

The Stratford Board of Zoning Appeals held an Administrative Session, following a public hearing, on Tuesday, January 7, 2014, in the Council Chambers, Town Hall.

MEMBERS PRESENT: Mr. Kelemen, Mr. Hyatt, Mr. John Dempsey and Ms. Brooks

ALTERNATES PRESENT: Mr. Grega (sitting for Ms. Collier) and Mr. Secskas

OTHERS PRESENT: Gary Lorentson (Planning & Zoning Administrator).

- Chairman Dempsey called the administrative session to order at 7:52 p.m..

**PETITION 1
BABU VENKATESH
1255 PROSPECT DRIVE
VARIANCE OF SECTION 3.14**

- On motion by Mr. Hyatt and seconded by Mr. Grega, Petition 1 was taken off the table.

- Petitioner owns property at Stratford Point next to the Lighthouse. Because of all the severe storms in the recent past, especially Hurricane Sandy, there has been significant erosion to the coastal bluff and Petitioner proposes to add 440 cubic feet of fill with grass on top behind a stone revetment. Petitioner will need separate permission from the Zoning Commission to replace the stone revetment. The bluff has already suffered 7-8 feet of erosion. State DEEP is in favor of the project and states that it is consistent with the Coastal Management Act. No one spoke for or against the Petition.

- During discussion the serious erosion was noted and the Board expressed their desire to protect the property from further damage. MR. GREGA MOVED TO APPROVE PETITION 1 TO WAIVE THE 75 FT. SETBACK FROM A COASTAL BLUFF TO 0 FT. IN ORDER TO ALLOW FILL BEHIND A PROPOSED REVETMENT ON PROPERTY LOCATED IN AN RS-2 DISTRICT. MR. HYATT SECONDED AND THE MOTION CARRIED 5-0.

**PETITION 2
TITAN REALTY, LLC
2362 MAIN STREET
VARIANCE OF SECTION 7.1.1.1. & 12.5.1.1**

- On motion by Mr. Grega and seconded by Mr. Hyatt, Petition 2 was taken off the table.

- Applicant is seeking to convert a vacant two-story commercial building into five residential apartments. The property is located within the proposed Transit Center Development area but it only has 3,768 sq. ft. of space with no recreational area and only 3 parking spaces instead of the required 7.5 spaces. The building was built in 1916. Applicant proposes to put 2 apartments each on the first and second floors and one in the basement. No one spoke for or against the petition.

- The Board discussed the petition. There were concerns about the lack of parking and recreational area for the tenants. ON MOTION BY MR. KELEMEN AND SECONDED BY MS. BROOKS, IT WAS VOTED TO DENY PETITION 2 IN ITS ENTIRETY. MOTION TO DENY CARRIED 5-0.

**PETITION 3
HUGH HUMPHREY
28 SHORELINE DRIVE
VARIANCE OF SECTIONS 3.14 & 14.2**

- On motion by Mr. Grega and seconded by Ms. Brooks, Petition 3 was taken off the table.

Beach Drive Condominiums are all pre-existing non-conforming structures and require a variance for new construction. Petitioner seeks to demolish the existing one-story year round cottage that was damaged by Hurricane Sandy and replace it with a new one-story residence in compliance with FEMA. It would be the same footprint except that Petitioner intends to enclose a previous rear deck as additional living space and then add a new rear deck. Owner is 79 years old and wants the ability to add a chair lift in the future. The Condominium Association has already approved the project.

- The cottage owner next door spoke against adding a new rear deck as she feared it would be too close to her bedroom window and block her views of the water. She and her husband also use their side door frequently and the deck would take up some of the common area on that side. In defense, Petitioner stated that the back door of the cottage currently leads out to the ground but the new raised cottage will require a stair case. This staircase will wrap around the side of the house ending in the new rear deck. Once the cottage is raised to FEMA standards, the cottage owners next door will be able to see under the house and they should have better views of the water than they have now.

- The Board discussed the petition. The Board was in favor of bringing the cottage up to FEMA height requirements. They viewed the rear deck as a necessity once the cottage is raised and they also thought the raised cottage might improve the neighbor's views. MR. GREGA MOVED TO APPROVE PETITION 3 TO WAIVE THE SETBACK FROM A COASTAL BEACH FROM 75 FT. TO 0 FT. AND WAIVE SECTION 14.2 IN ORDER TO DEMOLISH, REBUILD AND EXPAND A NON-CONFORMING RESIDENCE ON PROPERTY LOCATED IN AN RS-3/RS-4 DISTRICT. MR. KELEMEN SECONDED AND MOTION CARRIED 5-0.

