Call to Order

Aldermanic President John Anglace called the meeting of the Board of Aldermen to order at 5:35 p.m. All those present rose, placed their hands over their hearts, and pledged allegiance to the Flag of the United States of America.

Roll Call

Alderman John F. Anglace, Jr., President – present
Alderman Lynne Farrell - present
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – present
Alderman Kenneth Olin - present
Alderman John P. Papa – present
Alderman Jason Perillo - absent
Alderman Anthony Simonetti - present

Administration:

Assistant City Engineer Rimas Balsys

There was a quorum present.

1. APPEAL BY JOHN LICHVAR TO THE DECISION MADE BY THE CITY ENGINEER REGARDING SPECIFICATIONS OF A WALL AND LOCATION OF A DRIVEWAY AT 44 LISA DRIVE

Alderman Anglace stated, we'll start by hearing from the Assistant City Engineer Rimas Balsys, and then following his presentation, we'll listen to Mr. Lichvar, and then we will join in, and not make any decision tonight. Following receipt of the minutes, which take seven days, we will review and then bring it up for a decision at the December meeting.

Rimas Balsys, Assistant City Engineer

Apparently some time during the summer, Mr. Lichvar hired someone to install a wall on his property, without permits, without a Call Before You Dig. We had no knowledge of this construction taking place until apparently one of the neighbors called the Building Department or Planning and Zoning.

Around September 2nd, they issued a stop work order. We went out and took pictures of the wall, measured locations, it's pretty close to the property line. No permits were taken out to do the work, which would have been required since they actually had equipment within the City's right-of-way.

We researched some of the statutes and determined that the height of the wall and its location is in violation of the City Code. Therefore, we've made the recommendation that that portion of the wall either be removed or cut down to a height of no more than three feet, including anything that’s going on top of the wall.

The driveway was relocated from one side of the yard. As his property is a corner lot, he moved it from the Frank Drive side to the Lisa Drive side, again, without permits. Normally we review those permits and the driveway's location, because we like to keep those driveways about 75 feet from the corner.
Right now, I’m not sure of the exact distance, but it’s well within that area. So it becomes an issue of safety of someone pulling out of the driveway and someone coming around the corner. So, we’re making the recommendation of either the driveway being moved or request that the City allow that the driveway to stay there, but he would have to write a letter making that request, and the City can review it, and we would ask for a hold harmless, or whatever the Corporation Counsel decides.

From what we understand, he has received deliver of stone, which he’s going to use to face the wall, which is in violation of the stop work order that he received. That stone material is now stored in the City right-of-way which again, without the insurance from the contractor or a permit is not allowed. Do you have any questions?

Alderman Papa stated, you said you had some neighbors make you aware of this? You weren’t driving in the area and saw it yourself?

Mr. Balsys replied, no, because no Call Before You Dig was done. I personally review all of the Call Before You Digs, and that would have sent up a red flag of someone doing that type of work. No one came in for a driveway permit. Again, we would have reviewed, and required plans to do that. So basically, nobody knew this was happening until the neighbor called it in, and at that time, the wall was already constructed.

Alderman Anglace stated, let’s establish for the record, clearly, the City Engineer’s position. In two memos, one dated October 28th and one dated September 30th, I believe establishes your position. I don’t know if Mr. Lichvar has received these. They are addressed to me as President of the Board of Aldermen and they’re from the City Engineer Bob Kulacz.

The memo dated October 28th establishes the fact that no permit for the free-standing wall was established. That is point number one. The second point he makes, the wall material and design does not conform to Planning and Zoning Regulation #24.4.9. Then he cites that in regard to Ordinance #521 the property owner has the right to appeal to the Board of Aldermen on the decision of the City Engineer. He goes on to direct what has to be done.

In the first case, the wall height is in violation of Ordinance 521 Section 14-15(f) and they direct the wall to be removed or lowered to conform to Ordinance 521, was sent on September 20th, 2008.

Now, the other memo from the City Engineer dated September 30th deals with the relocated driveway. I believe the City Engineer is saying that the relocation of the driveway also needed a permit, which was not obtained. And that the relocation of the driveway needs to be confirmed by the City Engineer. The City Engineer is not saying that the driveway in its present form is right or wrong, he is saying that you need to have a permit, and then you go through the review process, and he will rule on whether or not the current location of the driveway is acceptable.

Mr. Balsys stated, that’s right. Typically we don’t allow it in the location they are at, but again, with review and a possible hold harmless from the resident to the City, it could be allowed.

Alderman Anglace stated, that establishes the position of the City Engineer. Is that acceptable to the Board members? Did I leave anything out? Now, the homeowner has the right to appeal. Mr. Lichvar, we have a letter from you. Now, we will listen to your appeal.

John Lichvar, 44 Lisa Drive
Fantastic. I appreciate the opportunity to be heard, ladies and gentlemen, give me the opportunity to appeal the order by the City Engineer. If you’ll allow me a couple of minutes to give you a brief background, I think that could really help to inform you of the situation, the impasse we find ourselves in now.

The Assistant City Engineer is not the individual I spoke to. If I could start at the beginning, I’ve been a City resident for over 30 years. We’ve lived at the same, my father, my mother and my two brothers, we lived at 22 Frank Drive, which is adjacent to the property 44 Lisa Drive that is in question right now. About 12 years ago, my brother was involved in a horrific car accident here in Shelton, which led him, he had a traumatic brain injury which leads him to be permanently disabled, handicapped for the rest of his life. My parents have been taking care of him.

About five years ago we had an opportunity to acquire the property right next door to my parents, which is 44 Lisa Drive. It's right next door to 22 Frank Drive, which is his residence as we speak, and where I grew up. Over the past year and a half I’ve been experiencing significant, I’d go further to say it started with petty vandalism, people driving across my lawn, then it came out to broken windows, which in the last eight months I’ve had a picture window broken, a stained glass window which is worth in excess of $1,500, a garage door window was broken as well. I would assume it's neighborhood children. The most recent incident, I had a car damaged, it was left in my driveway overnight. We left the state for a few days and came back and we had significant damage throughout the car, like it was done by some kind of a hard object. So after speaking over the problems and concerns we had over security, we came to the conclusion that building a wall would be the most appropriate design for keeping us secure and at the same time increasing the property value.

Through the planning phase I started looking to the stone walls in the neighborhood to see what would fit in the neighborhood, what would be appropriate. We came to the conclusion that building a four-foot-high wall would probably be the most appropriate with proper landscaping and lighting because the area we live in is extremely dark. It's in the corner of town next to the Monroe border. We don't have any lighting, there is no police presence whatsoever, so security has been a major issue. I can say I've been virtually terrorized for the last year. The first thing I do when I come home is check all the windows to see if anything has been damaged or broken. So that is what led us to initially conceive the idea of building the stone wall.

I visited the cityofshelton.org website to give me some direction. I was interested in the limits, the parameters, the location of where I'd be able to construct the wall that we had envisioned. The City of Shelton website had basically no information. It gave me no guidance regarding limits, parameters, location, etc. So what I proceeded to do was call the City Hall and I asked, I'm not sure if it was a receptionist or somebody else if I could get a copy of the regulations and the ordinances of the City of Shelton in a book. I told her I'd be happy to pay for it. I’d be able to use it as a guide, a reference, in determining exactly what I can and can't do. Not just the stone wall, but lighting for the property. She told me that there wasn’t a book available, that they were out of print and they needed to be replaced. I confirmed that with the Zoning Enforcement, Mr. Dingle, two weeks ago. He told me the books were still not available. I proceeded to ask him how someone was supposed to determine the exact regulations and the ordinances to be able to do construction throughout the town, and he told me that I should speak to an individual at City Hall, the authorized person. But I’m getting ahead of myself.

After speaking with City Hall and looking at website, after asking for a booklet, I told the clerk or whoever answered the phone, the receptionist, what my intentions were. I told her I want to construct a wall under 48 inches of height and to please
direct me to the proper department or proper authority of where I could get the information. She proceeded to connect me to the Building Department, at which time I spoke to a young lady who answered the phone, I didn’t get her name. I told her, I asked her the question, I said I was interested in building a four-foot wall at my house, I wanted the proper requirements, I wanted to know any kind of information regarding the parameters, the location, the size of the wall. She proceeded to tell me that the wall had to be constructed on my property. And being unsatisfied with that response, I asked her if there was anything more that she could add to it, and she said, “No.” Being of the mind that I really wanted all of the proper information, I asked her if she could connect me to a different department, they might be able to help me in my query to gather information. She complied by connecting me to the Planning and Zoning Department.

I spoke to the gentleman there. He told me that they had no information regarding stone walls; it wasn’t their department. He would be happy to connect me to the Building Department. I explained to him that I had just spoken with the Building Department and they didn’t have any answers regarding stone walls whatsoever. So, he connected me to the Engineering Department.

I spoke to Mr. Kulacz. I asked him specifically, I told him exactly what I wanted to do. I wanted to build a wall under 48 inches of height. I wanted the proper location, the one information I was able to glean from the City of Shelton website was that any stone walls have to be beyond the take line, which I gathered is the setbacks the City Engineer provided to me. He provided me the exact setbacks. I told him it was on a corner lot, it was facing two different roads. He gave me the proper setbacks, which I complied with. Around the corner, I have a fire hydrant. I asked him to make sure I wouldn’t have any kind of issues, I wanted to take care of everything, I wanted everything to be clarified as to what guidelines I have to follow regarding building the stone wall. He gave me the measurements. I went and I placed the wall an additional three feet past what he told me. He told me the requirements were 12 feet, I put my stone wall at 15 feet.

I did bring pictures to show you. But I specifically asked him, I expected to have to go through a few hoops and hurdles to obtain a permit for the wall. He specifically told me if the wall was under 48 inches and as long as I followed the setbacks, that a permit was not needed. I asked him to clarify that again, because I thought I’d have to show a scale, a map or at least give him a diagram. I was under the impression that I had to do that. He told me for the second time that as long as the wall was under 48 inches and I wasn’t on the City property that a permit was not needed and that I could go ahead and start construction of the wall.

I asked him at that moment if he would be so kind as to come to the property and to take a look to make sure that we don’t have any outstanding issues. I told him there was a corner, that it was on a corner lot. And in a dismissive tone, he sounded very confident, he told me that as long as it was under four feet and if I abided by the setbacks, no permit was needed, it was unnecessary for him to come to the property. After I told him I would gladly pay for any kind of costs incurred to him approving the wall, the location, the parameters, etc. Again, that was the reply he gave me, that a permit was not needed because the wall is under 48 inches.

He never asked me the method, what kind of stone I was going to use. He never asked me if it was going to be a concrete wall, if it was going to be a field stone wall. So he sounded like he knew his business. He told me that his job is based on a merit system which leads me to believe that he knows exactly what he’s talking about. I have full faith in our local government. Politics is all local. I mean, I lost faith in our federal government just in the last few months, and you know, I don’t know if it really exists any more regarding the economic situation, but our local
government – I thought he had a lot of force behind what he was saying, and I took what he said to heart.

I followed the instructions completely. It took me roughly a month, the wall itself was constructed by me. I rented a machine to dig a little foundation for the actual stone wall, because I wanted it to be a proper stone wall – a 100 or 200-year wall. I’m a landscaper so I take, I was going to take that as a reflection on myself and the property, so I really wanted to do an outstanding job. We spent, my father and I, we spent roughly $25,000 for the foundation, for a poured concrete wall, which I want to install a veneer stone over the concrete wall. Most people do it with blocks – they use cement blocks, 8-inch by 10 blocks and then they stack it that way. I personally thought it would be easier if I was to get forms and pour a wall and then put the stone right on top of it. I did that exactly, it took us over a month. I spoke with a couple of neighbors, they were pretty excited about it, about the issues. We have a lot of stray animals running throughout the neighborhood, you know, we have deer problems. But the major thing is security issues, and I didn’t want people prowling through the property, especially at night, especially when I wasn’t home, just to give me a sense of ease.

The driveway, I do admit that I did not take a permit out because my intention was to take a permit out when I was paving the driveway. I relocated it because my brother is unable to get to the mailbox from my garage because of the grade of the driveway. He walks with the aid of walking sticks and a walker. We anticipate, I mean, the doctor said he would be experiencing some kinds of seizures and things in the future, so we anticipate having to call the ambulance some time in the future. My parents are near retirement age. I live right next door and I plan on living there forever, my brother as well. So we relocated the driveway to give safety to my brother – we had to take him to the hospital two different times when he was attempting to get to the road from our house because of the grade. The pitch was too great for him to be able to handle, so the reason I changed the driveway, I looked at every other property in the neighborhood, and as opposed to having the driveway come from Frank Drive, my address is actually Lisa Drive, I relocated the driveway so it would come out on Lisa Drive. There are two separate Lisa Drives that are separated by another main road, and again, the ambulance concerns in the future were a major thought in my process, so I wanted my driveway to reflect my address, which is Lisa Drive. That is why I put the driveway on Lisa Drive as opposed to Frank Drive where it was initially.

I took at least a month to construct the wall. I put a foundation in. I poured the wall in stages. About four or five weeks after I initially received permission from the Engineer to construct the wall on the given location, I received a cease and desist order telling me to stop doing work.

Since then, I’ve spoken to the City Engineer. He’s told me either one outstanding issue, beside the driveway, we’re talking about the order of September 30th, which is the last one the judgment pronounced. September 30th that required me to change the height of the wall from four feet to a height of three feet from the center line. I received notice, oh, he told me that I could start working on the stone wall and just to leave out the corner that he said was an issue, which was bringing down the height. He told me that I could continue on with the rest of the wall until we figured out exactly what we’re going to do on the corner, just to leave that part out.

I also spoke to Tom Dingle. He also gave me permission to start doing the wall, just this last week; that we could commence. So I didn’t bring the stone in until after they both gave me permission to start constructing the wall. Not on the corner that is in question, though, because he told me I had a right to appeal, and I didn’t want to bring that to the attention of the Board. In fact, being that he told me exactly where to put the location of the wall, the fact that he told me exactly the height of the wall, what I couldn’t exceed, I agreed with him there.
What I did is I prepared a few different pictures of the actual location, and comparison photos of stone walls that are within a mile to a mile and a half from my home that exactly replicate the situation I find myself in. Unfortunately, I only made one booklet of copies; I wasn’t sure how many people I would speak to today. I prepared this.

Alderman Anglace stated, give it to the Clerk.

Alderman Finn asked, is it normal procedure, once a stop work order is in place, that other people in City Hall tells everybody else, go ahead and move, even though there's a stop work order?

Mr. Balsys stated, apparently the stop work order came from Tom Dingle and INAUDIBLE.

Alderman Anglace stated, let’s let Mr. Lichvar finish. He hasn’t finished yet.

Mr. Lichvar continued, again, I asked him if I needed a permit. I’ve learned my lesson now to get everything in writing. He reassured me that I didn’t need a permit. It was under 48 inches and I abided by the setbacks. Those were the two criteria. My brother, my handicapped brother, he was writing, he was taking notes for me when I spoke to the engineer, before I started any kind of groundbreaking whatsoever, because I thought there would be a litany of requirements, to be honest with you. I thought he was going to make me draw a diagram, etc. So my brother, I had it on speaker phone, he was taking the notes and I was surprised to learn that it had to be under 48 inches, and it had to be beyond the City setbacks, and that was the only requirement, three different times he explained it to me, the only requirements that I needed to make. Again, he didn’t ask anything about the method of the construction of the wall, he didn’t ask anything regarding what the wall was going to be constructed as.

So, after speaking to him, after he reassured me and reassured me, I asked him to come to the property, and again he told me it wasn’t necessary. To answer your question, sir, I didn’t receive anything in writing; he told me it was not required, it wasn’t necessary. I told him I would be happy to incur any kind of expense in having him come out.

Alderman Olin asked, this was the Engineer?

Mr. Lichvar replied, yes.

He continued, I told him, I’d be more than happy to have my father, the reason I brought him here, he was very adamant to have me speak to the City before I started any kind of work. I’m knowledgeable regarding getting permission, even though it’s semi-private property, I know that the City has procedures and regulations on the way they go about it, I totally respect it.

This appeal is not a question of authority whatsoever. I respect authority. I’ve never had to deal with a board, I’ve never had to take out building permits. I’m a homeowner, I’m a part homeowner, he owns the properties but I reside there, but he’s a part-owner as is my Mom, as I am. That is the first issue I’ve ever had with the City regarding any kind of permits, any kind of work. To be honest, I was quite dismayed, disappointed in my local government. I thought, you know, we had a verbal agreement as far as what I was able to do and what location I was able to do it in. I was totally clear to that. I’m a college-educated, I’m a graduate of Sacred Heart University. I speak perfect English. He spoke perfect English. My phone was working fine. We clarified it, more than once, that again, not to repeat myself again
but as long as it’s under 48 inches and as long as I’m not on the setbacks of the City he would have no problem with me constructing the wall there.

So again, four or five weeks after I started, I was just surprised to receive a cease and desist order stating the fact that I didn’t receive a permit to dig in the right way. Stating that I didn’t get a 1-800 call. I asked the judgment of the City Engineer three different times, three different occasions, what permits I would need, what permission I would need. I was more than happy, more than happy to follow any kind of instructions. If he told me I was able to build a two-foot wall there, I would have been happy with building a two-foot wall there. It’s not my intention to fight with the City or any person of authority. I actually love the City, I went to school here, I plan on retiring here. It’s the best thing that you could ask for. But then, this is my first experience with City government, it’s surprising to me because I thought I did everything right. I went out of my way to make sure. I had no problem with paying money for somebody to come to my property to take a look. Just to avoid the exact impasse that I find myself in now.

Here we are reaching November, wintertime. I haven’t constructed anything because I wanted to clarify this problem first. Two months since I started, the wall would have been done, I would have had landscaping up, and just the delay that is causing me heartache; it’s actually causing a lot of problems in my family regarding, you know, just regarding blame that my parents are trying to assign to me thinking that I didn’t do my due diligence regarding receiving permission to construct the stone wall. But I did. I received permission. I asked. I spoke to the Building Department, to Planning and Zoning, to everybody. I asked for a book, not to repeat myself again but I asked for the regulations and rules. It was not made available to me, even today it’s not available to me. It isn’t available on the computer. The gentleman that is supposed to be knowledgeable in the situation misled me, was not aware. I’m not saying he did it intentionally, but either he was unaware of the situation or he just didn’t know what he was talking about. It’s terrible that we find ourselves here at this impasse, even taking up your time. I’m sure everybody’s schedule tonight has duties that are very important and I apologize for having to bring this to your attention. I do feel that I have a legitimate complaint here. I wasn’t looking to get special treatment. I wasn’t looking to change the rules whatsoever. I simply asked the gentleman what I was permitted to do. He gave me the exact parameters. Again, I know I’m repeating myself. I’m just amazed that I followed everything that the gentleman asked me to do. Everything to the “T.” I altered not even one inch, and I still got served with a violation.

Alderman Anglace stated, okay. We’re kind of repeating ourselves.

Mr. Lichvar stated, I agree. I just didn’t want to leave anything out.

Alderman Anglace stated, let’s see if we could boil this down. We’ve got three issues. One issue is the permit.

Mr. Lichvar asked, “for?”

Alderman Anglace replied, the permit for the wall, the permit for the driveway.

Mr. Lichvar stated, but in regard to the permit, I asked him, three times, if there was a permit...

Alderman Anglace interjected, just hold on a minute, I just want to identify the issues. Now, the permits. You would have gotten a permit had they told you. So, permit is not a problem. You can get the permit now.

Mr. Lichvar stated, I’ve actually already filled it out.
Alderman Anglace stated, that can be taken care of, that's an easy one. That shouldn't be a stumbling block.

The reduction of the wall – what he's asking is that the wall be reduced at the corner, so it doesn't impede the sightline, he wants to take it down to three feet. Now, you have a problem doing that.

Mr. Lichvar replied, I do, because first of all the initial cost incurred. The reason I provided pictures, I wanted to show you the actual site. It's hard to determine exactly to make a decision when you don't have all the information. What I've passed to the Clerk was roughly 10 pictures of the actual of the property in question, the corner itself, from the car, the views north, east, west. It's not a true intersection, although it was a planned intersection. We've been there for 33 years. The way it appears now is the way it has always appeared.

Alderman Anglace stated, we're not going to rewrite the regulations. We're here to determine if the regulations were followed. It requires at that point, the City Engineer requires a wall height of not more than three feet. He's not asking to take the whole thing, just that area that goes around the corner for sightline purposes. Now, if you want my opinion, and I believe most of the members of the board might share this opinion, that if you can do that, you might be well on your way to resolving this thing. Because, if you take out the permit for the driveway relocation and let them look at it and they might just agree with you that for the purposes you want to do it, they might just agree to allow it to go forward. That hasn't been reviewed; they didn't have the opportunity to review that. That is an issue that we would leave open. If you could get that center portion of the wall reduced down to three feet, I think you're well on your way. I can't speak for the City Engineer, but the members here can speak for themselves, because everybody will have a chance to ask questions.

For the members here, there are three issues as I see it. The first one is the permit, the second one is the wall reduction, the third one is the driveway relocation. Which, the driveway relocation has not been reviewed by the City Engineer. It could very well be that upon taking the permit and City Engineer review, he might agree with the location and permit. We don't know that; we don't make that decision. It's possible that two of the three issues could be resolved.

The wall reduction issue, we realize that you're going to have to bring it down lower.

Mr. Lichvar stated, that is why I provided the Board, if I may, pictures. These are five walls within a mile, a mile and a half of my property. They replicate the exact situation that I have, if I'm able to present this to you. They are all four foot walls, exactly.

Alderman Papa asked, so, this is in your community?

Mr. Lichvar replied, yes.

Alderman Papa stated, now all of a sudden we've got four-foot walls...

Mr. Lichvar stated, it's selective enforcement in my eyes. Why do I have to remove mine when these, I mean, first of all, I provided a lot map of the actual, this is on a dead end. There are only three residences, only three people, three driveways past my driveway. It's a dead end right here, with wetlands right here. This is the property in question right here. This driveway, which is directly across the street, is able to see directly down Lisa Drive. Property #21 here, I received a testimonial which is included right here, stating the fact that there is no line of sight issue, there
are no issues regarding safety as far as they're concerned. They have to drive by the wall every single day. My parents are the other people, and basically there are three residences all together. The only people that are being impacted are the person who I got a testimonial from, his property, and then another house, which is across the street from mine on Frank Drive.

Alderman Papa asked, is that the person who called this in?

Mr. Lichvar replied, no. The one that called the City does not, he doesn't drive by the property. He's a person of a vindictive nature that I've been having problems with for over 30 years. I've done nothing to the gentleman. I had to call the Police on his son this spring because he threatened to burn my house down and I suspect that he's been the gentleman that's been throwing rocks through my windows when I'm not home. But I'm not here to accuse anybody. I'm strictly here to explain to the Board how, you know, I'm not really sure why I have a bull's eye painted on my back. The pictures that I'm showing here are recent stone walls. The picture on Gray Street, that was just constructed this summer. The wall is one of the places I got the idea from. That's on a main road. It's a four-foot-tall stone wall. There is no line of sight reductions whatsoever approaching the intersection.

Alderman Anglace stated, City Engineer, would you kindly respond to the existence of other walls four feet high?

Mr. Balsys explained, I'm new to the City, but I didn't see that one.

Mr. Lichvar stated, there are five or six other ones besides this one here.

Mr. Balsys stated, we typically don't issue permits for walls. That comes from the Building Department. So, asking Bob if a permit is required from us...

Alderman Papa stated, it's not. It's from the Building Department?

Mr. Balsys stated, right. Because I'm sure they'd want to inspect the footing, etc. He is a landscaper, he would know that.

Mr. Lichvar stated, I spoke to the Building Department. I spoke to a lady. She told me it had to be on my property, it simply had to be on my property.

Alderman Papa asked, which it is?

Mr. Lichvar replied, of course it is, absolutely. It's actually beyond where the Engineer told me was acceptable. I put it three feet beyond, because it was on the corner, and the pictures that I gave to the Clerk, you could see that the field of view, I mean, across the street right here on Prospect there's no line of sight issue, even across the street here from the handicapped parking lot, there is a building within five feet of the actual road. Now, my stone wall is 15 feet...

Alderman Anglace interjected, let me stop you for a minute. Look, we're not here to judge anybody else's property in the City. We are here to judge your property and what you did. That is all we're here to judge.

Mr. Lichvar stated, I understand. I am just comparing, I'm giving you reference points so you can compare.

Alderman Anglace stated, the ordinance was put into effect in 1986. It requires that no wall or structure be more than three feet in height. Now, if the City's enforcement over the years has allowed this to go higher, for whatever reason, if people never took out permits and they just put up the wall, we don't know. We have no way of knowing. We understand what you're saying. In my view, it's not a
factor. We have to judge whether or not your structure meets the zoning requirements. Now, you didn't have a copy of this ordinance?

Mr. Lichvar replied, no.

Alderman Papa stated, which is hard to believe that the Building Department didn't give you that information.

Mr. Lichvar stated, I asked for the ordinance, I assumed there was a booklet that would have all of the ordinances listed. And again, I mean, there is no reason for me to go INAUDIBLE to the instructions because of course, if I thought I was doing something that wasn't permitted, of course I would figure we would end up here and we’d have to go through a mess that we could have easily avoided.

Alderman Papa stated, and you don't want to spend all the money that you did after the fact to find out that it wasn't the right thing.

Mr. Lichvar stated, and with all due respect, I’ve never seen a stone wall that’s been cut down in one area and is able to remain a certain height in one area. I’ve never seen in all my travels and all my experience, I’ve never seen a stone wall that is altered whatsoever in height.

Alderman Anglace asked, do you want to cut the whole thing down to three feet?

Alderman Papa stated, no, no, just on the corner.

Alderman Anglace stated, that’s all the City Engineer wants. You’re saying the aesthetics of it are not pleasing to you.

Mr. Lichvar stated, that, and the fact that I spent quite a load of money actually. We had an agreement, between me and...

Alderman Anglace interjected, you had no agreement. The City Engineer is not authorized to make any agreement. There are no agreements. You got information, and the information you got, what you're telling us, is that you couldn’t rely on it.

Alderman Finn stated, I want to get back to my original question. My question was to the Planning and Zoning issue, the stop work order. He has to get permission from your supervisor, or can he just issue the stop work order?

Mr. Balsys stated, Tom Dingle, I think, can issue that. And he can rescind it.

Alderman Finn asked, but if he was aware of the fact that your department was involved in this, they should have communicated with you so you would have had the knowledge.

Mr. Balsys stated, well, he may have reviewed it with Bob.

Alderman Finn stated, I’ve seen your wall; I’ve driven out there. And you come out square. And to me, it looked like a house foundation when I first saw it. I couldn’t understand what the wall was all about. The photographs you showed us tonight show all similar walls with the height, but some of them are far more walls INAUDIBLE. Those are the ones that are squared. But the other ones actually show
curvatures at the intersections. Paul DiMauro and myself when I was chairman of the Street Committee, we wrote that ordinance, because we were having sightline problems in the City of Shelton. We're trying to reduce any obstructions in the right-of-way so there are no accidents. You indicated it's a dead end. You indicated there are wetlands down there. But Wetlands has been authorizing the construction of homes on wetlands, so who knows what's going to happen in the future. It's a very simple solution and Alderman Anglace has already pointed it out to you. You take out your driveway permit. You're going to take the permit out for the wall. The only thing they're asking you to do is reduce the height at the intersection, at the corner.

Mr. Lichvar stated, I understand that. I understand that.

Alderman Olin stated, that would solve all of your problems.

Alderman Simonetti stated, I travel the City streets, I did see your wall, and I agree with Alderman Finn. I’ve seen stucco walls, and obviously there is block or concrete behind it. I’ve seen this in many other cities I’ve lived in where they reduce the wall at the corner for sight purposes but still put up a wrought iron piece that allowed it to be used for security, so a person can't jump over it easily. It still allows viewing by the vehicles through the fence. Alderman Finn agrees with that. Aesthetically the wall is still beautiful. You'd have to reduce very little of the wall, which I know is going to be a large expense to you. It would make your situation much easier to resolve than going forward the way you are. I would definitely have you talk, again, an engineer of your own, an attorney of your own, anybody you'd like to. The suggestion by Alderman Finn and President of the Aldermen Mr. Anglace would be much to your advantage to reduce the wall in that area. If you grade it down and grade it back up the wall still will be beautiful.

Alderman Anglace stated, what I think we're trying to do is offer you what the options are. If you agree to them, and we can move forward on this thing, hopefully, if you don’t agree to them, then we’re going to be forced to make a decision. And by the tone of what we’re saying tonight, you could probably read into what our decision might be. When the ordinance was put in, in 1986, I don't know whose walls existed prior to that, but the purpose of the ordinance is to provide for sightline safety at intersections. We can’t change the ordinance. We cannot take a position of something that makes sense to us to do, and then say because of whatever happened administratively or in discussions and so forth, that we've got to change the ordinance. We're not going to change the ordinance. It makes sense for the majority of people, for public safety, to have that. It applies all over the City, regardless of where the intersection is.

Mr. Lichvar asked, except for this property here? That's one of the reasons I brought these photos to your attention, was because of exactly that. These are all intersections here. These are all stone walls. These are all recent stone walls here.

Alderman Papa stated, you know, we're missing the boat someplace. Somebody is missing the boat. When you put up a stone wall, do you need a permit?

Mr. Balsys replied, not from Engineering, no.

Alderman Papa asked, what about Building Department?

Alderman Finn replied, yes.

Alderman Papa stated, so we need a permit. Now, all these stone walls that have been built all over the City, and I know we’re just talking about yours, but did they all get permits? All of these people? And you said the wall is over four feet, and they're close to the center line, somebody is missing the boat here.
Now, we wouldn’t even be here if it wasn’t for your neighbor that complained about it.

Mr. Lichvar stated, but the neighbor doesn’t have to drive by there...

Alderman Papa stated, even so, this thing would have been built. Otherwise, there are probably a whole pile of walls being built as we speak that are four feet and the same situation. So, someplace we’re missing the ball.

Alderman Olin stated, John, if you look at the picture here, you can see the ‘Stop’ sign is almost even with the wall, and the car, he can see. He’s got a view.

Mr. Lichvar stated, but mine is 15 feet back from the curb. My wall is 15 feet back. That wall is only five feet back from the wall. Mine is three times as far – it provides three times as much view.

Alderman Papa stated, here’s an option, John, I just want to throw it out. What happens if we put a ‘Stop’ sign up there?

Mr. Lichvar stated, I’d be more than amiable to paying for the ‘Stop’ sign.

Alderman Papa stated, if you put a ‘Stop’ sign up there which would stop the traffic so that wouldn’t be, I don’t know. I’m just trying to throw something out. At least you’d have to stop and that might be an incentive for...

[Several people are now speaking at once]

Mr. Lichvar stated, those are at least five examples.

Mr. Balsys stated, being a landscaper, I’m sure that you know that you have to call Call Before You Dig before you dig anything, anywhere, mechanical means, anything over six inches deep, you must call Call Before You Dig. It’s a state law. If you had called Call Before You Dig, I would have received that Call Before You Dig and sent it to the Building Department. They probably would have contacted you and said, “You need a permit.” Because I’m sure you know that anyone that digs a footing is going to need an inspection from the Building Department.

Mr. Lichvar stated, which is why I called City Hall. I wanted to obtain as much information as I could. I spoke to everybody that I, I mean, I did as much research as I was able to on my own. I spoke to the people at City Hall, three different departments, and nobody once told me. The Engineer didn’t tell me, the Building Department didn’t tell me, Planning and Zoning didn’t tell me. Nobody told me I needed a permit, to call before I dig.

