

Agenda:

- #0618-02 128 Long Hill Cross Road, Jake Marasco, West-Con Tool & Die, Inc., of 128 Long Hill Cross Road**
#0718-01 89 Okenuck Way, Kenneth M. Schiable of 89 Okenuck Way

CHAIRMAN EDMUND CONKLIN: Good evening ladies and gentlemen and welcome to the July meeting of the Zoning Board of Appeals. We meet monthly to consider variances on zoning regulations and appeals on zoning department decisions and actions. When your application is called please come up to the table and give your name and address. To start the hearing our regulations require that you have placarded your property, that you provide four pictures--one including the placard--and the receipts indicating that you have notified your abutting neighbors 10 days in advance of the tonight's hearing. If you don't have these, we will reschedule your hearing for the next meeting. When you come in front of this board, you are giving testimony. This is a hearing. If the decision made by this Board at the end of the hearing is appealed, it is the recorded testimony that is presented, and not any member of this Board. Our minutes are transcribed verbatim. Two recorders on the table up here can only record one person speaking at a time. The conversation at all times is between the person who has the floor and the Board. Also, please turn off or mute your cell phones and any conversations in the audience need to be taken into the hallway. Present tonight are Alternate Commissioner James Oraziotti who is filling in for Jamie Jones; Commissioner Linda Adanti; Tina Kelly, our clerk; myself, Chair Ed Conklin; to my right is Commissioner Phil Cavallaro, and to his right is Commissioner Bryan Vasser.

VICE-CHAIRMAN PHILLIP CAVALLARO:

To whom it may concern:

The following having applied to the Shelton Board of Zoning Appeals for certificate of approval, public hearing on such applications will be held on Tuesday July 17, 2018, at 7:30 p.m. in the hearing room of the Municipal Building, 54 Hill Street, Shelton, CT:

#0618-02 128 Long Hill Cross Road, Jake Marasco, West-Con Tool & Die, Inc. of 128 Long Hill Cross Road, Shelton, (Dave and Laura Marasco of Snug Harbor, LLC, 44 Snug Harbor Road, Milford, CT, 06460, Owners) for a variance to Schedule 24 Standards for an L.I.P. zone, Line 7 to reduce the rear setback (street line of Route 8) from the required 75' to 10' in order to construct a 150' x 105' single-story addition to the existing 14, 756 sq. ft. manufacturing building in an L.I.P. zone.

CHAIRMAN E. CONKLIN: Come up to the table please. For the record, this is a continuation from last month. Uh, they've given a presentation but one of the abutting neighbors was not notified in the appropriate time so we wanted to ensure that that happened. Do you have the receipts of for mailing to that abutting neighbor?

UNKNOWN VOICE: Uh, we do, um. I just want to remind you that Mr. Vasser, um, excused himself last time

CHAIRMAN E. CONKLIN: Yes, he did. (*Inaudible*) Yeah, we don't want to...just

CLERK TINA KELLY: Remind me of your address please.

CHAIRMAN E. CONKLIN: Okay, again, for the record, why don't you give both your names and addresses?

CHRIS DeANGELIS: Uh, my name is Chris DeAngelis, with Cabezas-DeAngelis, we are the civil engineer and the surveyor for the project and the agent for the applicant. Mr. Jake Morasco is uh represented...

JAKE MARASCO: West-Con Tools.

C. DeANGELIS: WestCon Tools is the uh

CHAIRMAN E. CONKLIN: Okay.

C. DeANGELIS: the name of the company um that runs the shop on the property. Um...this is fairly straightforward....

CHAIRMAN E. CONKLIN: All right, you've gone through, through the record. Okay? So I just wanted to verify, we just wanted to make sure that everybody was notified in accordance with

C. DeANGELIS: That's correct.

CHAIRMAN E. CONKLIN: Okay.

C. DeANGELIS: Last time there were two notices that were sent out late.

CHAIRMAN E. CONKLIN: Right.

C. DeANGELIS: And we sent them both out again.

CHAIRMAN E. CONKLIN: Okay.

