

Agenda:

**#0319-0159 Oronoque Trail, Nathan H. Aho of 59 Oronoque Trail, (Nathan and Heidi Aho, 59 Oronoque Trail, Owners)**

**#0519-01 47 Sorghum Road, Kimberly Criscuolo of 47 Sorghum Road**

**#0619-01 69 Pearmain Road, Paul Mayo of 69 Pearmain Road**

**#0619-02 587 Howe Avenue Map 129B Lot 22, Jerry and Margaret Plonski of 35 Lady Slipper Drive**

**#0619-03 16 Whitewood Drive, John Krailer of 16 Whitewood Drive**

**#0619-04 5 Strawberry Lane, Lefteris Valsamis of 5 Strawberry Lane #0619-05 77 Fawn Hill Road, CHAIRMAN E. CONKLIN and Judite Collins of 77 Fawn Hill Road**

CHAIRMAN EDMUND CONKLIN: Good evening ladies and gentlemen and welcome to the June 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. The 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 to your right, Alternate Commissioner Jim Oraziotti, who is sitting in for Commissioner Jamie Jones; Commissioner Linda Adanti; Tina Kelly, our clerk; myself, Chair Ed Conklin; to my right is Co-Chairman Philip 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, June 18, 2019 at 7:30 p.m. in the hearing room of the Municipal Building, 54 Hill Street, Shelton, CT:

**#0319-01 59 Oronoque Trail, Nathan H. Aho of 59 Oronoque Trail, (Nathan and Heidi Aho, 59 Oronoque Trail, Owners)** for a variance to Section 24.2, Lot Shape and Section 24, Schedule B, Line 4 to create a lot line revision to reduce the minimum lot frontage on a paved road, Oronoque Trail, from the required 75 feet to 30 feet in order to allow an existing lot, which fronts on paper street, Wigwam Trail, Map #12-A, Lot #34 to have road frontage in an R-3 zone. *(Continued)*

CHAIRMAN E. CONKLIN: Okay. Is Nathan Aho here? Okay. Is he here? Okay. This is a continuation, um, and we are at the end of our time, we have to close this. He did send me a letter in regards to the status of what is going on with the city. Uh, he advised us that he's has contacted his abutting neighbors with no objections. He hopes obtaining uh, the right of way going up that paper street, um, still in negotiations with the city, so as of tonight we'll have to clo - or we're going to close this hearing as of now and then we'll have the discussion later on tonight. So, this is closed.

(HELD FOR VOTE ONLY)

VICE-CHAIRMAN P. CAVALLARO:

**#0519-01 47 Sorghum Road, Kimberly Criscuolo of 47 Sorghum Road** for a variance to Section 24, Schedule B, Line 7 to reduce the minimum setback from the front street line from the required 40' to 19' in order to expand a 2-car garage forward by 10' and construct a single story, attached garage measuring 22' wide in an R-2 zone. *(Continued)*

CHAIRMAN E. CONKLIN: Is the applicant here? Please come up to the table. Have a seat please.

UNKNOWN VOICE #1: Sure.

UNKNOWN VOICE #2: Good evening.

CHAIRMAN E. CONKLIN: Name and address for the record please?

KIMBERLY CRISCUOLO: Kimberly Criscuolo. 47 Sorghum Rd, Shelton, Connecticut.

CHAIRMAN E. CONKLIN: Are you going to speak?

TONIN KIMKA: Tonin Kimka, 617 Douglas Drive, Orange, Connecticut 06477.

CHAIRMAN E. CONKLIN: Okay.

TONIN KIMKA: We uh,

CHAIRMAN E. CONKLIN: Hold it for a second.

TONIN KIMKA: Sorry.

CHAIRMAN E. CONKLIN: Uh, last time we were missing, we didn't have the letters from the neighbors.

TONIN KIMKA: Okay.

CHAIRMAN E. CONKLIN: And we need more pictures showing more of the side yards and we had the application.

TONIN KIMKA: Yes. I put myself in front of the house. I took pictures, I think, of all the angles.

CHAIRMAN E. CONKLIN: Okay. Okay. So, you meet those requirements, okay. Tell us what you're trying to do and why you can't meet the zoning regulations, please.

TONIN KIMKA: Yes. Uh. What uh, as you see to the pictures uh, we have, means only, only we going in the front of the garage. We are not interfering with no neighbor, we are not interfering with the street because still, you still can park your garage, a car in the front of the garage again.

CHAIRMAN E. CONKLIN: Okay.

TONIN KIMKA: And the, the section if you look at the house from the front to the right means we are not interfering with the line from that section to the neighbor, means we stay in existing. To the left side neighbor, it's, it's far enough which, not to worry about.

CHAIRMAN E. CONKLIN: Okay. What are you planning on doing by?

TONIN KIMKA: Just extending. Just extending one floor, because that section is two floor.

CHAIRMAN E. CONKLIN: Okay.

TONIN KIMKA: Extending only one floor in the front of the garage.

CHAIRMAN E. CONKLIN: Lower floor of the garage section floor?

TONIN KIMKA: Yes, correct.

CHAIRMAN E. CONKLIN: Okay.

TONIN KIMKA: And, and means in the back of the garage she wanted to expand to make the living space. No bedroom, just open, open space.

CHAIRMAN E. CONKLIN: Okay. And...let's see...you're expanding the garage out 10'?

TONIN KIMKA: Yes. Yes sir. Yes sir.

CHAIRMAN E. CONKLIN: Okay. (And the extensions?) to the road. Okay.

COMMISSIONER BRYAN VASSER: Is this already?

CHAIRMAN E. CONKLIN: Pardon?

COMMISSIONER BRYAN VASSER: Too close to the road...? It says they're; they're asking for 40' to 19'.

CHAIRMAN E. CONKLIN: Yeah.

COMM. B. VASSER: But they're only adding 10'.

CHAIRMAN E. CONKLIN: Well, the problem is this is an R-1 zone which is all the lots behind Huntington's...uh... what's it?

COMM. B. VASSER: R-1, R-2 or R-1?

CHAIRMAN E. CONKLIN: Huntington Square. It's an, it's, it's an R-1 zone but all the lots in this whole area of town are half acre.

COMM. B. VASSER: Uh-huh.

CHAIRMAN E. CONKLIN: This really should have been zoned R-2 or less.

COMM. B. VASSER: Well, it says R-2 in the,

COMMISSIONER LINDA ADANTI: It says R-2 in the, in the

CHAIRMAN E. CONKLIN: This is an R-1 zone. Wait a minute. This is behind Huntington sq - this is Sorghum Rd.

COMM. B. VASSER: Yeah, it loops behind the community center.

CHAIRMAN E. CONKLIN: I'm pretty sure this is an R-1 zone. I'm almost positive this is an R-1 zone, actually.

TONIN KIMKA: Yeah, means, means.

CHAIRMAN E. CONKLIN: That's the reason why it's 40'. Because we've had a couple of these in front of us before that were R-1 and that was our issue with it. It's because it's half acre zoning.

TONIN KIMKA: And really, she, she doesn't have no other extensions she can do to that house. This is the only option she need little space to expand the living space. Means over there in that section we have, we have the dining room, we have a kitchen, it's too narrow. She just wants to, want to make that space more bigger for the, for the time

CHAIRMAN E. CONKLIN: Right.

TONIN KIMKA: And uh, you are, you know, you make the decision, but I think you know, it's, it, it, it is something which can be done and uh,

CHAIRMAN E. CONKLIN: How far...we don't have any good plot plan here.

COMM. B. VASSER: How close is the garage to the street now?

CHAIRMAN E. CONKLIN: That's what I'm trying to... what is the distance existing now?

TONIN KIMKA: We have it right, right, here. I think you should have them right, right on the paper over there. Right now, we have uh, from the garage to the street, I believe it was, uh,

KIMBERLEY CRISCUOLO: Did you measure it?

TONIN KIMKA: Yes. We did. We did. We did. I think we put them over there.

KIMBERLEY CRISCUOLO: It was R-2.

TONIN KIMKA: (*WHISPERING; INAUDIBLE*) 40'.... I think it was 40'. 20'...22' wide, I think it was 47. I believe it was 47.

CHAIRMAN E. CONKLIN: How many? 27?

TONIN KIMKA: It was 47.

CHAIRMAN E. CONKLIN: It was 27. It's existing now,

KIMBERLEY CRISCUOLO: 40, 40.

TONIN KIMKA: Yes.

CHAIRMAN E. CONKLIN: What's that?

KIMBERLEY CRISCUOLO: 40.

VICE-CHAIRMAN P. CAVALLARO: 47.

KIMBERLEY CRISCUOLO: 40.

CHAIRMAN E. CONKLIN: That's 47' (*INAUDIBLE*)

TONIN KIMKA: Where did I put that? Oh Lord.

COMM. B. VASSER: Isn't there, if their...if the requirement is 40 and they're adding 10,

CHAIRMAN E. CONKLIN: Yeah, and they're going down to

COMM. B. VASSER: And they're asking for a variance for 19,

CHAIRMAN E. CONKLIN: 19. That's why I'm saying,

COMM. B. VASSER: There's a 10', there's a 10' difference.

CHAIRMAN E. CONKLIN: Yeah, we're missing, that's why I said this picture doesn't look like 40' to me.

TONIN KIMKA: With have, with that extension you still can put a car in front of the garage.

CHAIRMAN E. CONKLIN: Right.

COMM. L. ADANTI: Uh-hmm. Yeah.

CHAIRMAN E. CONKLIN: That measurement is 10' off the road. You start 10' off the road you measure in.

TONIN KIMKA: 10, 10' from the road? Because here, you said 4' was maximum...you know, uh...40' is, is (allowed?)

*(SHUFFLING OF PAPERS; UNCLEAR)*

COMMISSIONER JAMES ORAZIETTI: It was 40', you want to reduce it to... 19', that would be uh, um,

CHAIRMAN E. CONKLIN: This is 21.

COMM. J. ORAZIETTI: 28. There would be 28', right?

TONIN KIMKA: I think, I think this is, yeah, I think it's 19'.

COMM. J. ORAZIETTI: But you're saying 19', that would be, that would be a 21-foot addition.

CHAIRMAN E. CONKLIN: So, you're saying, you're asking 10' but 20, it's 29' you're saying.

TONIN KIMKA: Yes.

CHAIRMAN E. CONKLIN: From the road right now.

TONIN KIMKA: Yes. This is 29, minus 10, it's 19. It means we still, we can even if you had to park your car in the front and, and, and her, her, her, her lot is, is the most worst in that street because she, she have a neighbor in the back, she have a neighbor here, here, it's a lot of expand. But here we cannot do nothing, we cannot do the garage.

COMM. B. VASSER: So, you're moving the garage forward 10 feet.

TONIN KIMKA: Yes.