Alderman Simonetti asked, did you contact any contractor at all to get a price on doing something like this? Did you say, “let me see what it would cost to get a contractor.” Did you ever call a contractor INAUDIBLE?

Mr. Lichvar stated, no, because it comes in two phases, actually putting the stone on the concrete.

Alderman Simonetti stated, but you never called a contractor and said, “hey, this is my plan, what would it cost me to do this.”

Mr. Lichvar replied, no.

Alderman Simonetti stated, so there was no one that could have said, “gee, you know, you’ve got to get a permit for this.”
Mr. Lichvar replied, no, believe me, I had no intention of trying to skirt any kind of issues. I would have paid any kind of fees that would have been associated with the permits. I had no problems taking any permits out, which is why I spoke to City Hall, which is why I tried to obtain a list of regulations because I did not want to reach this impasse. I did not want to take up everybody’s time. I really didn’t want to spend extra – I mean I wouldn’t have wasted the money on the concrete if I thought there was an inkling of a chance that I was doing something wrong. Again, the City Engineer sounded like he knew exactly what he was talking about. He told me exactly what was required. And unfortunately, my biggest mistake is believing what the person in authority told me. I had no reason to question his truthfulness, his ability to tell me the exact parameters, you know, what his position was. Believe me, I wasn’t trying to avoid taking a permit out whatsoever, again. Permit issues to me are no problem whatsoever. I was going to bring up the fact that although there are only three houses there, and I spoke to my neighbors about it too, but they didn’t think a ‘Stop’ sign was in order either, but if that would alleviate any concerns you have regarding safety, I’d be more than happy to pay for a ‘Stop’ sign.

Alderman Anglace stated, a ‘Stop’ sign is up to the Police Department.

Alderman Papa asked, do you have any idea what it would cost to cut that certain section down to three feet? Do you have any idea?

Mr. Lichvar stated, it would cost thousands of dollars. Installing one is a lot easier than removing one. It’s solid concrete. I wouldn’t even know where to start.

Alderman Simonetti stated, you would only be removing one foot of wall from a section 15 feet...

Mr. Lichvar interjected, he said 50 feet each way. Fifty feet.

Mr. Balsys stated, it’s a 50-foot radius on the intersection on the two street lines. So it comes out to be not 50 feet in each direction.

Alderman Papa asked, what is the actual length? It’s not 50 feet.

[Several people speaking at once on the topic of where you would measure the 50 feet from]

Alderman Farrell asked, have you ever talked to anybody who put up any of these other four-foot walls to see what procedures they had?

Mr. Lichvar stated, I didn’t. I saw an elderly gentleman, the last one he put up about three months ago, on Gray Street which is right here. I didn’t stop, I didn’t speak to him. That is why I came to City Hall. I would imagine would have had every answer.

[Several people speaking at once.]

Mr. Lichvar stated, these are right on Mohegan Road, within a mile of my house. These are no different than mine whatsoever, except that some of them were actually taller.

Alderman Farrell asked, just three months ago?

Mr. Lichvar stated, yes, this one actually, yes. It’s a beautiful wall; that’s what gave me the idea for what I was thinking of. It’s right there. It’s 150-feet wall.

Alderman Farrell asked, is that what your wall would look like in the end?
Mr. Lichvar replied, yes. It's exactly the same. I measured it, and I did part of my research on this wall because this one is right around the corner from my house. Actually, all of these are within a mile of my house. Every one I took a picture of, with a couple of different views here, are within a mile of my house. I have not searched through the town of Shelton. I would imagine there are dozens and dozens of more walls. These are all recent. They're not old, they're not pre-existing. These are all new construction. And I would imagine that they didn't have a neighbor that was looking to cause trouble at any turn he could, which I do, unfortunately.

Alderman Papa stated, you know, we should have had the Building Super here so he could answer...

Alderman Anglace stated, yes, submit that for the record. I'd like to ask the City Engineer to look into these things. If what he's saying is true, our regulation is useless.

[Several speakers]

Alderman Anglace continued, it doesn't mean that we should change our ordinance, it means that what was presented as the good work of the Street Committee is not being followed, information is not being communicated. This is the message I’m getting. I believe that two wrongs don't make a right. You know, if you see things like this happening, and presented to you, this is all in violation of what we intended moving forward since 1986. If it's not being enforced, then we've got to get a handle on it. Someone has brought this one to our attention, and that's why we're here.

Alderman Papa stated, if these walls are being built and there are no objections to it...

Mr. Lichvar stated, my wall is 15 feet back. This one is only about four feet from the curb. These are dangerous compared to mine. Mine is on a dead end. The line of sight is 15 feet as opposed to five feet. There is no comparison.

Alderman Papa stated, we are going by what is in front of us. This is what our Charter tells us. This is our problem. If this is all over the City, and now all of a sudden you have a problem with your neighbor...

Mr. Lichvar stated, this is just in my neighborhood, this isn't throughout the City. I haven't looked throughout the City.

Alderman Papa asked, so, how come this wasn't brought up before about all these other walls?

Mr. Lichvar stated, I agree.

Alderman Anglace stated, what you should do is take and follow up on these reports, where the walls are, and check to see that permits were issued for them. If no permits were issued for them, then you've got the same situation with those people that you've got here.

Alderman Papa asked, so, all of these other people will have to cut their walls down?

Alderman Anglace stated, I mean, you know,

[Several speakers]
Mr. Lichvar stated, I went out of my way. I went out of my way to make sure we wouldn't be here today. Trust me, there would be no reason for me.

Alderman Papa stated, you don't gain anything by being here today.

Mr. Lichvar stated no, actually I lose. And again, I'm taking up all your time and everybody has a busy schedule and everybody has important things to do. Me, this wall would have been completed already and it would have been beautiful. I guarantee you it's going to be the nicest wall that anybody ever saw. I guarantee it, because just the amount of money we spent on the stone - never mind the concrete, the stone itself you're looking at $30,000 - just on stone.

Again, security is a big issue for me too. I mean, I know a lot of neighbors haven't been experiencing being terrorized at night. But if you gentlemen and ladies knew the feeling of not wanting to leave your home because you're afraid somebody is going to damage your property, I mean, it changes your psychology. I don't want to go on vacation.

Alderman Papa stated, excuse me. Have you called the Police about the problems?

Mr. Lichvar replied, no, because I don't want it to be in the paper. I don't want whoever this jerk is trying to get a rise out of me. First of all, I live two streets from Monroe. I don't see, this is done every four months in the middle of the night. It's got to be somebody in the neighborhood, because I don't think anybody's driving around looking, you know, it's an occasional jerk trying to get a rise out of me, trying to cause me problems. I figured if it's in the paper, they're going to feel like they accomplished their goal.

Alderman Olin stated, you should file a report. I've had calls from people, "my neighbor is trying to run down my kids with their car." I went down to the Chief and I told him. He sent an officer there and it's good.

Mr. Lichvar stated, I haven't repaired the damage - that's something I still have to do. I have a stained glass window over my front door and somebody threw a rock in, when my nieces were watching TV. My brother was living at the house. This was roughly six months ago. For some reason, I don't know why, but he didn't call the police right when that happened. That would have been the only chance to maybe get a police dog and they could sniff him out. I wasn't there. Every time this happens, I'm not home. So it's somebody that's aware of the fact when I'm not here. Like I said, it's terrorizing me. Until you live that life you have no idea how terrible it is. That is the reason why we wanted to go four feet as opposed to two and a half feet. Somebody could just walk over a two-and-a-half foot or three-foot wall. Four foot is a lot harder to do.

Alderman Olin stated, if they want to do something, they're going to do it whether the wall is four feet or six feet.

Mr. Lichvar stated, it's a deterrent. I'm not thinking I'm going to have 100 percent, but I can't even go out at night. Like I said, the first thing I do is check my picture windows. I haven't even fixed it, I haven't even fixed the problems because I don't want to fix something and then come back a week later and it's broken again; the same thing. That's why I figured, after I put this wall up, I can put security lighting in, I can put cameras in and have some kind of decent chance to either be able to catch this person in the act, just to be able to protect my property and my investment - even just my safety and my family's safety, to be honest with you.

Alderman Papa stated, I still would make the police aware of the situation, without a doubt.
Mr. Lichvar stated, this also will prevent people from driving over the lawn.

Alderman Anglace stated, let’s stick with the issue at hand. We’re straying into police matters which I don’t care about. I want to get to the issues that are in front of us. Lynne, do you have anything that you want to bring out?

Alderman Farrell replied, I just feel that an investigation of these other four-foot walls are very important to find out if there’s going to be any discrimination involved here. Let’s see what happened with the other four walls.

Mr. Lichvar stated, thank you.

Alderman Anglace stated, all right, we will do that, the City Engineer will do that.

Mr. Balsys stated, you really need to talk to the Building Department.

Alderman Anglace stated, it looks like we have, using your words, it’s selective enforcement. Anthony, do you have anything you want to say?

Alderman Simonetti replied, no.

Alderman Anglace asked, Ken?

Alderman Olin stated, John, I think if anything, this world you don’t go with a handshake. Maybe 30 years ago you go with a handshake. You don’t today.

Mr. Lichvar stated, this situation has been evolving with government. The local government, I just have, I don’t see a reason why anybody would, not even intentionally mislead me, I just thought that they were the authority on the subject, that they would know. I mean, if I can’t trust my local government, then who am I supposed to ask?

Alderman Papa stated, you see, the thing is, when you went to the Building Department, they should have made you aware of all of this. You’re building a stone wall. There’s an ordinance in the book that tells you what the stone wall should be.

Mr. Lichvar stated, I asked for a book of ordinances. I asked them. They said it’s not...

Alderman Papa interjected, but you only have something pertaining to stone wall, nothing with building a house.

Mr. Lichvar stated, I would have been able to prevent any kind of a... I wouldn’t have done anything to lead us into this room today. Believe me. I would have done everything in my power, paid any kind of money for permits, called anybody, anything you guys would have asked me to do, I would have done. Believe me. I don’t have anything against authority and I actually appreciate it. But that’s the situation I find myself in. I did everything that was asked of me.

Alderman Anglace asked, John?

Alderman Papa replied, no, I said my peace.

Alderman Anglace asked, Jack?

Alderman Finn stated, yes, we’re going to get the photographs to the City Engineer, copies. Also in the future, all of the City Ordinances are on file in the City Clerk's
Office. You just go in the vault, all the books are there, you can look through them and find what you're looking for.

Alderman Papa stated, but when you go to the Building Department to ask about building a wall, they should have that right there.

Mr. Lichvar stated, right. I mean, I pay taxes, it's not like I'm out of state or on contract or something. I'm a taxpayer, and it's not like I deserve it, I respect INAUDIBLE, give me my information regarding, again, that would have given me an opportunity, if I wanted to not follow what his recommendation was, that would have been a different matter altogether. But I followed all of the guidelines he told me. Again, with a dismissive tone, he was just like, “No, I don't need to come out there, as long as it's under 48 inches and it's, you're not on the City property, that's all that you need. You don't need a permit,” and that's it. With Mr. Dingle, I filed a permit two weeks ago. I sketched out the wall, which he said was not necessary for a wall under 48 inches. I made a sketch, I brought it to Mr. Dingle, I filed it with him two weeks ago. Again, this is something different than what I was told initially. I was told initially that I did not need a permit. After I do it, now I need a permit. They're trying to fix things that we could have prevented.

Alderman Anglace stated, a number of times tonight we've used the word “prevent.” I want to ask if anybody knows or saw in the ordinance where a permit is required. The City Engineer is saying, he said “no permit.” Where is it stated that a permit is required? Here it is. Street Excavations – Traffic Control, permit required. It's very clear there.

Alderman Papa stated, it says right here, “permits required – excavation” but it's nothing to do with stone walls.

Mr. Lichvar stated, over a four-foot wall you need a permit. He told me. Anything over 48 inches you would need a permit.

[INAUDIBLE - several speakers at once.]

I think the issue of whether or not a permit is required, in my mind, is still not resolved. Does anybody else share that with me?

Alderman Finn stated, I would have to say it all depends on what type of wall you're looking at. I mean, if you look at the wall that's out there, if that's what they're referring to that needs a permit, the wall is four feet tall and must be about six inches thick. It's like a foundation to a house.

Alderman Anglace stated, let me see if I can tell you where I'm going with this. I want the City Engineer to show us in the ordinance or wherever where a permit is required. That is number one. To put up a wall. Apparently, from what the applicant is saying, the City Engineer told him no permit was required. And yet, in the paperwork, it says one of the reasons, number one, no permit for the free standing wall was obtained from P & Z. Somebody is saying this, because we've got two different stories. That has to be determined. If there is no permit required, then the next issue is, what maybe these walls are getting built bigger because our well-intended ordinance needs a permit to bring people in here, and then we need somebody to tell them what has to be done. If you need a permit, that permit is for a reason. It's so that you can tell the people what is required to build a wall, what the issue with the sight line that's in the ordinance. Things like that. So, that's still not clear in my mind and that needs to be researched.

