



Town of Hamden
Planning and Zoning Department

**Hamden Government
Center
2750 Dixwell Avenue
Hamden, CT 06518
Tel: (203) 287-7070
Fax: (203) 287-7075**

April 25, 2019

MINUTES: THE ZONING BOARD OF APPEALS, Town of Hamden, held a Public Hearing and Regular Meeting on Thursday, April 18, 2019 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:

Wayne Chorney, Acting Chair
Elaine Dove
Steve Walsh, Alternate sitting for Jeff Vita
Andrew Houlding, Alternate sitting for vacancy

Staff in attendance:

Matt Davis, Assistant Town Planner
Stacy Shellard, Commission Clerk
Genevieve Bertolini, Stenographer

Mr. Chorney called the meeting to order at 7:05 p.m., reviewed the agenda and meeting procedures, and the panel introduced themselves.

A. Public Hearing

1) 19-6650 1965 Shepard Avenue, Section 220, Table 2.3 to permit a 35 foot front yard where 40 feet is required & to permit a 17.7 foot side yard where 20 feet is required for a 2nd story addition, R-2 zone, Mark Paluzzi, Applicant

Public Hearing to be opened and immediately continued until the May 16, 2019 meeting.

Mr. Chorney opened the Public Hearing and asked for a motion to continue it until the May 16, 2019 meeting.

Mr. Houlding made the motion to continue the Public Hearing until the May 16, 2019 meeting. Ms. Dove seconded the motion. The motion passed unanimously.

2) 19-6651, 24 Woodlawn St, Section 220, Table 2.5 to permit a 5 foot side yard where 12ft is required for a detached garage, R-4 zone, Anne Jaroszewicz, Applicant

Mr. Chorney explained that only four Commissioners are present and for an approval all four of them would need to vote in favor of the variance request.

Ms. Anne Jaroszewicz, Owner, addressed the Commission and agreed to be heard with only four commissioners. She reviewed the application to permit a 14 foot by 18 foot pre-fab garage. She explained that there are three large trees located at the rear of the property and the garage cannot be placed near their roots. She reviewed the proposed location of the garage and the abutting properties. She explained that the proposed location will reduce the amount of yard maintenance.

Mr. Chorney questioned the driveway and if the proposed garage would require a variance for the amount of impervious coverage. Ms. Jaroszewicz reviewed the site and stated that the asphalt driveway will be removed and replaced with gravel.

Ms. Dove asked if the driveway is located on the same side as the neighboring property. Ms. Jaroszewicz replied yes and reviewed the abutting driveways. She said that she had spoken with her neighbor who feels that the gravel and garage will upgrade the property. Ms. Dove asked if the driveway is a one car driveway. Ms. Jaroszewicz replied yes.

Ms. Jaroszewicz reviewed the proposed garage which is manufactured by Kloter Farms.

Mr. Chorney stated that the plan should show the driveway as being gravel. Mr. Matt Davis, Town Planner, replied that it will be shown on the plans submitted with the Zoning Permit. Ms. Jaroszewicz stated that the impervious surface coverage was calculated and includes the removal of the asphalt and the existing deck. She explained that the garage will provide additional storage.

Mr. Davis asked if there were to be an affirmative vote for the application would it be the Commission's expectation that the trees upon which is the basis of the relief being requested will need to remain, or if the trees were taken down they should be replaced. Ms. Jaroszewicz stated that one of the trees located to the rear of property is twisted and rotted out. She needs to have a tree expert come and look at the tree to determine if it needs to be removed. Mr. Davis replied said that down the road (3 to 5 years) if the trees are removed and a member of a board may question the approval showing the trees. He said that Hamden has had significant tree issues over the last few years due to storms. Mr. Davis would like it clarified to avoid future confusion.

Mr. Houlding stated that the premise is that the existing trees are going to be preserved. Ms. Jaroszewicz stated that she has had large trees on a property in Sag Harbor and she has seen some that had rotted. She would like to have a tree expert to determine if the trees should be removed. The Commission and Mr. Davis discussed the existing trees on the site with Ms. Jaroszewicz and if there is a need for a condition of approval addressing the removal of trees.

Mr. Chorney stated that there is no public present to comment on the application and he closed the Public Hearing.

B. Regular Meeting

a. Discussion and voting on Public Hearing items

19-6650

This item was tabled until the May 16, 2019 meeting.

19-6651

Mr. Chorney stated that the motion should include that when the Zoning Permit is submitted to Zoning Enforcement officer it includes a drawing of the gravel driveway and if the Commission would like something in the motion that addresses the trees. She stated that the trees should not be included in approval because it is difficult to have a permit that requires you to have trees. People like trees and plant them all the times, but if the trees were to die it could cost thousands of dollars to replace them

Ms. Dove made the motion to approve Application 19-6651. Ms. Dove stated there are there is not an existing garage and the lot is not big. She is unsure where else the garage could be placed and the zoning regulations allow a garage to be placed within five feet of the property line. Ms. Dove does not feel that the hardship is just the trees, but also that the lot is narrow. ***Mr. Houlding seconded the motion.*** He noted that the hardship is identified as the existing trees which are in a place where the garage could be placed. The application sufficiently states the hardship and there is no opposition to it. Mr. Houlding does not feel there should be a condition of approval requiring the trees to remain. ***The motion passed unanimously.***

Mr. Davis advised Ms. Jaroszewicz that she should speak with the Zoning Enforcement Officer to determine the necessary steps needed to obtain a Zoning Permit.

b. Approve Minutes of March 21, 2019

Mr. Chorney tabled the approval of the March 21, 2019 Minutes until the May 16, 2019 meeting.

c. Old Business

There was none

d. New Business

There was none

e. Adjournment

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

The meeting adjourned at 7:29 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission