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Board of Zoning Appeals Public Hearing and Administrative Meeting

October 4, 2016

STRATFORD TOWN CLERK

The Board of Zoning Appeals held a Public Hearing and Administrative Meeting on Tuesday, October 4, 2016 in Council Chambers of Stratford Town Hall, Main Street, Stratford, CT per notice duly posted.

Members Present: Chairman Dempsey, Mr. Dausilio, Mr. Hojdich, Ms. Young, Mr. Tavaras

Alternates Present: None

Members Absent: None

Others: Mr. Habansky, Planning and Zoning Administrator, Town Attorney A. Florek

Call to Order: Mr. Dempsey called the Public Hearing to order at 7:03 p.m.

Petition 1

55 Washington Parkway

DPD Realty LLC

Waive: Front setback, coverage, building height

Petition of DPD Realty LLC to waive the allowable front setback from 20' to 14.8', lot coverage from 25% to 47.4% & maximum building height from 30' to 36' per Section 4.2, waive the minimum lot size for residence apartments from 30,000 sq. ft. to 19,803 sq. ft. & to waive the prohibition that no structural changes can be made when changing from one nonconforming use to another per Section 14.2.2 to construct a nine unit residence apartment building in an RS-4 District – Hardship: Proposed use represents an upgrade in use from the previously existing nonconforming commercial use, and the proposed use eliminates three zoning non-conformities which currently exist on site. Petitioner requested continuance until November 3rd. Board of Zoning Appeals meeting.

Petition 2

220 Silver Lane

Lisa Leonard

Waive: front and side setback

Petition of Lisa Leonard seeking waivers of the front and side setbacks as required by Section 4.2 to construct a 2nd. Floor addition in an RS 3 District. Hardship: Adding on for elderly relative. Ms. Leonard, petitioner, submitted Certificates of Mailings and discussed proposed construction. Ms. Young questioned the hardship and referred to Mr. Habansky's memo. Ms. Leonard noted that going over garage does not increase the footprint and she believes electrical lines are buried in the yard. See no members of the public speaking in favor or

opposition of the petition, Mr. Hojdich made a motion to close 220 Silver Lane. The motion was seconded by Mr. Dausilio. The motion carried unanimously.

**Petition 3
61 Morningside Drive
Craig Tibbals**

Waive: Building coverage and side setback

Petition of Craig Tibbals seeking waivers of building coverage and side setback as required by Section 4.2 to construct an addition in an RS 3 District. Hardship: Medical necessity, ledge on property, parking. Mr. Tibbals, petitioner, submitted Certificates of Mailings and discussed ledge under property. He also noted that he has explored other options with architect. Commissioners questioned basement and footings. Ms. Young questioned medical necessity. Seeing no members of the public speaking in favor or opposition of the petition, Mr. Dausilio made a motion to close 61 Morningside Drive. The motion was seconded by Mr. Hojdich. The motion carried unanimously.

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

Administrative Session

**Petition 1
55 Washington Parkway
DPD Realty LLC**

Waive: Front setback, coverage, building height

Petition of DPD Realty LLC to waive the allowable front setback from 20' to 14.8', lot coverage from 25% to 47.4% & maximum building height from 30' to 36' per Section 4.2, waive the minimum lot size for residence apartments from 30,000 sq. ft. to 19,803 sq. ft. & to waive the prohibition that no structural changes can be made when changing from one nonconforming use to another per Section 14.2.2 to construct a nine unit residence apartment building in an RS-4 District – Hardship: Proposed use represents an upgrade in use from the previously existing nonconforming commercial use, and the proposed use eliminates three zoning nonconformities which currently exist on site. Left on table.

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Petition 2
220 Silver Lane
Lisa Leonard

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Waive: front and side setback
STRATFORD TOWN CLERK

Petition of Lisa Leonard seeking waivers of the front and side setbacks as required by Section 4.2 to construct a 2nd. Floor addition in an RS 3 District. Hardship: Adding on for elderly relative – Mr. Dausilio made a motion to take 220 Silver Lane off the table. The motion was seconded by Mr. Hojdich. The motion carried unanimously. Mr. Dausilio noted he drove by the property and there seems to be no expansion of the existing footprint. Commissioners discussed adding stipulation that there will be no kitchen added unless there is a formal application in the future. Mr. Dausilio made a motion to approve 220 Silver Lane with the stipulation that additional space not be converted into a rental apartment. The motion was seconded by Mr. Tavaras. The motion carried 4-1 with Ms. Young voting in opposition.

Petition 3
61 Morningside Drive
Craig Tibbals

Waive: Building coverage and side setback

Petition of Craig Tibbals seeking waivers of building coverage and side setback as required by Section 4.2 to construct an addition in an RS 3 District. Hardship: Medical necessity, ledge on property, parking. Mr. Hojdich made a motion to take 61 Morningside Drive off the table. The motion was seconded by Mr. Dausilio. The motion carried unanimously. Mr. Hojdich made a motion to approve 61 Morningside Drive stating the hardship is the ledge on property. The motion was seconded by Mr. Dausilio. The motion carried 4-1 with Ms. Young voting in opposition.

Approval of Minutes - Mr. Hojdich made a motion to approve the minutes of September 6th. The motion was seconded by Ms. Young. The motion carried unanimously.

C.A.M Site Plan –

55 Washington Parkway – tabled

Members Concerns/Comments – Commissioners discussed the possibility of adjusting the fees for work done prior to approvals – still awaiting opinion of Town Attorney. Ms. Young noted she is employed in a community who opted to raise fees for work done prior to approvals. Attorney Florek assured the Commission they will have an answer next month. Chairman Dempsey questioned fining general contractors' for work done prior to approvals.

Adjournment – There being no further items to discuss, Mr. Dausilio made a motion to adjourn the meeting. The motion was seconded by Ms Young. The meeting was adjourned at 7:31 p.m.

Respectively Submitted,

Gail Decilio
Recording Secretary

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