C. DeANGELIS: We got only one receipt back uh, but we have the certified receipt that we sent.

CHAIRMAN E. CONKLIN: So long as you sent them out, that's all that matters. Okay? And they were notified. All right so we'll conclude that. Find out if there's anybody in the audience in favor of this presentation? Anybody in favor? Anybody opposed to this? Okay. So you've given your presentation last week.

C. DeANGELIS: Yes sir.

CHAIRMAN E. CONKLIN: Nobody here is for or against it. Okay? So I declare the hearing closed.

C. DeANGELIS: Thank you.

J. MARASCO: Thank you very much.

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#0618-02

Later that evening, 4 Board members (Commissioner Vasser recused), upon motion to approve made by Commissioner Adanti and seconded by Vice-Chairman Cavallaro unanimously voted to approve the variance. "In the application by Jake Marasco of West-Con Tool & Die, Inc., regarding the property at 128 Long Hill Cross Road, West-Con Tool & Die, Inc., Shelton, for a variance to Schedule 24 Standards for an L.I.P. zone, Line 7 to reduce the rear setback (Street line of CT Route 8) from the required 75' to 10' in order to construct a 150' x 105' single-story addition to the existing 14,756 sq. ft. manufacturing building, the application for a variance is approved.

Inasmuch as the addition is being placed on the most appropriate section of the building and property. Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to Schedule 24 Standards for an L.I.P. zone, Line 7 to reduce the rear setback (Street line of CT Route 8) from the required 75' to 10' in order to construct a 150' x 105' single-story addition to the existing 14,756 sq. ft. manufacturing building.

This certificate of approval shall take effect on the date following the publication of the statutory notice in a newspaper having circulation in the City of Shelton, provided that a copy thereof has been recorded by the petitioner in the land records of the City of Shelton."

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VICE-CHAIRMAN P. CAVALLARO:

#0718-01, 89 Okenuck Way, K. M. Schiable of 89 Okenuck Way, Shelton, for a variance to Section 24, Schedule B, Line 4 to reduce the minimum lot frontage from current 147.7 ft. to 117.7 ft. (135 ft. required) in order to create a new, rear building lot in an R-1 zone.

CHAIRMAN E. CONKLIN: Okay. Ladies and gentlemen, name and address for the record, please?

KENNETH SCHIABLE: Kenneth Schiable, 89 Okenuck Way, Shelton, CT.

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: Certified mailings went out July 7th. Receipts are received.

CHAIRMAN E. CONKLIN: And...I should have tho-, where's the neighbor on both sides?

K. SCHIABLE: Both.

CHAIRMAN E. CONKLIN: Okay. Here they are.

K. SCHIABLE: Two went out.

CHAIRMAN E. CONKLIN: Okay I got it. Hold on.

K. SCHIABLE: One was returned, the other neighbor I talked to on the phone this morning.

CHAIRMAN E. CONKLIN: There it is. Okay. Just stuck together.

K. SCHIABLE: Mmhmm.

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: Just to clarify, this is my existing property. This is the cul-de-sac. This is the permanent cul-de-sac. This is my existing home where I live, this is the existing driveway coming to my house, 89 Okenuck Way...

CHAIRMAN E. CONKLIN: Excuse me. *(Voices talking over each other; unclear)*

K. SCHIABLE: 84 Okenuck Way is owned by the Minalgas; 93 Okenuck Way is owned by the Bakowskis, who I talked to on the phone this morning. And my other two neighbors are open space, open space, and then across the street all the remaining land is open space. So, I live at the end of the road, so it's not going to--

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: Uh, what I'd like to do is reduce the frontage on this lot, from 135 to 117.7 so that I have enough frontage to give to this, what will soon be hopefully a newly created rear lot. We meet all of the other standards of the schedule B, except for being able to have the minimum frontage requirement, so basically,

CHAIRMAN E. CONKLIN: That will,

K. SCHIABLE: A reduction of a total of 17.3 feet.

CHAIRMAN E. CONKLIN: So both of those would be legal building lots?

