

June 26, 2013

MINUTES: THE ZONING BOARD OF APPEALS, Town of Hamden, held a Public Hearing and Regular Meeting on Thursday, June 20, 2013 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
 Suzanne Carroll sitting for Elaine Dove

Staff in attendance:

Dan Kops, Assistant Town Planner
 Tim Lee, Assistant Town Attorney
 Stacy Shellard, Commission Clerk
 Genovieve Bertolini, 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) 13-6500 2704 Dixwell Ave, Requesting variances: Section 520.2.14.c to allow 2 signs with a total of 76.1 square feet where 16 square feet is allowed. Section 550.2.14.d to allow a free standing sign to be 10 feet in height where a maximum of 6 feet is allowed, R-4 zone.
 New Haven Sign Co., Applicant

Mr. Peter Deyo, Applicant, addressed the Commission and submitted a revised drawing for the ground sign and reviewed the application. He noted that he included the changes that the Commission had requested when his previous application was denied. Mr. Deyo added the street number to the revised drawing and said that the wall sign is the same as what was requested in the previous application. The Commission discussed with Mr. Deyo the height and location of the proposed free standing sign. Mr. Nelson stated that the proposed sign will allow better visibility and that the sight line will be better. Mr. Deyo said that the sign will have a 15 foot setback.

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

Mr. Vita closed the Public Hearing.

- 2) 13-5401 7 Field Crest Ln, Requesting variances: Section 220, Table 2.1 to allow 28% building lot coverage where 25% is permitted. Section 220, Table 2.1 to allow 45% impervious coverage where 30% is permitted. Section 220, Table 2.3 to allow a rear yard of 13 feet where 25 feet is permitted for a deck and a garage. R-4 zone.
Carolynn Luongo, Applicant

Ms. Carolynn Luongo, Applicant, addressed the Commission and reviewed the application for a garage and a deck. She reviewed the site and where the garage and deck will be located. Ms. Luongo explained that she has the smallest lot in the neighborhood and reviewed the location of the site with the Commission. Mr. Nelson noted that the garage can not be located on the other side of the house because there is no driveway.

Ms. Loungo reviewed the location of access to the deck and the house. The deck will be made of Trex material. The Commission discussed with the Planning Staff the variance request for the impervious surface. The lot as it exists is legal non-conforming and the variances being requested would increase the non-conformity. Mr. Kops explained that a deck would need at least 1/8th of inch gaps to be considered pervious. Mr. Vita noted that the proposed garage would be placed over the existing pavement.

Mr. Vita asked for comments in favor of the application. There was none.

Mr. Vita asked for comments against the application:

Ms. Angela Teta, 138 Lane Street, addressed the Commission and noted that there is a water problem in the area and she reviewed the location of her property to the applicant's property. Ms. Teta submitted pictures of the properties in the area and reviewed them with the Commission. She stated that the building being proposed should be proportioned to the lot size and she feels that the applicant should have considered this before purchasing the property. Mr. Vita asked if Ms. Teta had seen a picture of the proposed garage and Ms. Teta replied no. Ms. Luongo said the garage will not be seen from the street and discussed her plan to plant arbovitae.

Ms. Loungo stated that she has ordered the garage, but had to delay the delivery. Mr. Vita asked Ms. Loungo if she would agree to getting a picture of the garage and showing it to Ms. Teta. Also, if Ms. Teta agreed, he would continue the public hearing until the July 18, 2013 meeting. Ms. Loungo agreed to getting the picture. Mr. Chorney suggested that Ms. Loungo submit a planting plan and Ms. Loungo agreed. Mr. Vita is concerned with the placement of the arborvitae because of their height. Mr. Kops explained that the arborvitae must be placed 25 feet from the street. The Commission discussed the placement of the arborvitae.

Mr. Tim Lee, Assistant Town Planner asked Ms. Loungo if she agreed to continuing the public hearing and Ms. Loungo replied yes.

Mr. Vita continued the public hearing until July 18, 2013.

B. Regular Meeting

a. Discussion and voting on Public Hearing items.

13-6500

Mr. Chorney made the motion to approve Application 13-6500. Mr. Nelson seconded the motion. Mr. Chorney stated that the applicant had amended the original plan based on the comments received at the May 16, 2013 meeting. He feels that the applicant has met the Commission's request and addressed their concerns for the size of the sign. The variance is being requested because it is an R-4 zone, but had received prior approval for a bank and restricting the size of the sign is a hardship. Mr. Chorney noted that there is a safety factor because of the location

of the property and people will need to identify the property quickly when entering the site. *The motion passed unanimously.*

b. Approve Minutes of April 18, 2013

Mr. Reynolds stated that the motion for application 13-6493 should read: *The motion failed 3-2 with Mr. Nelson, Ms. Carroll and Mr. Houlding voting in favor of the application and Mr. Walsh and Mr. Reynolds voting against the application.* Also noted was on page 5 the motion to adjourn should read: *Ms. Carroll seconded the motion.*

Mr. Reynolds made the motion to approve the Minutes of April 18, 2013 as amended. Mr. Nelson seconded the motion. Mr. Reynolds, Mr. Nelson and Ms. Carroll voted in favor of the motion. Therefore, the motion passed.

Approve Minutes of May 20, 2013

Mr. Chorney made the motion to approve the minutes of May 20, 2013 as written. Mr. Reynolds seconded the motion. Mr. Chorney, Mr. Reynolds, Mr. Nelson and Mr. Vita voted in favor of the motion. Therefore, the motion passed.

c. Old Business

The Commission entered into Executive Session at 7:40 p.m. The Commission exited Executive Session at 7:43

d. New Business

Mr. Kops explained that the Zoning Enforcement Officer's decision to approve a zoning permit for a tent for the use of the facility at the YMCA for camp related activity as well as a decision to allow camp related activity at the YMCA may be appealed. If necessary he would like to schedule a special meeting on July 11, 2013.

e. Adjournment

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

The meeting adjourned at 7:48 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission