

Board of Zoning Appeals Public Hearing and Administrative Meeting

June 7, 2016

The Board of Zoning Appeals held a Public Hearing and Administrative Meeting on Tuesday, June 7, 2016 in Council Chambers of Stratford Town Hall, Main Street, Stratford, Ct per notice duly posted.

Members Present: Chairman Dempsey, Mr. Fredette sitting for Ms. Brooks, Ms. Young, Mr. Dausilio, Mr. Hojdich

Alternates Present: Mr. Fredette, Mr. Grega

Members Absent: Ms. Brooks

Others: Mr. Habansky, Planning and Zoning Administrator

Call to Order: Mr. Dempsey called the Public Hearing to order at 7:02 p.m.

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Petition 1

1700 Cutspring Road
Archadeck of Central Connecticut
Waive: Section 3.14

1700 Cutspring Road – Petition of Archadeck of Central CT to waive Section 3.14 requiring a minimum distance of 50' from an inland wetland in an RS-3 District. Hardship: Location of pond – Mr. Brown, contractor, and Ms. Wolfart, petitioner, submitted certificates of mailings, letter from L. Everett, 1830 Cutspring Road in favor of project and Inland/Wetland permit. Mr. Brown referred to the deck plan noting he tried to minimize impact and landscape so as not to interfere with storm water runoff. He will use pressure treated and composite material in construction.

Seeing no members of the public speaking in favor or opposition of the application, Mr. Fredette made a motion to close 1700 Cutspring Road. The motion was seconded by Ms. Young. The motion carried unanimously.

Petition 2

27 First Avenue
Stratford Office Realty, LLC
Waive: Section 4.2

27 First Avenue – Petition of Stratford Office Realty, LLC to waive Section 4.2 requiring a maximum lot coverage of 25% to 27.68% in an RS-4 District. Hardship: Plan to utilize 27 1st Avenue as a permanent residence as opposed to summer residence. Phylis Satin, an artist requires a northern light studio – proposed addition offers the only northern light on the site – J. Satin, petitioner, submitted Certificates of Mailings and discussed addition. Mr. Habansky

had no additional comments but did submit four (4) letters in favor of petition. Architect noted addition requested is less than 3% additional coverage. Ms. Young questioned hardship being this is a regular size lot. She discussed previous modifications and current requested modifications.

Seeing no members of the public speaking in favor or opposition of this application, Mr. Fredette made a motion to close 27 First Avenue. The motion was seconded by Mr. Hojdich. The motion carried unanimously.

Petition 3
65 Riverview Place
Ana Lainez
Waive: Section 4.2

65 Riverview Place – Petition of Ana Lainez to waive Section 4.2 requiring a maximum lot coverage of 25% to 28% and the minimum front setback from 20’ to 14’ in an RS-4 District. Hardship: Original lot is non-conforming to our living in our home – Petitioner submitted Certificates of Mailings and discussed reason for petition. Ms. Young referred to comments by Mr. Habansky dated May 19th. Mr. Habansky reviewed site map with petitioner and reviewed suggestion to remove part of the driveway to provide natural drainage of storm water. Mr. Hojdich suggested a curtain drain be installed in front of the garage door. Seeing no members of the public speaking in favor or opposition of this application, Mr. Fredette made a motion to close 65 Riverview Place. The motion was seconded by Mr. Hojdich. The motion carried unanimously.

Petition 4
57 Cedar Street
Aimee Pinckney
Waive: Section 4.2 and 3.17

57 Cedar Street – Petition of Aimee Pinckney to waive Section 4.2 requiring a minimum side setback of 10’ to 5.9’ and Section 3.17 requiring a minimum side setback for a pool from 10’ to 4.6’ in an RS-4 District. Hardship: Size and shape of lot parcel had been separately taxed as an independent non-conforming lot since 1915. A coastal site plan review of this petition is required in accordance with the Coastal Management Act - Withdrawn

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**Petition 5
Cedar Street (PT LT 1002 & 1003)
Aimee Pinckney
Waive: 4.2**

Cedar Street (PT LT 1002 & 1003) – Petition of Aimee Pinckney to waive Section 4.2 requiring a minimum lot area of 7,500ft² to 6,000ft² and minimum lot width of 60' to 50' to create a new lot for a new single family dwelling in an RS-4 District. Hardship: Size and shape of lot parcel had been separately taxed as an independent non-conforming lot since 1915. A coastal site plan review of this petition is required in accordance with the Coastal Management Act - Withdrawn

**Petition 6
1525 Broadbridge Avenue
Brian Soukup
Waive: Section 3.17**

1525 Broadbridge Avenue – Petition of Brian Soukup to waive Section 3.17 requiring a minimum setback for a pool from 10' to 5' to legalize the construction of a pool in an RS-4 District. Hardship: Attached letter received from petitioner dated May 11th – Mr. Soukup, petitioner, submitted Certificates of Mailings and letters in favor of this petition. He noted there is nowhere else to install pool because of lot size. Mr. Habansky noted without removing driveway pool location cannot be installed with a 10' side yard. Ms. Young referred to comments from Mr. Habansky dated May 20th. Ms. Williams, 1521 Broadbridge Avenue, spoke in opposition to the project reiterating she has complained about this pool for years. She submitted photographs of pool and property. Seeing no other members of the public speaking in favor or opposition of this application, Mr. Fredette made a motion to close 1525 Broadbridge Avenue. The motion was seconded by Mr. Dausilio. The motion carried unanimously.

Mr. Fredette made a motion to close the Public Hearing. The motion was seconded by Mr. Dausilio. The motion carried unanimously.

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Administrative Session

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Petition 1

1700 Cutspring Road
Archadeck of Central Connecticut
Waive: Section 3.14

1700 Cutspring Road – Petition of Archadeck of Central CT to waive Section 3.14 requiring a minimum distance of 50’ from an inland wetland in an RS-3 District. Hardship: Location of pond – Mr. Fredette made a motion to take Petition #1 off the table. The motion was seconded by Mr. Dausilio. The motion carried unanimously. Ms. Young made a motion to approve 1700 Cutspring Road with standard conditions and recommendations from the Conservation Department dated 4/11/2016. The motion was seconded by Mr. Fredette. The motion carried unanimously.

Petition 2

27 First Avenue
Stratford Office Realty, LLC
Waive: Section 4.2

27 First Avenue – Petition of Stratford Office Realty, LLC to waive Section 4.2 requiring a maximum lot coverage of 25% to 27.68% in an RS-4 District. Hardship: Plan to utilize 27 1st Avenue as a permanent residence as opposed to summer residence. Phylis Satin, an artist requires a northern light studio – proposed addition offers the only northern light on the site – Ms. Young made a motion to take petition #2 off the table. The motion was seconded by Mr. Fredette. The motion carried unanimously. Ms. Young noted she cannot seem to find a hardship for granting of a variance. Ms. Young made a motion to deny 27 First Avenue due to the failure to demonstrate a hardship. The motion was seconded by Mr. Dausilio. The motion carried unanimously.

Petition 3

65 Riverview Place
Ana Lainez
Waive: Section 4.2

65 Riverview Place – Petition of Ana Lainez to waive Section 4.2 requiring a maximum lot coverage of 25% to 28% and the minimum front setback from 20’ to 14’ in an RS-4 District. Hardship: Original lot is non-conforming to our living in our home – Mr. Dausilio made a motion to take Petition #3 off the table. The motion was seconded by Mr. Hojdich. The motion carried unanimously. Commissioners agreed this is an undersized lot and the increase in coverage is minor. Mr. Dausilio made a motion to approve 65 Riverview Place. The motion was seconded by Ms. Young. The motion carried unanimously.

Petition 4
57 Cedar Street
Aimee Pinckney
Waive: Section 4.2 and 3.17
Withdrawn

Petition 5
Cedar Street (PT LT 1002 & 1003)
Aimee Pinckney
Waive: 4.2
Withdrawn

Petition 6
1525 Broadbridge Avenue
Brian Soukup
Waive: Section 3.17

1525 Broadbridge Avenue – Petition of Brian Soukup to waive Section 3.17 requiring a minimum setback for a pool from 10' to 5' to legalize the construction of a pool in an RS-4 District. **Hardship:** Attached letter received from petitioner dated May 11th – Mr. Hojdich made a motion to take petition #6 off the table. The motion was seconded by Mr. Fredette. The motion carried unanimously. Mr. Dausilio noted this seems to be the same situation as a previous petition whereas lot width is 50' not 60'. Mr. Fredette made a motion to approve 1525 Broadbridge Avenue. The motion was seconded by Mr. Dausilio. The motion carried 3-2 with Ms. Young and Mr. Hojdich voting in opposition. A variance requires 4 vote in favor to approve, therefore the variance is denied.

Ms. Young made a motion to waive the rules to add to the agenda Town Attorney Florek. The motion was seconded by Mr. Fredette. The motion carried unanimously. Attorney Florek gave information to the Commissioners on principles on which this board should operate. He discussed what constitutes a hardship.

Approval of Minutes - Mr. Fredette made a motion to approve the minutes of May 3rd . The motion was seconded by Ms. Young. The motion carried unanimously.

C.A.M Site Plan – 57 Cedar Street – withdrawn

Ms. Young noted for the record that coastal site plan filings have to be made in conjunction with Coastal Management Act.

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Members Concerns/Comments – None

Adjournment – There being no further items to discuss, Mr. Fredette made a motion to adjourn the meeting. The motion was seconded by Mr. Hojdich. The meeting was adjourned at 8:25 p.m.

Respectively Submitted,

Gail Decilio
Recording Secretary

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