K. SCHIABLE: Oh yeah. This would be 1.7147 and this would be 2.2954. This one is built. This is existing and done, so this is to be built. And what I did, was I showed, we're going to do a common driveway up to this point, and then after that this would have its own driveway out to the back. I showed what would be a reasonable amount of lawn area, the septic system which has already been tested and approved by Valley Health District, and where the proposed house would be and all improvements.

CHAIRMAN E. CONKLIN: Okay. All right. So that's the only...thing...can you bring that back a little closer?

K. SCHIABLE: Sure.

CHAIRMAN E. CONKLIN: I can't see it. I don't know about you guys.

(Laughter)

K. SCHIABLE: And I drew another cul-de-sac. Hardship being is, we have a giant ledge mount in front of our house, and I could--this is a legal cul-de-sac, see?--I could put another cul-de-sac here and extend the road. But it would be unbelievably cost-prohibitive, it would take away the tree coverage, it would revolve, involve --

CHAIRMAN E. CONKLIN: Well that,

K. SCHIABLE: I mean, I can give you --

CHAIRMAN E. CONKLIN: The city would have nowhere to put snow if you -

K. SCHIABLE: Yes.

CHAIRMAN E. CONKLIN: Buried it in the ledge.

K. SCHIABLE: From this side, I mean we would have to take this, this whole hill out to do it.

CHAIRMAN E. CONKLIN: How big is that cul-de-sac?

K. SCHIABLE: It's huge. It's a hundred feet. So, this is a hundred and twenty foot circle. That's how many--to give you an idea of how large this is, I mean that's a hundred, a hundred and twenty foot, including the city setbacks cul-de-sac.

CHAIRMAN E. CONKLIN: That's got to be the biggest cul-de-sac I've ever seen.

K. SCHIABLE: It's huge. And considering it's a permanent, it's really huge. And the buses don't come down it either. We have to go to the end of the street for the buses.

CHAIRMAN E. CONKLIN: Okay. All right. Uh, questions from the board?

VICE-CHAIRMAN P. CAVALLARO: So you, you currently get one tax bill on all this property?

K. SCHIABLE: Yes, right now I have one tax bill for the entire property. 11,600 dollars.

COMM. J. ORAZIETTI: So, I take it you have all, you have--I can't see it from here--the proper square footage?

K. SCHIABLE: Um, we have the proper square footage, square on the lot, um...setbacks, everything else. Minimum land area for the R-1, you know excluding wetlands and so on... we meet every requirement except for this frontage. That's the only variance we need to create the lot. And then of course we have to go to Planning and Zoning and Wetlands after this.

VICE-CHAIRMAN P. CAVALLARO: All right. So you're still going to do a common driveway?

K. SCHIABLE: Yes. Yep, right around the corner is Fox Hollow. About fifty percent of the houses in that subdivision are on common driveways, one of which my friend bought last week, and it's been very successful and you know it's more of a common thing up in White Hills than it is other parts of this town.

CHAIRMAN E. CONKLIN: All right. We did receive some letters from Conservation. Can you read this letter?

VICE-CHAIRMAN P. CAVALLARO: *(Reads the following letter):*



City of Shelton
 Shelton Conservation Commission
 54 Hill Street
 Shelton, Conn. 06484



7/16/2018

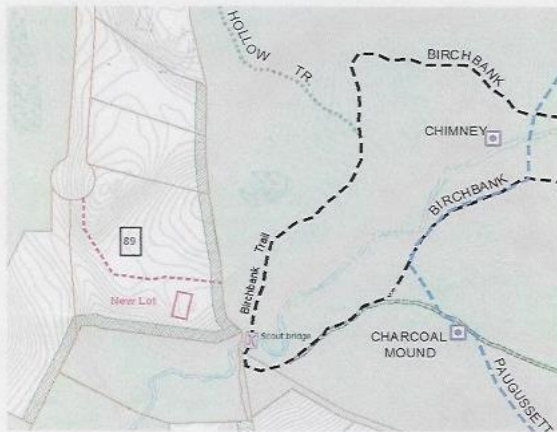
Edmund Conklin, Chairman
 Zoning Board of Appeals
 City of Shelton
 54 Hill Street
 Shelton, CT 06484

RE: 89 Okenuck Way
 Application for a variance to reduce frontage

Dear Chairman Conklin:

The Shelton Trails Committee and Conservation Commission oppose the application for a variance in the frontage requirement at 89 Okenuck Way, which has been requested in order to allow for a new rear lot. What is the hardship?