Alderman Kudej stated, it's troubling because I've dealt with the Building Department and the Planning and Zoning over the years, and no matter what question I've asked, they've always asked of me, make a sketch, make a drawing,
let us take a look at it. And, from there they direct me to whether what permits I had to take or whether I didn't have to take permits. Now, if somebody's telling people that you don't need to submit anything, I think that's a terrible think that's happened, because how can you make a decision on something that you don't see and inspect on? That's the first thing. Then, like the gentleman says, he's being singled out and other people are getting away with it. That's wrong too. All these wrongs don't make a right.

[Several people are speaking here].

Alderman Farrell stated, it's strange they're all four feet. Why aren't they five feet, six feet? They're all four feet, they must have thought in some respect from somebody that four feet was allowed. They're all four feet. I'd build mine six feet if I thought I could.

Alderman Papa asked, did you measure those walls?

Mr. Lichvar stated, yes. Actually, the Gray Street one, it's a couple inches over. The one at the Nike Site with the grade, they're all there. It's why I assumed that 48 inches was acceptable, because that is what everybody else was doing in my neighborhood. I didn't go to Long Hill, I didn't go to White Hills, I didn't go past Huntington Center whatsoever. I did strictly Ripton Road and Mohegan Road, which is my neighborhood. If I was to look into other neighborhoods, I could probably dig up dozens - intersections as well. I took at least 20 pictures of intersections regarding line of sight, being able to see.

Alderman Anglace stated, the other thing I want to add to the record because it may be an extenuating circumstance that the Board may want to consider in arriving at its final decision. The location of the property appears to be remote. It appears to be at the end of the INAUDIBLE. It's not a highly-traveled intersection. That could be an extenuating circumstance for you to consider. I'm just trying to pick out the things that have been said and the things – one other thing that we didn't talk about and that is, the City Engineer said the wall material and design does not conform to P & Z regulations. Design, I think he means height. But the material, I can't, I mean, I just can't see what the objection could be there, because it appears that the material is concrete and stone faced. So, that doesn't sound, to me, to be material that doesn't conform to Planning and Zoning. Can you answer that?

Mr. Balsys stated, I believe at the time there was no indication there would be a stone facing on the wall. So at the time they looked at the concrete and said, 'this is INAUDIBLE.'

Alderman Anglace stated, okay, this comment was made by the City Engineer back in October. Did the wall at that time have stone facing?

Mr. Lichvar replied, there is no facing on it yet.

Alderman Anglace stated, that's why.

Mr. Lichvar stated, they've told me since then, in the last two weeks, the Engineer told me I could proceed as well as Mr. Dingle. Nothing in writing. So I wanted to speak to the Board before I start anything. I don't know what to think any more to be honest with you.

Alderman Simonetti stated, I'd like to ask that the Board request that the Building Department be present and come before the Board to discuss this matter, and that Mr. Kulacz come before the Board to discuss this matter. They are involved pretty heavily in this. The only criticism I have maybe of the applicant is that he doesn't have the names of the people he spoke to so we could go back and query them.
The person who answers the phone, typically, in most businesses is a receptionist or someone serving in a secretarial position, an assistant, and they don’t have the authority to normally give advice over the phone. I looked at a stone wall for my home, and when I talked to Mr. Schultz he said you have to get a permit. That being said, I think those two entities should be in front of us to discuss this before we make any decision in this case, because these people have come and presented a very valid case that there may be some problems with the system.

Alderman Anglace stated, the point I wanted to make concluding this is that I believe there are some extenuating circumstances that started in the beginning. There’s a factual difference between “no permit is required for a free standing wall,” or “permit is required for a free standing wall.” And what the applicant was told was that no permit is required and now I want to introduce something brand new to all of you. I called to ask if a permit is necessary. The answer I got was, no permit is necessary. I got this from a Planning and Zoning person. So there is a question in my mind as to whether or not we, as a City, have a proper procedure in place to assist our citizens who wish to do things. If it were any one of us and we wanted to do the same project, where would we go? We would do the same thing this gentleman did. We’d come into City Hall or we’d call or ask the best we could, where should I go to get some direction? Go on the website. Are the Planning and Zoning regulations on the website? The website is very helpful and there’s a lot of good information on there. I don’t know if Planning and Zoning regulations are on there or not. This ordinance, I don’t think the ordinances are on the website.

Alderman Finn stated, they used to be, but we’ve revised the website. You used to be able to go in the City Clerk and they used to have ‘click on ordinances’ and all the ordinances would come up.

Alderman Anglace stated, we can check it. I think what we’ve got to do is – there is nothing pressing about this issue that we have got to make a decision. I think it’s only fair to forget what we said in the beginning about making a decision on December 13th, and allow whatever time is necessary to fully investigate, come up, and maybe what we might consider are any extenuating circumstances such as the location of the property, such as the information that was given, and just everything that has come out here tonight. We’ll see where we go with it.

Alderman Finn asked, do we want to reconvene this hearing with the City Engineer and Building Department?

Alderman Anglace stated, I think that would be appropriate if the Board wants that. Let’s do some homework and get some information. The members can individually look into everything that was said. In seven days we’ll get the minutes. We’ll be glad to give you a copy of the minutes so that you can have access to them as well. They’ll be available on the City website. We’ll keep you informed when we get back together.

Alderman Papa stated, I know that these gentlemen would like to get this thing moving. So the problem is, do you think we could have another meeting, in another week with Building and Engineering, before we go to our December meeting?

Alderman Finn stated, if you look at this photograph, this wall is the whole length of the property, so you could start by your parents’ house if you want to start putting the stones on, and just stop short of where it comes to the intersection.

[Many people are speaking at this point.]

Mr. Balsys stated, I’d like to see him take out a permit at least for the driveway location.
Mr. Lichvar stated, I have no problem with any permits whatsoever. Not today, not before, not after.

The Board members discussed their availability for a special meeting the week of November 17th. The special meeting will probably be held on Tuesday November 18th. The Clerk of the Board, Theresa Adcox, will telephone Mr. Lichvar to apprise him of the meeting date and time.

**ADJOURNMENT**

Alderman Papa MOVED to adjourn; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 7-0.

The meeting adjourned at approximately 7:25 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: ______________

DATE APPROVED: ______________ BY: ________________________________
Mark A. Lauretti
Mayor, City of Shelton