COMM. B. VASSER: What else are you doing?

TONIN KIMKA: Nothing. Nothing else. Nothing else.

KIMBERLEY CRISCUOLO: Oh, in back of the garage?

COMM. B. VASSER: You're just adding onto the front of the garage?

KIMBERLEY CRISCUOLO: Yes.

TONIN KIMKA: Yes.

COMM. B. VASSER: And then building up?

KIMBERLEY CRISCUOLO: No.

TONIN KIMKA: Only one floor. Yeah. In front of the garage, 10-foot, we put

COMM. B. VASSER: Oh, I see. So you're going to put the living space on the first floor behind the garage.

TONIN KIMKA: Yes. Correct.

COMM. B. VASSER: For that purpose. I see. Thank you.

TONIN KIMKA: Because she have even, she have a beam right now in the middle which was done in the beginning. Right to that beam we are closing, and make two-car garage, and the back the living space.

COMM. B. VASSER: The beam is in the back of the garage?

TONIN KIMKA: Yes, in the middle.

COMM. B. VASSER: In the middle.

CHAIRMAN E. CONKLIN: In the middle.

COMM. B. VASSER: Oh, you're, I see. It's ten feet in from the back.

TONIN KIMKA: Exactly. That's why she, she even doesn't need to spend too much money either because only we dig in the foundation in both sides ten foot and...

COMM. B. VASSER: I see. Is anyone else close, that close to the street?

COMM. J. ORAZIETTI: Why don't you uh...What's the problem with, with putting the addition on the back side? If you're only going out ten feet?

TONIN KIMKA: You can't.

COMM. J. ORAZIETTI: Why can't you?

TONIN KIMKA: Because, because uh, in the back of the house, if you look, if you look at this, it's so narrow you cannot go. It's, it's very narrow.

COMM. J. ORAZIETTI: What do you mean it's very narrow? Well, I, I don't... you've haven't given me anything down here.

TONIN KIMKA: Yeah. Sorry. Uh, can I, can I...?

COMM. J. ORAZIETTI: Send that down.

CHAIRMAN E. CONKLIN: You should have one of these in that folder.

COMM. L. ADANTI: You know, we don't have anything that's

CLERK TINA KELLY: The folders are there, though.

COMM. J. ORAZIETTI: Oh, they are?

COMM. L. ADANTI: Sorry.

CLERK T. KELLY: That's okay.

TONIN KIMKA: Yeah, it's, it, it's, look it, here it's so, so close. See, look it. It's very close to the back. Here's the stone wall, right, right here. It's impossible. And, and, and if we, if we, if, if we extend here the house will look, you know,

COMM. J. ORAZIETTI: If you go back, if you're only going 10'. Going 10' out in the front. But since you're going, you have more room in the back than you do the front. Why couldn't you go out 10' out in back?

TONIN KIMKA: You can't because of the house's structure. She have a, she have a fireplace right here, she has the stairs going upstairs, it's, it's won't be unusable. She never can do that. She can never can, can, can,

*(MULTIPLE VOICES; UNCLEAR)*

CLERK T. KELLY: You know, we can only have one; we really can have one conversation. I'm sorry.

TONIN KIMKA: Sorry.

CLERK T. KELLY: Otherwise it won't tape.

CHAIRMAN E. CONKLIN: Yeah, but they're talking. We're just, just pointing on a map.

CLERK T. KELLY: Okay.

TONIN KIMKA: Okay, you know it means, I, I, I think you know, just going 10' in the front of the garage I think, it's something which you should consider, but,

COMM. B. VASSER: So, um, it looks like there's more space here than there is in the front. Unless,

CHAIRMAN E. CONKLIN: Here's the property.

TONIN KIMKA: I think I do not know the lines for you. Maybe, maybe I think probably something is wrong because in the back it's so narrow.

COMM. B. VASSER: Where does the house stop here in this...? Is it here?

KIMBERLEY CRISCUOLO: Um-hmm.

COMM. B. VASSER: About right there?

KIMBERLEY CRISCUOLO: Yeah. Um-hmm.

COMM. B. VASSER: Okay. It looks to be about the same.



TONIN KIMKA: I think it's less. Thousand percent. . . .

COMM. J. ORAZIETTI: So, it would be 40'. So, it doesn't make any sense.

TONIN KIMKA: Rear back house. . . . you see, rear, the rear back house is, is only 26'. Look, the rear back house is 26'. I already measured. The house is 30 - 36, 37, and, and the front of the property. So, this is exact measurement. It's 26, means you know it's less. I, I don't know how, how the, this (*UNCLEAR*) with this, because maybe, maybe the neighbor moved the stone wall but which, I which, I measured. It's only 26'.

COMM. J. ORAZIETTI: If you put it out back, that'll leave you 16' to the, to the property line. Whereas if you put it out front. . . .

COMM. B. VASSER: Well, is this 26' to the wall?

TONIN KIMKA: Yes.

COMM. B. VASSER: Where's, how far is the property line behind the wall?

KIMBERLEY CRISCUOLO: That's

TONIN KIMKA: That, where the, where the wall is, it is the property line. To my knowledge, I didn't do a survey, surveyor—

COMM. B. VASSER: Uh-huh. And you don't have a survey of the,

TONIN KIMKA: No. I did not.

CHAIRMAN E. CONKLIN: Less infringement would be the line forward than encroaching upon other neighbors and,

COMM. B. VASSER: Mm-hmm.

CHAIRMAN E. CONKLIN: Okay. Any other questions?

VICE-CHAIRMAN P. CAVALLARO: Nope.

CHAIRMAN E. CONKLIN: Okay. Alright. Anybody for this application in favor? Anybody in favor of this application? Anybody, anybody opposed to this application? Okay. Any other questions from the board?

COMM. J. ORAZIETTI: Well, it says on the back here, it says minimum setback from the rear property line is 30 feet. So, you'd be 20 feet.

TONIN KIMKA: Means, means I cannot do it anywhere in the back.

COMM. J. ORAZIETTI: Well, you can't do it on the front either, right?

TONIN KIMKA: Yeah. Exactly, exactly.

COMM. J. ORAZIETTI: I mean,

TONIN KIMKA: Yes sir, yes sir, yes sir.

COMM. J. ORAZIETTI: You know, so, I'm just trying to look at the what's the least encroachment on

TONIN KIMKA: Yes sir.

COMM. J. ORAZIETTI: All your scenarios.

TONIN KIMKA: Yes sir.

COMM. J. ORAZIETTI: Because a variance isn't a right, it's a

CHAIRMAN E. CONKLIN: All right. Any other questions? Any other questions? Okay. I declare this hearing closed, thank you.

- - -  
(HELD OVER FOR VOTE ONLY)  
- - -

VICE-CHAIRMAN P. CAVALLARO:

**#0619-01 69 Pearmain Road, Paul Mayo of 69 Pearmain Road** for a variance to Section 24, Schedule B, Line 8 to reduce the minimum setback from the rear property line from the required 30' to 15' in order to construct a 30' x 20' detached garage in an R-1 zone.

CHAIRMAN E. CONKLIN: Applicant here? Uh, do me a favor, put this in the um, Oronoque folder.

CLERK T. KELLY: Sure.

TIFFANY MAYO: Hi. Tiffany Mayo, 69 Pearmain Road, Shelton.

CHAIRMAN E. CONKLIN: Hi. Okay. Have a seat, relax. Um... the receipts?

TIFFANY MAYO: The receipts.

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: And then I have pictures.

CHAIRMAN E. CONKLIN: Okay. And,

TIFFANY MAYO: Lots of pictures. We took more than

CHAIRMAN E. CONKLIN: All right. Um, is there a structure? Is this your?

TIFFANY MAYO: Yeah, so this is our house.

CHAIRMAN E. CONKLIN: That is, that is the existing house?

TIFFANY MAYO: Yup, that's the existing house.

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: So, what you're looking at here, this is the garage, so that's

CHAIRMAN E. CONKLIN: Okay, so the house is facing

TIFFANY MAYO: Yeah, like the front door faces here.

CHAIRMAN E. CONKLIN: Okay. Faces that way? Okay.

TIFFANY MAYO: Mm-hmm.

CHAIRMAN E. CONKLIN: All right. And tell us what you're trying to do.

TIFFANY MAYO: Um, so, we're just trying to put in a detached garage, it'd be 20' by 30', um, so we're asking for the variance because if it went up to where we're in the setback range, so we're in the 30', the top, the garage right there would be really close to the driveway and it would be super hard to get out because this is all like gravel and rocks right here. So, we wanted to put it back further just to make it, so our driveway is still usable. And we don't have neighbors behind us. The town of Shelton owns the property behind us. It's open space.

CHAIRMAN E. CONKLIN: That's a neighbor.

TIFFANY MAYO: Well, I mean no like housing structures or anything. It was just designated open space that's behind us.

COMM. B. VASSER: Is there a reason why you can't like, turn it a little bit,

TIFFANY MAYO: Um, because

COMM. B. VASSER: Parallel with the driveway so you can get easier access?

TIFFANY MAYO: So, he's putting a boat in there, and to be able to get the boat in there because Pearmain's a one lane road, and the way that the property line is between us, and even being able to back the boat up, it's a 28-foot boat, it's just

COMM. B. VASSER: How would you do it here?

TIFFANY MAYO: When he pulls up into the road, I mean he's going straight back into this space right now to get it to cut here. There's all rocks, like huge boulders, not just like little rocks. That

COMM. B. VASSER: Uh-huh.

TIFFANY MAYO: Line between our property and the other houses that are being built there so it just makes it really hard to navigate getting the boat in and out. It'd be easier if the road was wider because then you would have more leverage, but it's like...he can barely, it's really hard for him to get the boat in the garage right here in that space right now.

COMM. B. VASSER: So again, how would you get it in here? You'd back up the driveway, h-how would you?

TIFFANY MAYO: Um,

CHAIRMAN E. CONKLIN: I'm assuming that you're saying

TIFFANY MAYO: He's cutting in

CHAIRMAN E. CONKLIN: That the garage door is here or is the garage?

TIFFANY MAYO: Yup. The garage doors would be right here.

COMM. B. VASSER: Oh, I see. I got you.

TIFFANY MAYO: So, he can drive on this space, it's just getting over here because there's just all rock in that spot and all rock down here.

CHAIRMAN E. CONKLIN: What is the size of this building?

TIFFANY MAYO: It's going to be 30' by 20'.

CHAIRMAN E. CONKLIN: Okay, height?

TIFFANY MAYO: 9'?

CHAIRMAN E. CONKLIN: Okay, it's gonna be probably a little higher, but

TIFFANY MAYO: Maybe.

CHAIRMAN E. CONKLIN: What's the garage door size?

TIFFANY MAYO: 16' feet wide, one garage door.

CHAIRMAN E. CONKLIN: How high?

TIFFANY MAYO: Uh, it's a 9' door, a 9-foot door so I guess

CHAIRMAN E. CONKLIN: 9' high?

TIFFANY MAYO: I don't know how tall a ceiling is outside of that. I probably, I have the information, I think.

VICE-CHAIRMAN P. CAVALLARO: 8, you can't go 9, right?

CHAIRMAN E. CONKLIN: No, you can go 9. The height max is 10, actually.

TIFFANY MAYO: That's the, where we got, where we're buying it from.

COMM. B. VASSER: What was this? This was where you might put it?

TIFFANY MAYO: That was where we were gonna originally put it, and then when we laid it out and he tried to use, like we just marked it out with

COMM. B. VASSER: So, is there any reason why you can't just creep it right off this property line, and, I mean?

TIFFANY MAYO: Then it's in the middle of like our, our driveway. And there's grass here. I mean the driveway is literally one car can fit up it. It's half of a garage in the middle of the driveway and then we're going to be driving on the grass and a tree right here that would also be in the way of anybody getting in and out if it came up any further.

VICE-CHAIRMAN P. CAVALLARO: There are people behind you, that's a building lot, right? Nothing on it right now but it's a building lot?

TIFFANY MAYO: Um, so,

VICE-CHAIRMAN P. CAVALLARO: Over here, no, but here where the garage is going there is a building lot.

TIFFANY MAYO: No, this is - I mean, I don't know exactly what is happening with the map, but when I stand here on my property, the other house that's being built is right here and then there's a house up here, so I don't know where their exact um,

VICE-CHAIRMAN P. CAVALLARO: Well, there,

TIFFANY MAYO: Plot lines are but I know, from just what we know about like the setbacks, we were told the setback, the rear setback, is to the designated open space, and not to, whatever the house number would be next to us. I don't even know if they've gotten house numbers yet. Those houses aren't even built at this point.

CHAIRMAN E. CONKLIN: And, the house is not facing the road.

TIFFANY MAYO: No. So even if,

CHAIRMAN E. CONKLIN: It's facing a side yard.

TIFFANY MAYO: Yeah.

CHAIRMAN E. CONKLIN: This is

TIFFANY MAYO: I mean like the back—this is a deck, and there's a slider right here, so like this faces the road but you can't even see because there's trees right there so you can't see anything down there. So, yeah, when you look out our front door you're seeing into the driveway and into the new house that is being built down there.

CHAIRMAN E. CONKLIN: You know, we don't have an aerial...do we have an aerial map? We don't have an aerial map of this, do we?

VICE-CHAIRMAN P. CAVALLARO: No.

CHAIRMAN E. CONKLIN: No. We have no aerial maps. You're supposed to be supplying,

TIFFANY MAYO: Are we supposed to bring an aerial map?

CHAIRMAN E. CONKLIN: Yes, an aerial map, yes, an aerial map is required.

TIFFANY MAYO: That is just bigger of what we already have. And then yeah, I don't have any aerial map.

CHAIRMAN E. CONKLIN: An aerial map of your lot, um, one showing the topography and trees, a second one is just a plot plan of and showing at least half of your adjoining neighbors.

TIFFANY MAYO: Well, this is a plot plan.

CHAIRMAN E. CONKLIN: I know that, but we need to see an aerial map, seeing where, where buildings and things are located. How you're encroaching -

TIFFANY MAYO: There's nothing there right now. And I guess...I don't know where you get an aerial map typically.

CHAIRMAN E. CONKLIN: Google. Just google map.

TIFFANY MAYO: So, when you go on Google, it's woods. Like they haven't updated Google maps to show anything but trees. Because my house was just built in...at the end of last year like we just moved in, in November.

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: And the 2 houses that are being built now like this one is just a foundation.

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: And this has like some sides, but you go on Google Maps and it's just trees.

CHAIRMAN E. CONKLIN: Just woods. Okay.

TIFFANY MAYO: Because this property was owned by one person for like 50 years and then somebody else bought it and is, was divvying it up to make more houses so,

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: I don't know.

COMM. B. VASSER: Is this a hill or is it flat?

TIFFANY MAYO: It's a hill.

COMM. B. VASSER: This is a hill.

TIFFANY MAYO: Yup.

COMM. B. VASSER: And, and where does the?

CHAIRMAN E. CONKLIN: Here, here the best you can see out of this is that's the driveway, so there's not

COMM. B. VASSER: And how steep of a hill are we talking about? It looks pretty gradual.

TIFFANY MAYO: Yeah. It's not like straight up or anything, it's gradual.

CHAIRMAN E. CONKLIN: Which, who's driveway is this?

TIFFANY MAYO: This is my driveway. So, this is the side. So, this goes off into a hill and you can actually see that's part of the construction for the front house.

CHAIRMAN E. CONKLIN: So, at this point we are all looking at about here outward?

TIFFANY MAYO: Yup. Yeah. Yeah, exactly.

CHAIRMAN E. CONKLIN: Okay. And that's the telephone, this telephone pole is this pole?

TIFFANY MAYO: Yup.

CHAIRMAN E. CONKLIN: Okay.

COMM. B. VASSER: And um, you know, say, say if you ran it from here to here, along parallel with the driveway, as he's backing in, why couldn't he back right into the door there and keep it on the set, within the setback?

TIFFANY MAYO: Moving it over to where?

COMM. B. VASSER: I don't want to draw on this. I don't have a pencil.

TIFFANY MAYO: I don't have a pencil either.

COMM. B. VASSER: So, I'm just going to draw dots. Here, here, here, and here. And as he's backing in, he backs right into the drive - keep it within the building setback.

TIFFANY MAYO: I mean the only thing I can say is we didn't really want something that was crooked. I mean we were looking to do something straight.

COMM. B. VASSER: Well, it's parallel with the driveway.

TIFFANY MAYO: Yeah. And,

COMM. B. VASSER: I understand.

TIFFANY MAYO: I don't know it's just like having the garage right at the corner of the driveway there is just not, it's

COMM. B. VASSER: Well, it's at the corner of this driveway. I think the, the point is, is that a variance should be a necessity because of something that makes it unable to be done someplace else on the property. If it can be done some other place on the property,

TIFFANY MAYO: Mm-hmm.

COMM. B. VASSER: You should, you should follow the setback rules not, not, not encroach.

CHAIRMAN E. CONKLIN: Yeah. There's no true hardship here, is what the problem is.

COMM. B. VASSER: You know.

TIFFANY MAYO: No true hardship.

CHAIRMAN E. CONKLIN: No true hardsh--There's no land hardship, there's no nothing.

COMM. B. VASSER: If it can be put someplace else because you don't like the angle of it, it's not a hard - it's not a hardship.

TIFFANY MAYO: You mean making our driveway almost unusable isn't enough of a hardship?

CHAIRMAN E. CONKLIN: No, that's not. It's,

COMM. B. VASSER: Well, okay, so, two things. One, a driveway can be altered and changed ease—pretty easily. Secondly,

TIFFANY MAYO: What do you mean, by “a driveway can be altered and changed”?

COMM. B. VASSER: Well, you can, you can, you can divert a driveway in different directions by regrading, you know, it can be done. But the, how does putting it here make your driveway unusable? It's, your driveway's here,



TIFFANY MAYO: Because this whole space is just a lot bigger of a space where this one car can fit up and it's just when we measured it out to be within the setback, the garage would be on top of our current driveway that we drive up. It's not, like right here, it's dirt....

CHAIRMAN E. CONKLIN: If that's, if that's the distance from there to there, you have from there to there, and it's the same. You can actually fit it between this pole and there.

TIFFANY MAYO: Yeah, and then there's a hill right here and,

CHAIRMAN E. CONKLIN: Yeah, but that hill is not that steep. These aren't unobtainable, unobtainable,

TIFFANY MAYO: I mean when he...putting it there with the way the hill is, and backing the boat into that spot, the bottom of the trailer will hit where the gravel is right there when he's getting it into the garage.

COMM. B. VASSER: Well, you may have to regrade a little bit. If you, you know what I mean? You may have to change the pitch some to get the truck in there, but it's doable.

VICE-CHAIRMAN P. CAVALLARO: See, but the problem is, the hardships have to be the land cause, not personal or financial or anything like that. And that's what makes it difficult when there's spaces that you can make this comply.

TIFFANY MAYO: Um-hmm.

VICE-CHAIRMAN P. CAVALLARO: And you've got the room to even expand the driveway, you've got all grass over here, you're only talking a couple of feet, potentially.

CHAIRMAN E. CONKLIN: Yeah. And it's, leaching field, you're way away from the leaching field, you're, if that's 20' wide, you've got over 25' there.

TIFFANY MAYO: And how close or how far do you have to be from the leaching field if we expanded the driveway?

VICE-CHAIRMAN P. CAVALLARO: I don't think the driveway matters.

TIFFANY MAYO: And is that another permit as well?

CHAIRMAN E. CONKLIN: I don't know, it's not...I would think probably 10 or 15 feet.

VICE-CHAIRMAN P. CAVALLARO: There's no footings involved.

CHAIRMAN E. CONKLIN: Right, no footings.

TIFFANY MAYO: Okay, I don't know the rules.

CHAIRMAN E. CONKLIN: Okay. Um...questions? Jim? Linda?

COMMISSIONER LINDA ADANTI: No, I'm good.

CHAIRMAN E. CONKLIN: Okay. Uh, anybody in favor of this application? Anybody in favor of this application? Anybody opposed to this application. Okay, any further questions for the board?

VICE-CHAIRMAN P. CAVALLARO: No.

CHAIRMAN E. CONKLIN: Okay.

TIFFANY MAYO: So, what are the next steps? I've never done this, so I don't know. Do I just leave?

CHAIRMAN E. CONKLIN: Uh, well, we'll could possibly have a discussion later and vote on this. And if we do, you can stick around and wait, or you will receive a letter 15 days from now if we voted on it tonight, letting you know the outcome.

TIFFANY MAYO: Okay.

CHAIRMAN E. CONKLIN: Okay?

TIFFANY MAYO: So, you could possibly vote, but you might not.

CHAIRMAN E. CONKLIN: We'll have a discussion.

TIFFANY MAYO: Okay.

CHAIRMAN E. CONKLIN: And find out if they do or not. Okay?

TIFFANY MAYO: Thank you.

CLERK T. KELLY: Excuse me. What was your first name again?

TIFFANY MAYO: Tiffany.

CLERK T. KELLY: Perfect, thank you.

UNKNOWN VOICE #3: Excuse me. Can I just ask one more thing? I noticed you mentioned hardship?

CHAIRMAN E. CONKLIN: I'm sorry. Your hearing is closed.

UNKNOWN VOICE #3: Okay.

- - -  
Later that evening, upon motion made by Comm. Vasser and seconded by Comm. Adanti, the Board unanimously voted "In the application by Paul Mayo of 69 Pearmain Road, for a variance to Section 24, Schedule B, Line 8 to reduce the minimum setback from the rear property line from the required 30' to 15' in order to construct a 30' x 20' detached garage in an R-1 zone, to deny the variance without prejudice. The Board concluded that no hardship exists on the property to justify the variance and that the proposed garage can be constructed elsewhere without any boundary encroachment.  
- - -

VICE-CHAIRMAN P. CAVALLARO:

**#0619-02 587 Howe Avenue Map 129B Lot 22, Jerry and Margaret Plonski of 35 Lady Slipper Drive** for the following: 1) Variance to Section 24, Schedule B, Line 9 to reduce the minimum setback from the right side property line from 12' to 8'; 2) Variance to Section 24, Schedule B, Line 8 to reduce the minimum setback from the rear property line from 20' to 10'; 3) Variance to Section 24.12.1 Private Garage to increase the height of the garage from 20' to 22'; and 4) Variance to 24.12.3 Private Garage to increase the square footage of the garage from 750 sq. ft. to 800 sq. ft. in order to construct a 3-car garage measuring 32' x 25' x 22' high in a CB-2 and IB-2 zone.

CHAIRMAN E. CONKLIN: Okay, is the applicant here? Is the applicant here? Okay. Is the applicant here? All right. We'll have to continue this until next month. All right. Is there someone here who...? I know someone called and requested a discussion. Sorry to tell you that they didn't show up! So, we have to continue this until next month. All right? It'll be the third Tuesday of the month, okay, at the same time, okay? And they only have one more month to carry this, and that's it.

- - -  
CARRIED TO JULY HEARING  
- - -

VICE-CHAIRMAN P. CAVALLARO:

**#0619-03 16 Whitewood Drive, John Krailer of 16 Whitewood Drive** for a variance to Section 24, Schedule B, Line 7 to reduce the minimum setback from the front street line from the required 40' to 27' in order to construct a 40' x 25' addition consisting of a 3-car garage with bedrooms above in an R-1 zone.

CHAIRMAN E. CONKLIN: Okay. Is the applicant here? Have a seat. Name and address for the record, please.

MATT DECKER: Matt Decker, 3200 Madison Avenue, Bridgeport, Connecticut.

CHAIRMAN E. CONKLIN: Okay.

MATT DECKER: This is

JOHN KRAILER: John Krailer, 16 Whitewood Drive, Shelton.

CHAIRMAN E. CONKLIN: And you are the owner?

MATT DECKER: Yes, he is.

CHAIRMAN E. CONKLIN: Contractor?

MATT DECKER: Uh, assistant.

CHAIRMAN E. CONKLIN: Assistant? Okay.

MATT DECKER: Friend.

CHAIRMAN E. CONKLIN: All right.

MATT DECKER: So. ... receipts.....pictures. ... and this one here has the placard in it.

CHAIRMAN E. CONKLIN: All right. Send these down there.

MATT DECKER: This is the only one we got back. Do you want this?

CHAIRMAN E. CONKLIN: Okay. That does, doesn't matter. As long as you mailed them out, that's

MATT DECKER: Okay. Great.

CHAIRMAN E. CONKLIN: Okay?

MATT DECKER: Yup.

CHAIRMAN E. CONKLIN: All right tell us what you're trying to do and why you can't meet the zoning regulations.

MATT DECKER: Well, Mr. Krailer is attempting to get a variance for a two-story addition to go to the side of his house. Um, we seek the variance due to the fact that the existing dwelling is non-conforming. Uh, existing dwelling is 27' from the property line, although it's 53' to the road.

CHAIRMAN E. CONKLIN: From the street. Okay

MATT DECKER: Yeah, it's 27' to the property line, 53' to the road.

CHAIRMAN E. CONKLIN: Okay.

MATT DECKER: All right. The proposed addition will stay in form with the existing structure and maintain the 27' setback from the property line. Uh, we researched other areas and possibilities. Um, a few, uh, reasons that we, um, were unable to, the hardships that we have, are: the septic system is behind the driveway, which is one of the areas that we looked into pushing the addition to, so that couldn't work. Plus, the site is regulated by conservation and we wanted to maintain as little amount of site disturbance as possible, so over the existing grav, driveway, which has already been disturbed with the asphalt, we figured we'd put the footing and the foundation right there and build right up on top of that. Um,

CHAIRMAN E. CONKLIN: All right, you're uh, just trying to, just look at the way this house is built, okay.

MATT DECKER: Yeah, slightly askew to the um, the right of way, that the town, I mean,

CHAIRMAN E. CONKLIN: Is this the, this is the house here?

MATT DECKER: Yes, sir.

CHAIRMAN E. CONKLIN: Okay. So, it, really doesn't, your house, according to this aerial view, is longer, actually, is longer than what this shows here?

MATT DECKER: A little bit, yes.

CHAIRMAN E. CONKLIN: In my, uh,

MATT DECKER: If you look at the pictures you can see better on the pictures.

CHAIRMAN E. CONKLIN: If you look at this aerial view it looks like a, you have a, an extension on the back already.

JOHN KRAILER: It's longer this way, but this is the road that comes down.

CHAIRMAN E. CONKLIN: Right this is the road going across here.

JOHN KRAILER: Yup. And this is the driveway coming down.

MATT DECKER: Right.

