

October 25, 2012

MINUTES: THE ZONING BOARD OF APPEALS, Town of Hamden, held a Public Hearing and Regular Meeting on Thursday, October 18, 2012 at 7:00 p.m. in the 3rd Floor Conference Room, Hamden Government Center, 2750 Dixwell Avenue, Hamden, CT. with the following results:

Commissioners in attendance:

Jeff Vita, Chair
Wayne Chorney
Bill Reynolds
Fran Nelson
Elaine Dove

Staff in attendance:

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

Mr. Vita called the meeting to order at 7:02 p.m., reviewed the agenda and meeting procedures, and the panel introduced themselves.

A. Public Hearing

- 1) **12-6476** 200 Skiff Street, Requesting variances: Section 550.2.7(a) to permit 2 pylon signs where 1 is permitted; Section 550.2.7(g) to permit one sign to have 42sq ft of sign area where 32sq ft is permitted, T-5 zone, Skiff Street II, Inc., Applicant

Mr. Bernard Pellegrino, Attorney addressed the Commission and reviewed the application and the site. He said that Partyka has been located on the site for 49 years. The property is 5.34 acres with approximately 475 feet of frontage on Skiff Street. The site houses Partyka Chevrolet and Mazda showrooms. The site is being redeveloped to conform to the Chevrolet requirements that each dealership be housed in a separate building and have separate signs. Mr. Pellegrino compared the existing signs and the proposed signs with the Commission. He submitted a picture of the existing sign. Mr. Pellegrino explained that Chevy and Mazda will operate as two separate dealerships because it is mandated by Chevrolet.

Ms. Dove asked if there will be under signage under the main signs on each pylon and Mr. Pellegrino replied no.

Mr. Chorney stated that it is a good idea to have separate buildings for each of the dealership's.

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

Mr. Nelson asked if because of the crown in the road if the signs be higher than 20 feet.

Mr. Lee Partkya, Mansfield Road, North Haven, Owner, addressed the Commission and stated that he is being required by Chevrolet to use proposed signs. Mr. Pellegrino said that the signs on the building will also be replaced.

Mr. Nelson asked if the applicant should add the address to the signs. Mr. Tim Lee, Assistant Town Attorney, explained that if the size of the sign is increased it would require a new variance. Mr. Partyka said that he is mandated by Chevrolet on what can be located on the sign. Ms. Masi said that the Zoning Regulations require that the street address appear on the building or the sign. Mr. Partyka replied that he will comply with the regulations.

Mr. Vita closed the Public Hearing.

- 2) 12-6477** 133 Jennifer Road, Requesting variances: Section 220, Table 2.3, to permit a 36ft front yard where 40ft is required for an addition, Section 220, Table 2.3, to permit a side yard of 14.2ft side yard where 20ft is required, R-2 zone, Thomas Tabaczinsky, Applicant

Mr. Robert Buda, R & F Building and Remodeling, LLC, addressed the Commission and reviewed the application to add on to the existing bathroom. He explained that the lot is long and narrow and the proposed addition to the bathroom will be equal with the existing footprint. Mr. Buda said that an alternate location at the rear of the house was considered, but would be difficult because of the well located in the rear yard. The applicant's mother is currently in a rehabilitation facility and she will need to access the bathroom with a walker or a cane.

Ms. Dove asked what the dimensions of the bathroom will be. Mr. Buda said the existing bathroom is 5 feet x 7 feet and the addition will increase it to 17 ½ feet x 7 feet. Mr. Buda submitted a picture of the existing bathroom.

Mr. Vita asked for comments in favor of the application:

Mr. Rudy Fasano, R & F Building and Remodeling, LLC, addressed the Commission and stated that there is a need for the addition and the house is located on a non-conforming lot. He is in favor of the application.

Mr. Vita asked for comments against the application. There was none.

Mr. Vita closed the Public Hearing.

- 3) 12-6478** 57 Rolfe Road, Requesting variance: Section 220, Table 2.3, to permit a side yard of 7ft where 12ft is required for an addition to the 2nd floor, R-4 zone, Mykola Lyalka, Applicant

Mr. Yuri Farina, 1046 Beech Lawn Terrace, Orange, addressed the Commission and reviewed the application and the site. He said that the walls of the addition on the existing second floor would go up to create two rooms. Mr. Farina discussed with the Commission the proposed floor plan and dimensions of the addition. Ms. Masi said that the proposed addition would stay within the existing footprint of the house.

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

Mr. Vita closed the Public Hearing.

B. Regular Meeting

a. Discussion and voting on Public Hearing items.

12-6476

Mr. Nelson made the motion to approve Application 12-6476. Mr. Chorney seconded the motion. Mr. Nelson said that the frontage of the property is 500 feet long and it will accommodate the two pylon signs. There will be a

significant reduction in the square footage of the signs. Also, because the crown in the road it will allow the signs to be seen earlier as a driver is approaching the property. *The motion passed unanimously.*

12-6477

Mr. Nelson made the motion to approve Application 12-6477. Mr. Reynolds seconded the motion. Mr. Nelson stated that the proposed addition would not be outside the footprint of the existing house and it will not encroach further into the side yard or front yard. *The motion passed unanimously.*

12-6478

Mr. Nelson made the motion to approve Application 12-6478. Mr. Reynolds seconded the motion. Mr. Nelson said that the house as it exists is small and is non-conforming. The proposed addition would not be outside the footprint of the existing house and they are going up. *The motion passed unanimously.*

b. Approve Minutes of September 20, 2012

Mr. Nelson made the motion to approve the Minutes of September 20, 2012 as written. Mr. Reynolds seconded the motion. Mr. Nelson, Mr. Reynolds and Mr. Chorney voted in favor of the motion. Therefore, the motion passed.

c. Old Business

Ms. Masi updated the Commission on the work she has been doing to address student housing and sign enforcement.

Ms. Dove said that she did not remember a variance being granted for 72 Spring Garden Street and an addition was added and the work done appears to be incomplete. Ms. Masi explained that she and Mr. Adam Zonas, Assistant Zoning Enforcement Officer have been addressing the issues at this house and there was a Zoning Permit and Building Permit issued. Ms. Masi advised the Commission that she is seeking advise to determine if the permits have expiration dates. Mr. Kops advised the Commission that there was a variance for this address, he reviewed the variance that was granted on July 17, 2012.

d. New Business

Mr. Nelson made a motion to approve the 2013 meeting schedule. Mr. Reynolds seconded the motion. The motion passed unanimously.

e. Adjournment

Mr. Nelson made the motion to adjourn. Ms. Dove seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:48 p.m

Submitted by: _____
Stacy Shellard, Clerk of the Commission