This property overlooks Shelton's Birchbank Mountain Open Space, hiking trails, and Upper White Hills Brook. The property corner is about 35 feet from Birchbank Trail and an Eagle Scout bridge. When the property was originally subdivided by the applicant, a 35-foot conservation easement along the margins of the property line were a condition of approval due to the sensitivity of this location.



K. SCHIABLE: Okay. Do I have an opportunity to...?

CLERK TINA KELLY: I think there's more on the back.

CHAIRMAN E. CONKLIN: Yeah.

VICE-CHAIRMAN P. CAVALLARO: *(Continues to read letter):*

At this time, a wooded hillside screens the Okenuck Way homes from the trail. In the photo below, the distant opening in the trees in the right-center part of the photo marks the yard for #89 Okenuck Way. It appears from the partial map submitted to the City for this application that the new house would be built on this hillside overlooking the trail and bridge. This would degrade the scenic character of our open space and trails.



Photo: Birchbank Trail bridge over Upper White Hills Brook. The property corner for #89 Okenuck Way is about 35 feet from the bridge.

We do not see the hardship for this variance application and urge the Board to deny it.

Sincerely,

Tom Harbinson
Chair, Conservation Commission

Bill Dyer
Chair, Trails Committee

CHAIRMAN E. CONKLIN: So, where, where is the highest point there?

K. SCHIABLE: Can I, can I, respond to each of those things?

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: For the record?

CHAIRMAN E. CONKLIN: Yeah.

K. SCHIABLE: Okay. Number one: when we did the subdivision, we did in fact have a thirty foot private conservation easement requirement. That is this line, right here, which we are continuing to respect and are staying even behind that line for the private conservation easement. That is something we gave. On top of the twenty-plus acres of open space we gave when we did the subdivision, we also gave this conservation easement on this property. Number two:

COMM. J. ORAZIETTI: Excuse me? Again, could I ask you to uh,

K. SCHIABLE: Yup, sorry.

COMM. J. ORAZIETTI: We, we can't see.

COMMISSIONER LINDA ADANTI: Yeah.

K. SCHIABLE: Uh, spring of about a year and a half ago, I was sitting in bed, having coffee--

COMM. L. ADANTI: Still can't see.

K. SCHIABLE: --looking out my backyard, and what I was watching was people with saws and rakes and shovels and all kinds of equipment, hand equipment, coming through and creating a trail right up against my property line. Well, in fact I went to talk to Teresa Gallagher, and she came out with her GPS, but not only was the trail created illegally, it was never approved by the Trails Commission, and she was furious about it. On top of that, it was also partially on not only my property, but my next door neighbor's property, and my next door neighbor's property next to that. That trail, Teresa went and destroyed, put things in it--put up signs that said, 'This is not a trail.' The trail comes in, up from Little Fox, comes over, turns, goes in, deep into the woods. The intention of the open space and the use of it up here always was that the people would not be coming up into our yards. Nor am I creating a new construction that's going to go deeper into what exists. I can clear this. I--whether I build a house here or not, I can go up there tomorrow and clear-cut this. It doesn't change my use of the land. I could do whatever I want with this. I could put a giant garage there. It doesn't change what I want to do. That letter is...is...kind of unbelievable.

CHAIRMAN E. CONKLIN: Where, where's the highest point there?

K. SCHIABLE: The highest point on my end is probably right about here.

CHAIRMAN E. CONKLIN: Okay. So you're actually down, downside the backside of that hill.

K. SCHIABLE: Yeah this, right here, it's high, is high level ...let's see.

CHAIRMAN E. CONKLIN: No, I'm talking about that what you're saying, there. So it goes, it climbs up and looks like it's a high point.

K. SCHIABLE: This is 318 right here.

CHAIRMAN E. CONKLIN: And then it goes back down.

K. SCHIABLE: This is 330 over here. So there's not a huge amount of variation where my yard existing right now is and this whole area is about 312, 314, and again that's 318, so it goes up a bit again, and then way--there's no markings--300 is way over here, and then 290.

CHAIRMAN E. CONKLIN: So, on top of that they were 35 feet away from the setback.

K. SCHIABLE: 30 foot was given.

CHAIRMAN E. CONKLIN: I'm talking about they were saying their bridge was 35 feet from the edge of the setback. Plus, your 30 feet is 60, plus it looks like you were at least triple that, you're, you're over 120 feet from the -

K. SCHIABLE: Exactly. And I gave the Eagle Scout permission to go through my property with materials and workers to build the bridge. I am an Eagle Scout. So, I was more than happy to help them get over there to do it. And yes, my kids go over and use the trails and they use that bridge. It's nice.

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: But I, I--I respect the open space, very much also, and I want my privacy as well. But it doesn't change that I could develop this and even if it's not going to be a house, I could go put a giant garage on it.

COMMISSIONER BRYAN VASSER: Are you planning to leave trees in that 35 or 30 foot?

K. SCHIABLE: Oh yeah. We're not touching any of that.

CHAIRMAN E. CONKLIN: They can't touch that.

K. SCHIABLE: We can't.

CHAIRMAN E. CONKLIN: That's a, that's a conservation easement, where,

K. SCHIABLE: And on top of that we have -

COMM. B. VASSER: It will be naturale.

K. SCHIABLE: On top of that we have the 75-foot setback to the left of White Hills Brook and we have 50-foot setbacks from wetlands, so we're brought back anyways, because Johnny Cook never allowed me to go in and touch any of that. That was the whole purpose. I already met with John several times and we, we have made sure we kept everything very far back.

COMM. B. VASSER: I go biking on about a ten, ten mile trail near my house. Many houses are closer than that to the trails. Um...I mean. I don't find it offensive, you know.

CHAIRMAN E. CONKLIN: Okay. Um...

K. SCHIABLE: And again, I mean this is the least intensive as far as blasting. We could extend the road, which would be very expensive to do and would obviously disrupt everybody in the neighborhood because I would have to go in and spend probably a good two or three weeks blasting this whole hillside out to go ahead and do that. And I'd still be able to create the lot. And I would have legal frontage.

CHAIRMAN E. CONKLIN: Okay. Any questions?

COMM. L. ADANTI: I'm, I'm fine.

CHAIRMAN E. CONKLIN: Okay. Jim?

COMM. J. ORAZIETTI: So the hardship is the, pretty much the ledge--

COMM. L. ADANTI: Ledge.

COMM. J. ORAZIETTI: --on that.

K. SCHIABLE: Oh yeah. I mean it's, it's hard to tell from this picture, but it's, it's big, it's higher than that.

CHAIRMAN E. CONKLIN: Well. on top of that, if you were to push his cul-de-sac into the ledge, there'd be nowhere to put the snow. *(Laughter)*

COMM. J. ORAZIETTI: And it would have to be even bigger which would be---

CHAIRMAN E. CONKLIN: Yeah.

COMM. J. ORAZIETTI: --even uglier than...

CHAIRMAN E. CONKLIN: Okay. Phil?

(Inaudible)

CHAIRMAN E. CONKLIN: All right.

K. SCHIABLE: Thank you.

CHAIRMAN E. CONKLIN: Okay. All right. Wait a second, Jim. There. Okay, anybody in the audience, the audience in favor of this application?

UNKNOWN VOICE: Wait a minute! Wait a minute! Don't, don't,

CHAIRMAN E. CONKLIN: Have a seat.

UNKNOWN VOICE: Get them out the... *(Indecipherable)*

CHAIRMAN E. CONKLIN: Have a seat!

VICE-CHAIRMAN P. CAVALLARO: We're giving you that now.

UNKNOWN VOICE: Oh, okay.

CHAIRMAN E. CONKLIN: Anybody in the audience in favor of this application?

CLERK TINA KELLY: Oh my gosh.

CHAIRMAN E. CONKLIN: Anybody in the audience opposed to this application?

VICE-CHAIRMAN P. CAVALLARO: Now you can come up.

CHAIRMAN E. CONKLIN: You have to come up to the table.

UNKNOWN VOICE: Oh, oh.

CHAIRMAN E. CONKLIN: You have to come up to the table.

WILLIAM DYER: My name is, uh, William Dyer, Bill Dyer, if you prefer.

CHAIRMAN E. CONKLIN: Have a seat, relax.

W. DYER: Um...

CLERK T. KELLY: D-Y-E-R?

W. DYER: D-Y-E-R.

CLERK T. KELLY: And your address?

W. DYER: Uh, 20 Beverly Lane, Shelton. I'm the chairman of the uh, Shelton Trails Committee. And we obviously, jointly with the Conservation Commission, wrote a letter opposing the application as it was written because um, it basically...he's going to build a house on the knoll right overlooking the bridge.

CHAIRMAN E. CONKLIN: Actually why don't you bring the plans back up so he can see them? Because he's not building on the knoll, he's not building near the knoll.

W. DYER: In that case, we won't have a problem.

CHAIRMAN E. CONKLIN: This is where, that's where the knoll is, up there. He's building on the opposite side of the knoll, over there.

K. SCHIABLE: The higher point's back here. I'm building in front of it.

W. DYER: How high will the house be?

K. SCHIABLE: Just like...normal.

W. DYER: Um,

K. SCHIABLE: Very much like the other houses in the neighborhood.

W. DYER: The obvious question is, when you did this um, development, why didn't you put the lot at the time?

K. SCHIABLE: Didn't know we could, went back and looked at it, thought that I could do it, I can still do it. I could build it on the cul-de-sac here. And I'd still have legal frontage, and I'd still build a house. The hardship being, that there's a huge amount of ledge here, huge.

W. DYER: Wait a minute, your house is...

K. SCHIABLE: My house is this one, right here.

W. DYER: And you could do what?

K. SCHIABLE: I could take this cul-de-sac, relocate it here. Extend the road, and I would have legal frontage for this house, and legal frontage for this house. Frontage lines. Not here, and front, legal frontage, frontage lots.

W. DYER: Well, uh, our concern is--you see where the stream is, and that's where the bridge is--our concern is that he's going to build the initial thing, that we saw, was going to be basically right at the knoll, overlooking the trail that we...as, as you, the garage, - I didn't know you, you got the garage.

K. SCHIABLE: We do. Many years ago.

W. DYER: We would, obviously, we would have less objection if the, if the house were moved in this direction.

CHAIRMAN E. CONKLIN: Well, you can't do that because of septic. You can see that.

K. SCHIABLE: Our septic is right here. And then we're up against the well. So, we kept the houses, everything as close as we could this way. Again, purposely keeping the development forward. And again, we gave a 30-foot conservation, private.

BOARD MEMBER (CAN'T IDENTIFY): Correct.

K. SCHIABLE: This is my land, I gave a conservation easement over my land, to the Conservation Commission in addition to the open space of another 30 feet, which I'm completely respecting. I don't want to see people as much as they don't want to see me.

(Laughter)

K. SCHIABLE: I don't want to see hikers as much as they don't want to see me. I'm nice enough to allow the police officers to come park in our driveway and go look for people sometimes, I tell them what color trail they're on, and I give them a direction--I go, "you go that way," or "you go that way."

W. DYER: So you can't move the house any further that direction?

K. SCHIABLE: The house is as far forward as it can go.

W. DYER: Well, that is certainly our objection, is that we have all this nice open space, and all of a sudden, it appeared from your initial drawings that we saw at P&Z that the house was going to be right here.

K. SCHIABLE: And also, I'd add to the record, this open space was built, the purchase of Birchbank Mountain, and this open space, we gave to the town. This whole area, on this side of my property, we gave to the town.

W. DYER: Well, your property was not required to -

K. SCHIABLE: No, we gave over 20 acres.

W. DYER: Oh, ok. Oh, that's good.

K. SCHIABLE: Out of the 64 total we had.

W. DYER: All right. Well again, you've done good developments here in town and you're not, uh, we don't, but: A) A question of hardship did come up among us and B) We really are concerned about keeping this knoll and obviously,

CHAIRMAN E. CONKLIN: Would you have any objection that we stipulate that you can't build on top of that knoll?

