



Town of Hamden Planning and Zoning Department

Hamden Government
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October 20, 2020

MINUTES: ZONING BOARD OF APPEALS, Town of Hamden, held a Regular Meeting via Zoom teleconferencing technology on Thursday, October 15, 2020 at 7:00 p.m. with the following results:

Commissioners in attendance:

Wayne Chorney, Chair
Ricci Cummings
Elaine Dove
Steve Walsh, Sitting for Francis Nelson
Andrew Houlding, Sitting for Vacancy (Left Meeting at 7:32 p.m.)

Staff in attendance:

Dan Kops, Town Planner
Matt Davis, Assistant Town Planner
Tim Lee, Assistant Town Attorney
Genovieve Bertolini, Stenographer
Natalie Barletta, Clerk

A. Public Hearing

Mr. Davis explained that there would only be one item on the agenda that would be voted on, which would be 77 Ingram Street. Mr. Davis indicated that the applications for 720 Mount Carmel Avenue and 839 Sherman Avenue needed some additional work before moving forward, and that the applicants for both applications had agreed to open the public hearing and continue both to the November meeting.

1. 20-6670, 720 Mount Carmel Avenue, Section 230, Table 2.5, Requesting a 5 foot side yard, where a 30 foot side yard is required, R-1 Zone, F Michael Martucci, Applicant

Mr. Houlding moved to open and continue the public hearing to the November 19, 2020 meeting. It was seconded by Ms. Cummings, and all were in favor. The Public Hearing for this application was continued to the November 19th, 2020 meeting.

2. 20-058, 839 Sherman Avenue, Location Approval for auto sales and general repair, M Zone, Frederick Uhllein, Applicant

Mr. Dove moved to open and continue the public hearing to the November 19, 2020 meeting. It was seconded by Ms. Cummings, and all were in favor. The Public Hearing for this application was continued to the November 19th, 2020 meeting.

3. 20-6669, 77 Ingram Street, Section 220, Table 2.3, Requesting a 3 foot side yard, where a 12 foot side yard is required, and reduction from 12 foot side yard to 8.3 feet on the east side of the property, R-4 Zone, Steven Curtis, Applicant

Steven Curtis, 77 Ingram Street, addressed the Board. Mr. Curtis said that he's building out on the back of the property to build a bedroom for his mother in law. Mr. Curtis added that the addition will also have a full bathroom, and a mudroom with access to the front of the house and will adjoin the garage as well. Mr. Curtis said that the structure will be a one-story structure that will be built as economically as possible. Mr. Curtis added that he had also brought the structure south to give a wider berth in the west property structure.

Hannah Purdy, 20 School Street, Branford, said that there is an existing garage built on the setback and the earth was bermed up on the setback to accommodate the garage. Ms. Purdy added when the new garage is built, it will be built further south and away from the wetlands than the original structure.

Mr. Houlding asked if Mr. Curtis or Ms. Purdy had any drawings.

Ms. Purdy said yes, and then displayed the plans for the project.

Mr. Chorney stated the hardship is the angle on the yard itself, and everything was previously existing. Ms. Purdy said that the whole lot, along with other lots in the area, don't comply with the R-4 regulations at all. Mr. Curtis added the narrowness of the lot doesn't account for much buildable area.

Mr. Curtis said that Commissioners can note that this property is adjacent to Johnson Pond, and the Wetlands Enforcement Officer Thomas Vocelli, gave a de minimis approval on the project.

Ms. Purdy said that the proposed plans show that the family room will be Mr. Curtis' mother in law's bedroom. Ms. Purdy then demonstrated the existing house versus the proposed plans. Mr. Houlding asked if this goes into Johnson's Pond. Ms. Purdy said yes. Mr. Houlding asked what's next to the property. Ms. Purdy answered that there are neighbors on both sides. Mr. Curtis added that he is on great terms with both neighbors and both support the plan.

Ms. Purdy stated that she also wanted to address the question about the hardship, and anything that is built on this lot will be in the wetlands. Mr. Chorney asked if this is why she is moving the garage forward. Ms. Purdy said yes. Mr. Chorney said that's been reviewed by the Wetlands Enforcement Officer, and had a de minimis approval. Mr. Chorney then commented that what the applicant is asking for is relatively minor, and this will improve the lot and decrease the infraction into the wetlands since it's a heavily wooded area. Mr. Chorney added that the whole neighborhood is already non-conforming, and the Commission will take that into account when making a decision.

Mr. Chorney asked if there were any comments on this application from the Planning Department. Mr. Davis said that the Planning staff have no concerns about the application. Mr. Davis added that Mr. Vocelli is pleased that they are going in the direction that they are going in versus going closer to the wetlands.

Mr. Chorney asked if there were any Commission members who had any further questions about this. There were none.

Mr. Chorney asked if there was anyone that was interested in speaking in favor of the application. There were none.

Mr. Chorney asked if there was anyone interested in speaking against the application. There were none.

The public hearing was then closed.

B. Regular Meeting

- a. Discussion and voting on Public Hearing items

20-6669, 77 Ingram Street, Section 220, Table 2.3, Requesting a 3 foot side yard, where a 12 foot side yard is required, and reduction from 12 foot side yard to 8.3 feet on the east side of the property, R-4 Zone, Steven Curtis, Applicant

Mr. Houlding commented that the hardship was the land's configuration to the wetlands.

Mr. Houlding moved to approve the application. It was seconded by Ms. Dove. The vote was unanimous in favor. The application was approved.

- b. Approve Minutes of September 17, 2020 Regular Meeting

Ms. Dove made a motion to approve the minutes from the September 17, 2020. It was seconded by Mr. Walsh, and was approved, with one abstention from Mr. Houlding.

- c. Old Business

There was no old business to discuss.

- d. New Business

Ms. Cummings said that she will be visiting family in November and won't be able to visit any of the properties. Ms. Cummings added that she still will be able to attend the meeting since it's on Zoom. Attorney Lee said that she will be at a disadvantage because she will not be able to see the properties. Attorney Lee added that Ms. Cummings could also see the properties prior to her departure since the agendas are posted two weeks prior to the meeting.

C. Adjournment

Ms. Dove made a motion to adjourn. It was seconded by Ms. Cummings, and the vote was unanimous in favor. The meeting was adjourned at 7:33 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission