

Board of Zoning Appeals Public Hearing and Administrative Meeting

October 6, 2015

The Board of Zoning Appeals held a Public Hearing and Administrative Meeting on Tuesday, October 6, 2015 in Council Chambers of Stratford Town Hall, Main Street, Stratford, Ct per notice duly posted.

Members Present: Chairman Dempsey, Mr. Kelemen, Ms. Brooks, Mr. Fredette sitting for Mr. Hyatt, Mr. Grega sitting for Ms. Collier

Alternates Present: Mr. Fredette, Mr. Grega

Members Absent: Ms. Collier, Mr. Hyatt

Others: Mr. Lorentson

Call to Order: Chairman Dempsey called the Public Hearing to order at 7:00 p.m.

Petition 1

2152 Barnum Avenue

Now Enity, Inc.

Waive: Parking

- Certificates of Mailings Submitted
- Submitted copies of deed
- Photos of property
- Hardship – Pre-existing non-conforming use

Mr. N. Owens, representing Now Enity, Inc., referred to the site map and discussed placement of apartment and parking situation. Noted most requirements are met except for parking. Requesting a waiver of two (2) parking spaces.

Seeing no members of the public speaking in favor or opposition of the project, Mr. Fredette made a motion to close the petition. The motion was seconded by Mr. Grega. The motion carried unanimously.

Petition 2

96-140 West Beach Drive (Formally 95 West Beach Drive)

Mr. Gorlo

Waive: Sideyard and setback

Attorney C. Smith, representing the petitioner, submitted the following into record:

- Certificates of Mailings
- Information packet
- Hardship – Variance of Section 3.14 and sideyard variance

Attorney Smith reviewed the information packet submitted into evidence and noted the Condominium Association has approved this project. Noted structure will go between 102 and 98 West Beach Drive. Referring to the site map he noted this move will eliminate the non-conformance and encroachment issues. He also noted that Mr. Gorlo still pays common charges and taxes on this property. Architect for the project answered landscape dimension question. Commissioners questioned the 1998 Condominium Association approval.

Opposition:

Mr. DeRosa spoke in opposition.

Resident of 85 Fifth Avenue spoke in opposition

Attorney Knott, on behalf of the intervenors Mr. & Mrs. Bastarache and Mr. & Mrs. Keklik, submitted:

- Petition signed by people in opposition
- Town assessors map
- Informational packet

Attorney Knott referred to the exhibits, regulations and photos included in the informational packet. He also noted the structure is larger than originally approved in 1998. He would like the Public Hearing to be left open until November for an environmental expert to testify.

In rebuttal, Attorney Smith discussed the Condominium Associations' rights and violations and noted Mr. Gorlo has Condominium Associations' authorization for this project. Mr. Gorlo is willing to reduce the size and stay within the footprint of previous structure and comply with the 10 foot setback. He would also like to review environmental consultants' comments prior to the November meeting.

P. Sullivan, Assistant Town Attorney, explained "Notice of Intervention" and made recommendations to the Commissioners.

Seeing no other members of the public speaking in favor or opposition of the project, Mr. Fredette made a motion to leave the Public Hearing open until the November 5th meeting of the Board of Zoning Appeals. The motion was seconded by Ms. Brooks. The motion carried 4-1 with Mr. Kelemen in opposition.

Mr. Fredette made a motion to close the Public Hearing. The motion was seconded by Mr. Gega. The Public Hearing closed at 9:05 p.m.

Administrative Session

Petition 1

2152 Barnum Avenue

Now Enity, Inc.

Waive: Parking

Ms. Brooks made a motion to take 2152 Barnum Avenue off the table. The motion was seconded by Mr. Grega. The motion carried unanimously. **Mr. Kelemen, noting this is a pretty straight forward petition, made a motion to approve. The motion was seconded by Mr. Grega. The motion carried unanimously.**

Approval of Minutes – Mr. Fredette made a motion to approve the minutes of September 1st and September 15th. The motion was seconded by Mr. Grega. The motion carried unanimously.

C.A.M Site Plan – No Report

Members Concerns/Comments – Mr. Kelemen suggested having the Town Attorney present for the November meeting. Commissioners discussed procedures for intervention.

Adjournment – There being no further items to discuss, Mr. Fredette made a motion to adjourn the meeting. The motion was seconded by Mr. Kelemen. The meeting was adjourned at 9:09 p.m.

Respectively Submitted,

Gail Decilio
Recording Secretary

