

January 2, 2013

MINUTES: THE ZONING BOARD OF APPEALS, Town of Hamden, held a Public Hearing and Special Meeting on Thursday, December 27, 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
 Bill Reynolds
 Fran Nelson
 Suzanne Carroll, alternate sitting for Wayne Chorney
 Steve Walsh, alternate sitting for Elaine Dove

Staff in attendance:

Dan Kops, Assistant Town Planner
 Tim Lee, Assistant Town Attorney
 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)12-6481 199 Anns Farm Road, Requesting a variance: Section 220, Table 2.5, to permit a side yard of 8ft where 12ft is required for a garage, R-4 zone, Yen-Ming Lee, Applicant

Mr. Yen-Ming Lee, Owner, addressed the Commission and reviewed the application. Mr. Vita asked if there is already an existing garage. Mr. Lee said that there is not a garage and he noted that other homes in the neighborhood have garages. Mr. Vita asked if the garage would be placed at the end of the existing driveway and Mr. Lee replied yes.

Mr. Nelson asked if the request is for a two car garage and Mr. Lee replied yes. Mr. Nelson discussed alternate locations for the garage with Mr. Lee. Mr. Lee noted that the placement of the proposed garage is for the safety of his family.

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

Mr. Vita closed the public hearing.

- 2)12-6482** 8 Elliott Drive, Requesting variances: Section 220, Table 2.3, to permit a side yard of 10.7ft where 12ft is required for an addition, Section 220, Table 2.3, to permit a rear yard of 11.3ft where 25ft is required, Section 220, Table 2.3, to permit 31% impervious surface where 30% is allowed, R-4 zone, Ebony Belcher, Applicant;

Ms. Ebony Belcher, Owner, addressed the Commission and she stated that the proposed addition will allow her brother, who is currently in a rehabilitation facility to return home. Ms. Belcher described the floor plan of the proposed addition.

Mr. Nelson asked if the addition could be placed on the other side of the house. Ms. Belcher reviewed the property and stated that her brother's disability was due to a home invasion and that the proposed location of the addition will allow for privacy and his safety.

Mr. Reynolds asked if there is a garage on the property, and Ms. Belcher replied no.

Mr. Vita asked if the handicapped ramp will be located in the rear of the house and Ms. Becher said yes.

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

Mr. Vita closed the public hearing.

- 3)12-6483** 255 Paradise Avenue, Requesting variance: Section 640.3.1.e, to park a recreational vehicle which exceeds 18ft in length in a driveway, R-1 zone, Alfred Aitro, Applicant;

Mr. Tim Lee, Assistant Town Attorney, explained that the legal notice for this application was incorrect and that the public hearing for this application would be continued until the January 17, 2012 meeting.

- 4)12-6484** 83 Webb Street, Requesting variances: Section 300, Table 3.4, to permit an 8ft front yard where 24ft is required for the expansion of an existing porch, Table 300, Table 3.4 to permit a side yard of 5ft where 12ft is required, Table 300, Table 3.4 to permit a sideyard of 4 ft where 12ft is required, T-3 zone, Ronald Kittredge, Applicant;

Mr. Ronald Kittredge, 132 South Hoop Pole Road, Guilford, addressed the Commission and reviewed the application to expand his mother's existing porch.

Mr. Nelson asked if the existing porch will be removed. Mr. Kittredge explained that he will be removing the existing porch. The new porch will stay within the existing footprint in terms of the front yard setback, but will extend the entire length of the house. Mr. Nelson asked if existing porch is non-conforming and if it is an open porch. Mr. Kittredge said that the porch is open with a roof over it. Mr. Nelson asked if the deck will be pervious. Mr. Kittredge stated that trex decking material will be used.

Mr. Dan Kops, Assistant Town Planner, explained that because there is a roof, the area is calculated as impervious surface.

Mr. Vita asked if the pictures that Mr. Kittredge had submitted where abutting properties. Mr. Kittredge replied yes. Mr. Vita reviewed the neighbor's porches with Mr. Kittredge.

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

Mr. Vita closed the public hearing.

- 5)12-6485** 17 Dest Drive, Requesting variance: Section 220, Table 2.3, to permit a 20ft front yard where 25ft is required for a single family house, R-4 zone, Antonio & Aldina Pereira, Applicant;

Mr. Antonio Pereira, Owner, addressed the Commission and reviewed the application. He noted that the proposed house would stay within the existing footprint as the previous house. Mr. Nelson asked if the existing foundation would be used and Mr. Pereira replied yes.

Mr. Vita stated that an engineering report done by DeStefano & Chamberlain was submitted, and he reviewed the letters received in favor of the application.

Ms. Aldina Pereira, Owner, addressed the Commission and explained that the house was purchased as a foreclosure by the Town. Mr. Kops said that the Town Building Inspector had condemned the existing structure.

The Commission discussed with Mr. Kops the existing non-conformity and the fact that the variance request would not be increasing it.

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

Mr. Vita closed the public hearing.

B. Regular Meeting

a. Discussion and voting on Public Hearing items.

12-6481

Mr. Nelson made the motion to approve Application 12-6481. Mr. Nelson seconded the motion. Mr. Nelson stated that the garage can not be placed on the other side of the house because there are trees. For the safety of his family the applicant would like the garage to be detached. The applicant stayed within the required side yard he could only have a one car garage. Mr. Vita stated that the garage could not be placed on the right side of the house or in the rear yard. *The motion passed unanimously.*

12-6482

Mr. Nelson made the motion to approve Application 12-6482. Mr. Reynolds seconded the motion. Mr. Nelson said that alternate locations could not be used because of the steep front yard and the location of the hatchway to the basement, and the location of the gas service going into the home. *The motion passed unanimously.*

12-6483

This item was tabled until the January 17, 2013 meeting.

12-6484

Mr. Reynolds made the motion to approve Application 12-6484. Mr. Nelson seconded the motion. Mr. Nelson stated that the existing porch is being removed and the new porch is increasing in size, but would not encroach further into the yard. Mr. Vita said that there are six houses that have the exact same style of porch and the proposed porch will be within the same character. *The motion passed unanimously.*

12-6485

Mr. Nelson made the motion to approve Application 12-6485. Ms. Carroll seconded the motion. Mr. Nelson stated that the existing house was condemned and demolished. The new structure will be placed on the existing

foundation which is non-conforming. Mr. Vita noted that the existing foundation is not being increased and where the applicant is bumping out the house in the rear a variance is not needed. *The motion passed unanimously.*

b. Approve Minutes of November 15, 2012

Mr. Reynolds made the motion to approve the Minutes of the November 15, 2012 meeting. Mr. Vita, Mr. Reynolds, Mr. Nelson and Ms. Carroll voted in favor of the motion. Therefore, the motion passed.

c. Old Business

There was none

d. New Business

There was none

e. Adjournment

Mr. Nelson made the motion to adjourn. Mr. Walsh seconded the motion. Therefore, the motion passed unanimously.

The meeting adjourned at 7:29 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission