

Board of Zoning Appeals Public Hearing and Administrative Meeting

January 5, 2016

The Board of Zoning Appeals held a Public Hearing and Administrative Meeting on Tuesday, January 5, 2016 in Council Chambers of Stratford Town Hall, Main Street, Stratford, Ct per notice duly posted.

Members Present: Chairman Dempsey, Ms. Brooks, Mr. Grega sitting for Ms. Collier, Mr. Dausilio, Mr. Hojdich

Alternates Present: Mr. Fredette, Mr. Grega

Members Absent: Ms. Collier

Others: Mr. Lorentson, Special Assistant Town Attorney Patricia Sullivan

Call to Order: Chairman Dempsey called the Public Hearing to order at 7:09 p.m.

Petition 1

2614 Broadbridge Avenue

Mr. Gerard

Waive: Front Setback

Building contractor, representing the petitioner, submitted Certificates of Mailings and discussed project. **Seeing no members of the public speaking in favor or opposition of the project, Mr. Hojdich made a motion to close 2614 Broadbridge Avenue. 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

Mr. Dausilio recused himself from the proceedings. Mr. Fredette will sit in place of him. Mr. Hojdich stated that he listened to the tape of the previous hearing and familiarized himself with the file.

Attorney Smith, Shipman and Goodwin, representing Mr. Gorlo, referred to the presentation made at the October Board of Zoning Appeals Meeting. He referred to the site map and noted the previous structure did not comply with zoning regulations. The new location will bring the structure outside of the 50 foot buffer of the mean water line and will conform to regulations. This petition is seeking three (3) variances:

- 1) Location on the beach
- 2) Variance on side yard setback

3) Minor enlargement

Commissioners discussed reasonable and prudent alternatives. Attorney Smith referred to the 1998 Zoning Commission approval noting the proposed footprint would be 972 sq. ft.

Attorney Knott distributed and reviewed analysis from Environmental Land Solutions, LLC and introduced M. Popp, Professional Wetland Scientist, who submitted his resume for the record, original report, Natural Diversity Data Base Area map and photo of sewer line location. He discussed wildlife habitat in the area. Attorney Knott discussed emails from Brian Lampart, Deputy Chief Fire Marshall, dated November 3 and December 29, 2015. He entered into exhibit and discussed "Statutory Rights of Action and Defenses" Chapter 925 and Master Plan of Development dated August 27, 2015. Attorney Knott discussed letter sent to Mr. Lorentson from Carol Szymanski, Office of Long Island Sound Programs Bureau of Water Protection and Land Reuse dated September 21, 2015 and follow-up email from G. Lorentson dated September 28, 2015.

Mr. A. Fracker spoke in favor of the project submitting photographs into record of water main location and property.

Mr. Santa also spoke in favor of this project and location.

Mr. Lorentson discussed the previous footprint and the proposed footprint of the house. Presently proposed footprint is 20' x 48.6' two (2) stories 970 sq. ft. for each floor. 1998 approval was for 20.6' x 45' total of 922 sq. ft. Tax records show 20' x 43' 860 sq. ft. total. Land survey shows 20' x 37' excluding the deck. In his opinion the pre-existing structure was 20' x 43' with a total of 860 sq. ft.

Attorney Smith referring to the 1998 approval noted Mr. Gorlo is willing to go with the 860 sq. ft. structure which would mean only one (1) variance would be required. Questioned Mr. Popp on various discrepancies in his report. Attorney Smith distributed "Supplemental Packet in Support of Applications of Donald Gorlo". Within packet is the COWI response to Mr. Popp's report and report from Versteeg Associates in regard to the "Code Compliance and Fire Safety Analysis". He also submitted into record copy of FOI report regarding statute 1-200 and withdrawal from Superior Court dated November 3, 2015.

Mr. Fredette made a motion to close 96-140 West Beach Drive. The motion was seconded by Mr. Grega. The motion carried unanimously.

Administrative Session

Petition 1

2614 Broadbridge Avenue

Mr. Gerard

Waive: Front Setback

Mr. Hojdich made a motion to take 2614 off the table. The motion was seconded by Mr. Fredette. The motion carried unanimously. Mr. Grega noted this is a small house and seems to be a reasonable proposal. **Mr. Grega made a motion to approve 2614 Broadbridge Avenue. The motion was seconded by Mr. Hojdich. The motion carried unanimously.**

Petition 2

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

Mr. Gorlo

Waive: Sideyard and setback

Mr. Fredette made a motion to take 96-140 West Beach Drive off the table. The motion was seconded by Mr. Grega. The motion carried unanimously. Commission members discussed with Attorney Sullivan language to be used in approval and variance needed for project. They noted that the side setback and enlargement has been withdrawn by petitioner. **Mr. Fredette made a motion to approve 96-140 West Beach Drive noting side setback and enlargement had been withdrawn by petitioner. Stipulations of approval include a second floor access for storage and mechanicals only with a pull down entrance, no overhang on side of structure and maximum of 860 sq. ft footprint. According to 22a-19 the Board determined that there is no significant adverse impact associated with construction. Hardship – reducing non-conformity. The motion was seconded by Mr. Grega. The motion carried unanimously.**

Approval of Minutes – Mr. Fredette made a motion to approve the minutes of December 1, 2015 . The motion was seconded by Mr. Grega. The motion carried unanimously.

C.A.M Site Plan –

1) 96-140 West Beach Drive – Mr. Fredette made a motion to approve 96-140 West Beach Drive on recommendation from Attorney Sullivan. The motion was seconded by Ms. Brooks. The motion carried unanimously.

Members Concerns/Comments – Members congratulated Mr. Lorentson on his retirement and noted he will be sorely missed.

Adjournment – There being no further items to discuss, Mr. Fredette made a motion to adjourn the meeting. The motion was seconded by Ms. Brooks. The meeting was adjourned at 9:36 p.m.

Respectively Submitted,

Gail Decilio
Recording Secretary