K. SCHIABLE: Yeah. That's fine.

CHAIRMAN E. CONKLIN: Okay.

K. SCHIABLE: I don't want to go on top of that knoll anyways.

CHAIRMAN E. CONKLIN: Okay.

W. DYER: Do you know how high the roof of the house will be?

K. SCHIABLE: The house elevation, you know, at this is where right now, uh, first floor is looking at 315. So...basically another 30 feet, 345.

W. DYER: And how...how does that compare to the knoll?

K. SCHIABLE: Well, the knoll is at 318. So from the--the house will see over the knoll, but again, we're going to respect the areas that we have.

CHAIRMAN E. CONKLIN: But they're, they're 30, 60, 90. And that bridge, they're, they're over...

(Voices talking over each other; unclear)

COMM. B. VASSER: 296, so you'll have to look, peer over that knoll to see, I mean.

VICE-CHAIRMAN P. CAVALLARO: What's the landscape on that 30-foot easement?

K. SCHIABLE: Right now it's woods. So it's all...*(Unclear)*...and woods. Then streets.

VICE-CHAIRMAN P. CAVALLARO: Yeah.

W. DYER: But actually, we have a picture of it, I think.

K. SCHIABLE: I don't have a...

(Voices talking over each other; unclear)

VICE-CHAIRMAN P. CAVALLARO: So, in theory, you couldn't see the house anyway.

K. SCHIABLE: No.

COMM. B. VASSER: Well, if you're standing down here...

W. DYER: Our concern was if it was *(Voices talking over each other; unclear)* on the knoll or behind the knoll because...

K. SCHIABLE: They're on the rocks, the trails are this way. The trails are all--if you come off of my property and go down here, all of the trails, they all start over here.

W. DYER: Wait,

K. SCHIABLE: The yellow goes this way, and then you have to go down you run into white. And then the blue cuts off this way and heads over. But they're all, at least another hundred feet off the back of my property to the start of the trail, where they come the closest. It's just that one,

W. DYER: All right, well I, I guess if, if he agrees to keep it well over the side of the knoll as much as you can...and

K. SCHIABLE: Yeah, and we even use advanced septic system material so that we're able to keep it...because we have such great ground, we were able to keep the septic system to a minimum.

W. DYER: Okay.

CHAIRMAN E. CONKLIN: Okay?

W. DYER: I guess we're...

K. SCHIABLE: Okay.

CHAIRMAN E. CONKLIN: Thank you. Anybody else opposed to this application? All right. Any further questions from the board? Okay. Being none I declare the hearing closed then.

#0718-01

Later that evening, upon motion to approve made by Commissioner Vasser and seconded by Commissioner Adanti unanimously voted to approve the variance with one stipulation. "In the application by Kenneth M. Schiable regarding the property at 89 Okenuck Way, Shelton, for a variance to Section 24, Schedule B, Line 4 to reduce the minimum lot frontage from current 147.7 ft. to 117.7 ft. (135 ft. required) in order to create a new, rear building lot, the application for a variance is approved.

Inasmuch as the total land square footage will support the two building lots, and also the two individual lots would meet all other zoning requirements,

Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to Section 24, Schedule B, Line 4 to reduce the minimum lot frontage from the current 147.7 ft. to 117.7 ft. (135 ft. required) in order to create a new, rear building lot.

This certificate is contingent upon the following stipulation: The house will be located on the property per the plan submitted at the hearing.

This certificate of approval shall take effect on the date following the publication of the statutory notice in a newspaper having circulation in the City of Shelton, provided that a copy thereof has been recorded by the petitioner in the land records of the City of Shelton.”

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MINUTES - Motion made by Commissioner Adanti and seconded by Vice-Chairman Cavallaro to approve the minutes of June 19, 2018 as presented by the clerk. Motion approved by unanimous vote.

HEARING ADJOURNED AT APPROXIMATELY 8:00 P.M.

By TINA M. KELLY
for PHILIP J. JONES, SECRETARY,
SHELTON BOARD OF ZONING APPEALS