

The Stratford Board of Zoning Appeals held an Administrative Session, following a public hearing, on Tuesday, July 1, 2014, in the Council Chambers, Town Hall.

MEMBERS PRESENT: Mr. Hyatt

ALTERNATES PRESENT: Mr. Fredette (sitting for Mr. Dempsey), Mr. Seckas (sitting for Mr. Kelemen) and Mr. Grega (sitting for Ms. Brooks)

OTHERS PRESENT: John Rusatsky (Zoning Enforcement Officer).

- Acting Chairman Fredette called the administrative session to order at 8:51 p.m..

**PETITION 1  
VANNA & CO. LLC  
304 EAST MAIN STREET  
VARIANCE OF SECTION 16.6.5.2A**

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

- Owner is seeking a small free-standing sign in lieu of a larger wall sign as he feels the free-standing sign would be more visible to passing traffic. The property is located in a commercial district and only has 50 feet of street frontage instead of the required 100 feet of street frontage. Two abutting businesses already have larger free-standing signs which are grandfathered in. No one spoke for or against the petition.

- The Board noted that the sign was tasteful and conformed with the surrounding businesses. MR. GREGA MOVED TO APPROVE PETITION 1 TO WAIVE SECTION 16.6.5.2A TO ALLOW A FREE-STANDING SIGN ON A PROPERTY WITH LESS THAN 100 FEET OF STREET FRONTAGE ON PROPERTY LOCATED IN A CA DISTRICT. MR. HYATT SECONDED AND THE MOTION CARRIED 4-0.

**PETITION 2  
DANIEL GLIONNA  
240 WASHINGTON PKWY  
VARIANCE OF SECTION 3.18**

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

- Petitioner has a corner lot and seeks to waive the fence height from 4 ft. to 6 ft. in order to install a 6 foot fence for 56 feet along Stratford Road. There was a pre-existing 6 foot high metal fence there which he seeks to replace. The fence will not go all the way to the corner so as to block visibility. He stated that there are nine other properties with side yards on Stratford Road that have 6 foot high fences. No one spoke for or against the petition.

- The Board agreed that the fence would be consistent with the neighborhood but was concerned about the fence impeding the site line. Petitioner's map did not show the actual measurements, but was only a sketch of approximately where the fence was to be located. MR. SECKAS MOVED TO APPROVE PETITION 2 TO WAIVE THE MAXIMUM FENCE HEIGHT FROM 4 FEET TO 6 FEET IN ORDER TO INSTALL A FENCE ON PROPERTY LOCATED IN AN RS-4 DISTRICT WITH THE STIPULATION THAT THE FENCE DOES NOT EXTEND ANY CLOSER TO THE CORNER THAN IS REPRESENTED ON PETITIONER'S MAP. MR. GREGA SECONDED AND THE PETITION CARRIED 4-0.

**PETITION 3  
MYRIAM & AUBED BERNADEL  
62 LENOX AVENUE  
VARIANCE OF SECTION 3.18**

- On motion by Mr. Hyatt and seconded by Mr. Grega, Petition 3 was taken off the table.
- Petitioners also have a corner lot and recently installed a 6 foot fence without first obtaining a variance. Petitioners stated that they had hired a contractor and thought he had obtained all necessary permits. Mr. Rusatsky pointed out that there is another issue since the fence may have been installed on Town property. His suggestion was to table the petition until September after the Town Engineer goes out and measures because even with a variance the fence cannot remain on Town property.
- ON MOTION BY MR. GREGA AND SECONDED BY MR. HYATT, PETITION 3 WAS UNANIMOUSLY RE-TABLED.

**PETITION 4  
ROBERT GARCIA  
777 KING STREET  
VARIANCE OF SECTION 3.18**

- On motion by Mr. Seckas and seconded by Mr. Grega, Petition 4 was taken off the table.
- Petitioner also has a corner lot. He is seeking to upgrade his existing fencing with vinyl fencing and wants to install a 6 foot fence along a portion of Wood Avenue. Petitioner believes the proposed 6 foot fence would start approximately 25 feet back from the intersection with King Street. No one spoke for or against the petition.
- The fence did not appear to block the site line, but again the Board was not provided with the exact measurements. MR. GREGA MOVED TO APPROVE PETITION 4 TO WAIVE THE MAXIMUM FENCE HEIGHT FROM 4 FEET TO 6 FEET IN ORDER TO INSTALL A FENCE ON PROPERTY LOCATED IN AN RS-4 DISTRICT WITH THE STIPULATION THAT THERE IS AT LEAST 25 FEET OF 4 FOOT HIGH FENCE ON WOOD AVENUE FROM KING STREET. MR. SECKAS SECONDED AND THE MOTION CARRIED 4-0.

**PETITION 5  
MAREK & JOANNA SZCZUBELEK  
41 FISHER COURT  
VARIANCE OF SECTION 14.2**

- On motion by Mr. Grega and seconded by Mr. Hyatt, Petition 5 was taken off the table
- Petitioners seek to construct a 15.5 ft. x 10 ft. room to be used as a playroom for their children. The room would replace the steps. Stonybrook Gardens Cooperative is a non-conforming development so all additions require a variance. The Cooperative approved the addition on May 20, 2014. No one spoke for or against the petition.
- The Board commented that the Cooperative does a good job of policing its own petitions. Since the addition was approved by the Stonybrook Gardens Cooperative and there is no opposition from neighbors, MR. GREGA MOVED TO APPROVE PETITION 5 IN ORDER TO WAIVE SECTION 14.2 OF THE ZONING REGULATIONS IN ORDER TO EXPAND A NON-CONFORMING STRUCTURE ON PROPERTY LOCATED IN AN RS-4 DISTRICT. MR. HYATT SECONDED AND THE MOTION CARRIED 4-0.

**PETITION 6  
DANA GIAMMATTEO  
37 BULLARD COURT  
VARIANCE OF SECTION 14.2**

- On motion by Mr. Seckas and seconded by Mr. Grega, Petition 6 was taken off the table
- Petitioner seeks to construct a 14 ft. x 14 ft. family room and an 8 ft. x 12 ft. deck. Stonybrook Gardens Cooperative is a non-conforming development so all additions require a variance. The Cooperative approved the addition on May 20, 2014. No one spoke for or against the petition.
- The Board commented that this petition is exactly like the last one. Since the addition was approved by the Stonybrook Gardens Cooperative and there is no opposition from neighbors, MR. GREGA MOVED TO APPROVE PETITION 5 IN ORDER TO WAIVE SECTION 14.2 OF THE ZONING REGULATIONS IN ORDER TO EXPAND A NON-CONFORMING STRUCTURE ON PROPERTY LOCATED IN AN RS-4 DISTRICT. MR. HYATT SECONDED AND THE MOTION CARRIED 4-0.

**PETITIONS 7 & 8  
KENNETH & NANCY ROBERTS  
111 EUERLE STREET (LOTS 38 & 39)  
VARIANCE OF SECTION 5.2**

- On motion by Mr. Seckas and seconded by Mr. Hyatt, Petitions 7 and 8 taken off the table.
- Petitioners were represented by Attorney Robert Rosati. Attorney Rosati submitted a corrected map as the Lot Nos. had been flipped on the previous map – the existing house is on Lot No. 38 and the proposed house is on Lot No. 39. The property is located in a two-family zone but the applicant seeks to build only a one-family house. The two Lots are pre-existing non-conforming lots which are shown as separate properties on a map recorded in the Land Records in 1919. They are also shown as separate lots on the sewer maps. However, since they came into existence prior to the enactment of zoning, they are not approved lots. Each Lot is 50 ft. x 150 ft. and both require a variance of lot width from 60 ft. to 50 ft. In addition, Lot 38 requires a sideyard variance of 10 feet to 1.2 feet as the existing house is only 1.2 feet to the property line. The majority of the lots on Euerle Street are only 50 feet wide and in the past the Board has granted variances to other property owners on this street. Mr. Rusatsky brought up that since the two houses will be so close (only 1.2 feet apart) some kind of maintenance easement may be needed. Attorney Rosati suggested that this be left to the future buyer to decide. One person spoke against the petition although he was not a resident of Euerle Street.
- The Board discussed the petitions. They felt that the two houses would fit in with the character of the neighborhood. They were both deep lots and there was no opposition from neighbors. However, The Board was concerned about the two houses being so close and whether the property owners would have enough room to put up a fence or hedges between the houses. MR. GREGA MOVED TO APPROVE PETITION 7 (LOT 38) TO WAIVE LOT WIDTH OF 60 FT. TO 50 FT. AND ONE SIDEYARD FROM 10 FT. TO 1.2 FT. IN ORDER TO ALLOW AN EXISTING SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN AN RM-1 DISTRICT; AND TO FURTHER APPROVE PETITION 8 (LOT 39) TO WAIVE LOT WIDTH OF 60 FT. TO 50 FT. IN ORDER TO CONSTRUCT A SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN AN RM-1 DISTRICT. MR. SECKAS MADE A FRIENDLY AMENDMENT TO ADD THAT THE STIPULATION THAT ONLY A SINGLE-FAMILY RESIDENCE COULD BE CONSTRUCTED ON LOT 39. MR. SECKAS THEN SECONDED THE MOTION WITH THIS AMENDMENT WHICH MR. GREGA ACCEPTED. MOTION AS AMENDED CARRIED 4-0.

**PETITION 9  
JOHN & DENISE BARONI  
180 POST OAK ROAD  
VARIANCE OF SECTION 4.2**

- On motion by Mr. Seckas and seconded by Mr. Grega, Petition 9 was taken off the table.

- Petitioners live in a small raised ranch and don't have enough room for their family. They would like to build a 25 ft. x 25 ft., attached garage with a second story bedroom and bath. The current house and deck occupy the full 20% of building coverage allowed. Petitioners thought of moving but they like the neighborhood and have done a lot of work on their house. One next door neighbor sent a letter stating that she had no objection to the petition. In addition (although not part of the petition), they will be adding about 6 feet of asphalt driveway to the left to accommodate the new two-car garage. This will also allow Petitioners to drive straight into the garage instead of the present curve. Neighbor at 200 Post Oak Road spoke in favor of the petition. No one spoke against the petition.

- The Board discussed the petition. The petitioners need more room for their family and the neighbors don't have any problems with the addition. MR. GREGA MOVED TO APPROVE PETITION 9 TO WAIVE MAXIMUM BUILDING COVERAGE OF 20% TO 27.6% TO CONSTRUCT AN ADDITION ON PROPERTY LOCATED IN AN RS-3 DISTRICT. MR. HYATT SECONDED AND THE MOTION CARRIED 4-0.

**PETITION 10  
ROSEMARIE DIXON  
736 ROBIN LANE  
VARIANCE OF SECTION 4.2**

- On motion by Mr. Seckas and seconded by Mr. Grega, Petition 10 was taken off the table.

- Petitioner's house and garage already occupy the full 20% of building coverage allowed. Petitioner seeks to replace a large deck with a 11 ft. x 27 ft. deck and also add a 5 ft. x 50 ft. front porch. Petitioner will also remove one of the sheds on the property. Petitioner states that she has a medical condition and needs a covered shelter when outside. No one spoke for or against the petition.

- The Board felt that the renovations would conform with the other houses in the neighborhood. Also, the petitioner has a medical need for the shelter and there was no opposition. MR. SECKAS MOVED TO APPROVE PETITION 10 TO WAIVE MAXIMUM BUILDING COVERAGE OF 20% TO 27.7% TO CONSTRUCT AN ADDITION ON PROPERTY LOCATED IN AN RS-3 DISTRICT. MR. GREGA SECONDED AND THE MOTION CARRIED 4-0.

**PETITION 11  
ROBERT DELORENZO  
185 SHEPPARD STREET  
VARIANCE OF SECTION 3.17**

- On motion by Mr. Grega and seconded by Mr. Hyatt, Petition 11 was taken off the table.

- In 2013 Petitioner installed a pool in his yard without a permit. The pool is only 6 feet from the property line. Petitioner was notified in May 2013 that he needed a permit but did not apply for one. He was

ordered to remove the pool in September 2013, April 2014 and May 2014 and this matter was being referred to the Town Attorney for legal action when Petitioner's finally applied for a variance in May. Petitioner stated that he installed the pool for his children and he was not aware that he needed a permit. He stated that he never applied for a variance in all this time because he lost his job and had other personal issues to deal with. In his defense, his yard does slope and there is a big pipe in the ground. This is the only possible location for a pool. Also, when he installed the pool he thought his property line extended farther than it does and only found out when his neighbors put up a fence. He read into the record a letter of appeal to the Board written by his daughter. No one spoke for or against the petition.

- The Board discussed the petition. The Petitioner's yard does slope and there is a big underground pipe which limits the location for a pool. Petitioner also stated that he was mistaken about his property line. There was no opposition from his neighbor who was only concerned about the Petitioner complying with all safety issues. Also, the Board did not want to punish Petitioner's children. MR. SECKAS MOVED TO APPROVE PETITION 11 TO WAIVE THE SETBACK FROM 10 FT. TO 6 FT. IN ORDER TO ALLOW A POOL TO REMAIN ON PROPERTY LOCATED IN AN RS-4 DISTRICT WITH THE STIPULATION THAT PETITIONER APPLIES FOR A PERMIT WITHIN TEN BUSINESS DAYS. MR. GREGA SECONDED THE MOTION AND THE MOTION CARRIED 4-0.

2. ITEMS LISTED ON PUBLIC HEARING AGENDA DATED JUNE 3, 2014

(A) 200 CONNORS LANE/TOWN OF STRATFORD – Remained on the table

3. APPROVAL OF MINUTES – JUNE 3, 2014 MEETING

- ON MOTION BY MR. GREGA AND SECONDED BY MR. HYATT THE FOREGOING MINUTES WERE APPROVED 4-0.

5. C.A.M. SITE PLAN REVIEW – no business

6. MEMBERS CONCERNS – no business

7. ADJOURNMENT

- On motion by Mr. Grega and seconded by Mr. Hyatt, the Board voted to adjourn the administrative session at 9:16 p.m.

Respectfully submitted,

Gail J. Nobili  
Recording Secretary