



Town of Hamden
Planning and Zoning Department

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November 24, 2020

MINUTES: ZONING BOARD OF APPEALS, Town of Hamden, held a Regular Meeting via Zoom teleconferencing technology on Thursday, November 19, 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 (Arrived at 7:09 p.m.)
Andrew Houlding, Sitting for Vacancy

Staff in attendance:

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

The meeting was called to order at 7:04 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. 20-6670, 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
Continued from the October 15, 2020 Public Hearing

Initially, there were only four Board members present, so Chairman Chorney explained that the Public Hearing might proceed, but the applicant would need to get a unanimous vote for approval, however Mr. Walsh then joined the meeting, which turned it into a five member board.

Chairman Chorney asked Mr. Kops if the Planning Department had all of the information it needed for this application. Mr. Kops said that he discussed this with Mr. Davis, who was unable to attend the meeting, and the holdup with the application was with issues with QVHD, but it is now ready to be presented. Mr. Kops added that it is a minor variance.

Michael and Patricia Martucci, 720 Mount Carmel Avenue, addressed the Board. Ms. Martucci said that she, along with her husband, have owned their home for the past 35 years, and added that the structure was built prior to when they purchased the property, and prior to the current zoning regulations.

Ms. Martucci added that they came to the Zoning Board of Appeals in 2007 to build an in-law apartment for her mother, which is still being used today. That project had removed a garage and a bedroom, which was replaced by the in-law apartment. The house and the garage are also the same distance of five feet from the boundary. Ms. Martucci said that the existing garage is a single car garage, and she would like to replace it with a simple, two-car garage. This would add a width of five feet and a length of four feet. There would be a

door in the back, to access yard equipment, as well as the snow blower. Ms. Martucci said that due to the setbacks and the slope of the driveway, there is no other suitable location on the property for the garage.

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. No one spoke in favor of the application,

Mr. Chorney asked if there was anyone interested in speaking against the application. No one spoke against the application.

The Public Hearing was then closed.

2. 20-058, 839 Sherman Avenue, Location Approval for auto sales and general repair, M Zone, Frederick Uhllein, Applicant
Continued from the October 15, 2020 Public Hearing

This item was continued to the December 17, 2020 Public Hearing.

3. 20-6668 153 Stanley Road, Section 650, Table 3.1, Requesting to Park a Recreational Vehicle in his driveway that exceeds that 18' maximum length, R-2 Zone, David Morin, Applicant
Continued from the September 17, 2020 Public Hearing
Withdrawn

Chairman Chorney asked Mr. Kops if he knew if the applicant had found a place to park the RV. Mr. Kops said no, he did not. Chairman Chorney asked if someone would be checking up on this. Mr. Kops answered not unless there was a complaint.

B. Regular Meeting

- a. Discussion and voting on Public Hearing items

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
Continued from the October 15, 2020 Public Hearing

Mr. Houlding moved to approve the application. It was seconded by Ms. Dove, and all were in favor. The application was then approved.

Chairman Chorney then explained that there was a 15 day appeal period. Mr. Kops stated that Mr. Martucci may proceed at his own risk, but if anyone does appeal, the garage might have to be taken down.

- b. Approve Minutes of October 15, 2020 Regular Meeting

Ms. Dove moved to approve the minutes from the October 15, 2020 Regular Meeting. It was seconded by Ms. Cummings and unanimous in favor. The minutes from the October 15, 2020 were approved.

- c. Old Business

There was no old business to discuss.

- d. New Business
Review 2020 Meeting Calendar

Ms. Dove moved to accept the schedule. It was seconded by Ms. Cummings, and unanimous in favor.

Ms. Dove said that in regards to the Stanley Street application, Chairman Chorney has a point, and that person has a large vehicle. Mr. Kops said that he will pass it along to the Zoning Enforcement Officer. Ms. Dove asked how the Commission would know if it was still there, and how the vehicle is taxed. Attorney Lee answer that it depends on where the vehicle is registered. Chairman Chorney explained that if it's registered in Connecticut, it can't be parked on the street for more than 24 hours. Chairman Chorney continued that considering the COVID-19 Pandemic, the less that is known, the better, and the Zoning Enforcement Officer can step in if needed. Ms. Cummings said that her concern was about setting a precedence for future applications.

C. Adjournment

Ms. Cummings moved to adjourn. It was seconded by Mr. Houlding, and all were in favor. The meeting was adjourned at 7:28 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission