



Town of Hamden Planning and Zoning Department

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March 24, 2021, revised July 16, 2021

MINUTES: ZONING BOARD OF APPEALS, Town of Hamden, held a Regular Meeting via Zoom teleconferencing technology on Thursday, March 18, 2021, at 7:00 p.m. with the following results:

Commissioners in attendance:

Wayne Chorney, Chair
Ricci Cummings
Elaine Dove
Steve Walsh, Sitting for Vacancy
Andrew Houlding, Sitting for Francis Nelson

Staff in attendance:

Matthew Davis, Assistant Town Planner
Tim Lee, Assistant Town Attorney
Genovieve Bertolini, Stenographer
Natalie Barletta, Clerk

The meeting was called to order at 7:02 p.m. by the Chair, Wayne Chorney. Chairman Chorney went over meeting procedures and read the Public Hearing items into the record. The Commission and Staff introduced themselves.

A. Public Hearing

1. 20-6674 202 School Street, Requesting a variance of Table 2.3 to allow a front yard of 23 feet where a 25 foot front yard is required, to add a dormer on an existing house, R-4 Zone, Southern Connecticut Contractors, Applicant

There was some confusion with the application number as there were two different numbers on the application itself. Mr. Davis clarified that the numbers were different as former Town Planner Dan Kops allowed the Applicant to resubmit the documents from the previous application.

Thomas Pethigal, Southern Connecticut Contractors, addressed the Board, and thanked them for their time. He said that he is trying to do everything according to the Zoning Regulations. He stated that in the packet there were photos of when the dormers were built in the Board's packet. He added that this does not exceed property lines, and the reason why this requires a variance is because the front of the dormer is a few feet short of the sidewalk.

Mr. Walsh noted the hardship is performing work to make the property more aesthetically pleasing, and asked what the use of the property will be. He added that it was poorly maintained. Mr. Pethigal explained that Leslie Williams, the property owner, is hard to get ahold of since she doesn't use computers, and was hired by her relator to do some work on the roof. Mr. Pethigal said that Ms. Williams decided at the last minute

that she wanted dormers built. The hardship was that he failed to pull the proper permits, and he is unsure of her intentions, other than to fix them up as he was fixing up the roof as well.

Ms. Cummings commented that the fact that the dormers were completed without a permit isn't considered to be a hardship with the regulations and statues. Mr. Pethigal said they can take them off, as one is built and one is half built, and said that he can pull a demo permit if needed.

Mr. Houlding asked if the house was vacant. Mr. Pethigal answered yes, and added that it has taken in water damage.

Ms. Dove asked when was it lived in. Mr. Pethigal answered that he didn't know this, as he was asked to put a roof onto the property.

Mr. Houlding asked who owns the property. Mr. Pethigal answered Leslie Williams. Mr. Houlding asked will it be occupied if this variance is approved. Mr. Pethigal answered that's what Ms. Williams wants to do, and added that she is very attached to the house. He said those are her intentions instead of having the property just sit there.

Ms. Dove asked what would happen when this gets approved. She noted that there is a lot of damage from lack of use and the roof being half off.

Attorney Lee answered that the Board can approve or deny the variance, but the ZBA cannot impose a condition that the house be improved and lived in.

Mr. Houlding commented that there's a proposal in their packet that included a contract between Ms. Williams and the company for stripping and replacing the roof, and then asked if Mr. Pethigal got paid. Mr. Pethigal explained that Ms. Williams put half down, but had to stop during the process because he didn't pull the proper permits and received an OSCA violation. The reason why there is no dormers in the contract was because she did it impulsively in the middle of construction.

Mr. Houlding explained the hardship is created by Mr. Pethigal and his client by not proceeding with the standards and statutes, but it looks like a very minimal variance, so he thinks it's wise to move on.

Chairman Chorney commented that there were problems with approvals, but by approving this application, the Town would avoid a blight situation. He added that if this house was a few feet back, then the application would not be before the Board.

Chairman Chorney asked if anyone wanted to speak in favor of this application. No one wanted to speak in favor of this application.

Chairman Chorney asked if anyone wanted to speak against this application. No one wanted to speak against this application.

Chairman Chorney then asked if there were any written comments. Ms. Barletta said that there wasn't for this application, and abutter notices were sent out as well.

Chairman Chorney then closed the public hearing.

B. Regular Meeting

a. Discussion and voting on Public Hearing items

Mr. Houlding moved to approve, the level of hardship is outweighed by the minimal level of the hardship is required, the limited nature of the variance warranted approval. Ms. Dove seconded. The vote was in favor.

Mr. Pethigal then thanked the board.

Mr. Davis explained that the process after approval. Mr. Pethigal asked if the Zoning Permits were online. Mr. Davis said to contact the Planning and Zoning office and they will walk them through it.

b. Approve Minutes of February 18, 2021 Regular Meeting

Mr. Houlding moved to approve the minutes, Ms. Cummings seconded and all were in favor. The minutes from the February 18, 2021 were approved.

c. Old Business

There was no old business to discuss.

d. New Business

Ms. Dove commented that there weren't any more cases like the one that went before the Commission tonight, and added that approving the variance was in the Town's best interest.

Chairman Chorney mentioned that there is a little automotive place on Dixwell Avenue that recently purchased the lot across the street, and asked if Mr. Davis was aware of it. Mr. Davis replied that he wasn't. Chairman Chorney explained that there was an article in the New Haven Register about this property. Mr. Davis said that he could not speak to this, but he can check with the Zoning Enforcement Officer. A brief discussion ensued about the property.

Mr. Houlding commented that this sounds like a Zoning Enforcement issue that the Zoning Enforcement Officer should look into. Chairman Chorney explained the history of the property, as the property has been a problem for years.

a. Adjournment

Mr. Houlding made a motion to adjourn. Ms. Dove seconded, and all were in favor. The meeting was adjourned 7:35 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission

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https://zoom.us/rec/share/hzPKuDK8YZk2Nn6BupAnfZneRtQKC4NfmD2quMn_9WoEuMzX3L50ToiL7JZorc_9_NT_aI22Ks0VyFFL

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