to the house that are set up 24-26 inches high and that he would like to have a small step down for snow height.

Mr. Vita asked if the deck would be 20 inches in height and Mr. Taylor said yes.

Mr. Chorney asked if there is public water and sewer to the house and Mr. Taylor replied yes and that it enters to the front of the property.

Mr. Chorney asked what the square on the plot plan represented. Mr. Taylor said that there had been a shed but it had been moved. Mr. Chorney asked that the shed be placed on the plan to scale and Mr. Taylor agreed. Mr. Chorney asked if the shed was on the property when the house was purchased and Mr. Taylor replied yes.

Ms. Holly Masi, Zoning Enforcement Officer, advised the Commission that she would verify that the shed is properly noted on the plans when a zoning permit is submitted and this information would be given to the Assessor's Office to correct their records.

Mr. Vita asked for public comments for and against the application. There were none.

Mr. Vita closed the Public Hearing.

- 2) **11-6428** 20 Hayward Road, Requesting a variance of the following: Section 220, Table 2.3 to permit a side yard of 5 feet were 12 feet is required for an addition. R-4 Zone, Dennis & Christina LeClaire, Applicants

Mr. Dennis LeClaire, Applicant, addressed the Commission and reviewed the application. He explained that he has 17 month old twins and another child due in October and there is no other location to place the addition that would keep himself and his wife close to the children. Mr. LeClaire reviewed the floor plan of the house.

Ms. Masi explained that the drawing submitted shows 8 feet 4 inches and 9 feet 2 inches and asked if this was where the addition would be located in proximity to the property line. Ms. Masi discussed with the Commission that the applicant had submitted an additional plan that will reflect that the side yard will be 9 feet and not the five foot side yard that was requested.

Mr. Chorney said that there should be a modified plan placed in the file. Ms. Masi said that the applicant will submit a plan that will show the existing structure with the proposed structure and a site plan that shows the entire yard.

Mr. Vita asked for comments for the application:

Mr. Carmen Guidice, 29 Hayward Road, addressed the Commission and stated that Mr. LeClaire is a good neighbor and that he is in favor of the application.

Mr. Vita asked for public comment against the application. There was none.

Mr. Vita closed the Public Hearing.

- 3) **11-6429** 311 Morse Street, Requesting a variance of the following: Section 220, Table 2.4, to permit an accessory structure with a height of 17 feet 6 inches were 15 feet is allowed. R-5 Zone, Elias Rochester, Applicant

Mr. Elias Rochester, addressed the Commission and reviewed his request to increase the height of his garage for additional storage space.

Mr. Chorney stated that he went to the site and there is an existing two car garage with storage up above it. He said that the existing height of the garage is 18 feet 8 inches and the proposal is for a dormer to be located on the interior side of the property.

Mr. Vita asked if the peak of the garage will be 18 feet 8 inches. Mr. Rochester submitted a revised plan and reviewed it with the Commission. The Commission discussed with Mr. Rochester the pitch of the proposed roof. Mr. Nelson asked Mr. Rochester if he would be willing to reduce the height of the garage to 16 feet and 9 inches, which would allow the ceiling to be 7 feet 6 inches.

Mr. Chorney asked the applicant if he would be willing to reduce the height to 16 feet 9 inches and Mr. Rochester replied yes.

Mr. Vita asked for public comments for and against the application. There were none.

Mr. Vita closed the Public Hearing.

B. Old Business/New Business

1. Discussion and voting on Public Hearing items.

11-6426

Mr. Nelson made the motion to approve Application 11-6426. Mr. Reynolds seconded the motion. Mr. Nelson stated that the shape of the property creates the hardship because it is an irregular shaped corner lot and where the addition would be placed it would be hitting points of the angled property. *The motion passed unanimously.*

11-6428

Mr. Nelson made the motion to approve Application 11-6428. Mr. Reynolds seconded the motion. Mr. Nelson stated that the addition would be within the footprint of the house and is only adding a wing to the side. It would not encroach into the side yard. *The motion passed unanimously.*

11-6429

Mr. Chorney made the motion to approve Application 11-6429. Mr. Walsh seconded the motion. Mr. Chorney said that the applicant is replacing the roof and adding a dormer on the interior side of the property. The roof is being dismantled because of the condition it is in and is not changing the use because it is already used for storage. The existing height is 18 feet 8 inches to peak. Mr. Chorney stated that on the dormer side of the garage the applicant has agreed to the height on the right side be 16 feet 9 inches from the dormer edge to the overhang. *The motion for the height of 16 feet 9 inches was approved unanimously.*

2. Approve Minutes of June 16, 2011

Mr. Reynolds made the motion to approve the minutes of the June 16, 2011 meeting as written. Mr. Nelson seconded the motion. The motion passed unanimously.

3. Old Business

Ms. Masi advised the Commission that the used cars with for sale signs placed in the area of Mt. Carmel Opticians have been removed.

4. New Business

Election of new officers

Mr. Nelson made the motion to nominate Mr. Jeff Vita as chair. Mr. Reynolds seconded the motion. The motion passed unanimously.

Mr. Nelson made the motion to nominate Mr. Wayne Chorney as vice-chair. Mr. Reynolds seconded the motion. The motion passed unanimously.

Mr. Vita asked Mr. Dan Kops, Assistant Town Planner, how the construction of the Skiff Street Underpass for the Farmington Canal is progressing. Mr. Kops stated that the project is on schedule and going well.

Mr. Nelson feels that there has been no lawn or parking area maintenance at the Government Center.

Mr. Vita stated that there will not be a ZBA meeting held in August.

5. Adjournment

C. Adjournment

Mr. Nelson made a motion to adjourn. The motion was seconded by Mr. Walsh. The motion passed unanimously.

The meeting adjourned at 7:26 p.m

Submitted by: _____
Stacy Shellard, Clerk of the Commission