**PETITION 4
PAUL A. LONGO
20 SHORELINE DRIVE
VARIANCE OF SECTIONS 3.14 & 14.2**

- On motion by Ms. Brooks and seconded by Mr. Hyatt, Petition 4 was taken off the table.

- The subject property is also a Beach Drive Condominium and also non-conforming. Petitioner also seeks to demolish an existing one-story seasonal cottage and replace it with a new one-story residence in compliance with FEMA. In addition, Petitioner seeks to expand the cottage another 7-8 ft. (appx. 100 sq. ft.) by closing in the existing deck as living space and adding a door to a back staircase and landing. No new deck will be added. The Condominium Association has also approved this project. No one spoke against the petition.

- The Board noted the similarity with Petition 3 and was again in favor of bringing the cottage up to FEMA height requirements. As there was no opposition, MR. GREGA MOVED TO APPROVE PETITION 4 TO WAIVE THE SETBACK FROM A COASTAL BEACH FROM 75 FT. TO 0 FT. AND WAIVE SECTION 14.2 IN ORDER TO DEMOLISH, REBUILD AND EXPAND A NON-CONFORMING RESIDENCE ON PROPERTY LOCATED IN AN RS-3/RS-4 DISTRICT. MS. BROOKS SECONDED AND MOTION CARRIED 5-0.

2. ITEMS LISTED ON PUBLIC HEARING AGENDA DATED DECEMBER 3, 2013 – No business
(Petition of 177 & 207 Grove Street previously voted on at special January 2, 2014 meeting.)
3. APPROVAL OF MINUTES – DECEMBER 3, 2013 MEETING
- ON MOTION BY MR. KELEMEN AND SECONDED BY MR. HYATT, THE FOREGOING MINUTES WERE APPROVED 5-0.
4. C.A.M. SITE PLAN REVIEW – No business
5. LETTER FROM URSTADT BIDDLE RE: Request For a Re-Hearing for Sign at 955 Ferry Blvd.
- Petitioner's request for a sign was previously denied by the Board without prejudice on November 12, 2013. Petitioner has submitted a letter requesting a re-hearing within the 6 month waiting period based on a "substantial change," i.e., Petitioner proposes to remove the 3 ½ ft. tall panel that said 'The Dock', lower the boat 3 ½ ft. and write 'The Dock' directly on the boat. The boat itself would remain the same size.

- Mr. Kelemen and Mr. Hyatt stated that the petition was originally denied due to safety concerns about the size, weight and height of the boat. They were not sure that this change addressed these safety concerns, but since there were three new members on the Board they were willing for the full Board to hear the petition. MR. KELEMEN MOVED TO ALLOW URSTADT BIDDLE A RE-HEARING WITHIN THE 6 MONTH WAITING PERIOD. MR. HYATT SECONDED AND THE MOTION CARRIED 5-0.
6. APPEAL TO SUPERIOR COURT – RE: FRANCES ERICA LANE INC., PATRICIA DRIVE
- It was noted that Petitioner is appealing the Board's latest denial of December 2013. Petitioner's first appeal is still pending at the Appellate Court.

- Mr. Lorentson asked the Board to waive the rules to add 177 & 207 GROVE STREET to the petition. Petitioner has also requested a re-hearing within the 6 month waiting period. ON MOTION BY MR. GREGA AND SECONDED BY MS. BROOKS, THE BOARD VOTED TO WAIVE THE RULES TO ADD 177 & 207 GROVE STREET, REQUEST FOR REHEARING, TO THE AGENDA. MOTION CARRIED 5-0.

- Mr. Lorentson had received an e-mail from Attorney Barry Knott requesting a rehearing based on a "substantial change," i.e, the subdivision has been reduced from nine to eight lots (including the two existing houses). Mr. Kelemen stated that he would like to know which lot is being eliminated and whether the other houses will be moved away from the wetlands. Mr. Grega stated that he did not think removing one lot was significant. Again, Mr. Kelemen indicated that he wasn't saying he would vote in favor of the subdivision, but he was willing for the full Board to hear the petition. MR. KELEMEN MOVED TO ALLOW 177 & 207 GROVE STREET'S REQUEST FOR A RE-HEARING WITHIN THE 6 MONTH WAITING PERIOD. MS. BROOKS SECONDED AND THE MOTION CARRIED 4-1 (WITH MR. GREGA OPPOSED).
6. MEMBERS CONCERNS
- Ms. Brooks thanked everyone for making her feel welcome..
7. ADJOURNMENT
- On motion by Mr. Kelemen and seconded by Mr. Grega, the Board voted to adjourn at 8:16 p.m.

Respectfully submitted,

Gail J. Nobili
Secretary