CHAIRMAN E. CONKLIN: Okay.

MATT DECKER: Yeah.

CHAIRMAN E. CONKLIN: I'm just saying there's already

MATT DECKER: Right. But the septic is right through here.

CHAIRMAN E. CONKLIN: Right. I'm, I'm just, I'm just look - I'm just trying to relate what's going on.

*(MULTIPLE VOICES; UNCLEAR)*

MATT DECKER: Yeah. You're right. That doesn't reflect the correct

COMM. B. VASSER: Is this an older house? When was this built?

MATT DECKER: 1963.

CHAIRMAN E. CONKLIN: Okay. So, it was built in '63.

MATT DECKER: Yes.

CHAIRMAN E. CONKLIN: All right. It was built at 27' back. You are not going beyond the 27'; you are keeping it the same distance.

MATT DECKER: Same distance.

CHAIRMAN E. CONKLIN: From your, so it's pre-existing, non-conforming distance?

MATT DECKER: Correct.

CHAIRMAN E. CONKLIN: That you're following?

MATT DECKER: Yes.

CHAIRMAN E. CONKLIN: Okay.

COMM. B. VASSER: And this 38', is that a variance that's needed there?

MATT DECKER: No.

CHAIRMAN E. CONKLIN: No. No.

MATT DECKER: Just put the dimension down that's if they ask for it.

CHAIRMAN E. CONKLIN: It's 30', 30'...30'...for the sides...sides is 30-foot.

COMM. B. VASSER: Okay.

CHAIRMAN E. CONKLIN: So, the

MATT DECKER: No other variances.

CHAIRMAN E. CONKLIN: The question, the question is, obviously, it says no on this when they looked at it. Right?

MATT DECKER: We are seeking no other variances; that is correct.

CHAIRMAN E. CONKLIN: Yeah. Um, because they would have had, get one to build the house, you would think?

MATT DECKER: They did not. Yeah. We checked.

CHAIRMAN E. CONKLIN: Okay, you did check?

MATT DECKER: Yeah, there were no other variances for any of the houses on the street.

CHAIRMAN E. CONKLIN: Okay. All the other houses?

MATT DECKER: The 4 houses on that side are non-conforming.

CHAIRMAN E. CONKLIN: Yeah, I'm just, trying to look at this house. Looks about the sa -

MATT DECKER: All on the same side of the street are non-conforming.

CHAIRMAN E. CONKLIN: They're all, even this house, all of this street, all the houses are

MATT DECKER: There's a, there's 4 of them that are on that bend specifically when you look at this drawing here.

VICE-CHAIRMAN P. CAVALLARO: You're 53' from the curb?

MATT DECKER: 53' from the str—from the curb, yes. So, when you look at this here, you got one, two, three, four... these are all roughly the same distance to the front property line.

CHAIRMAN E. CONKLIN: Okay. So, it's completely on par with the neighborhood?

MATT DECKER: Correct.

COMM. B. VASSER: And you can't go back because of the septic?

MATT DECKER: The septic is right in the back behind the driveway.

CHAIRMAN E. CONKLIN: It really, it's staying in harmon - staying at the same distance. Pre-existing, technically is a pre-existing, non-conforming 27' from the road.

COMM. B. VASSER: And 53' from the road,

CHAIRMAN E. CONKLIN: Yeah.

COMM. B. VASSER: 27 from the...

CHAIRMAN E. CONKLIN: From that. Correct.

COMM. J. ORAZIETTI: Still maintaining a compliance from the left on the right side?

MATT DECKER: There are no other variances that we seek.

COMM. J. ORAZIETTI: All right. Just the front,

MATT DECKER: Correct.

COMM. J. ORAZIETTI: Bottom line. Okay.

CHAIRMAN E. CONKLIN: Okay. We have to keep this.

MATT DECKER: Yes. I have 3 of them, they gave me 3, I don't know if you want all of them.

CHAIRMAN E. CONKLIN: That's all right. No, that's good.

MATT DECKER: Okay.

CHAIRMAN E. CONKLIN: Cause that's showing the paper street.

MATT DECKER: Yeah. It goes right through the, yeah,

CHAIRMAN E. CONKLIN: What's that?

MATT DECKER: It goes right through his house!

CHAIRMAN E. CONKLIN: That's showing the paper street. The paper street is what is drawn on a subdivision plot, not necessarily where the road might wind up.

MATT DECKER: Which is unfortunate, the way the road is actually pushed further, um, to the, closer to the neighbor's house across the street than it is to his.

COMM. B. VASSER: Hmm.

MATT DECKER: Uh...and the right-away didn't follow it. The right-away maintained where it was supposed to be.

VICE-CHAIRMAN P. CAVALLARO: Hmm.

COMM. J. ORAZIETTI: Well, what's the house right here?

MATT DECKER: Yes.

CHAIRMAN E. CONKLIN: So, so that's where he's building it...he's building it at the end of his driveway here.

MATT DECKER: Right.

COMM. J. ORAZIETTI: Here's the shed. Here's this,

JOHN KRAILER: I just want to come straight down my driveway.

COMM. J. ORAZIETTI: This is an addition in the back which just still complies with the, with the setback on the back side. Sides are good it's just the front.

MATT DECKER: Yeah, he's got over an acre but as you can see, it's mostly woods.

JOHN KRAILER: Basically, where, where these cars, I just want to come off this, like these 3 cars would be inside the garage.

MATT DECKER: Yeah.

JOHN KRAILER: Just want to

COMM. B. VASSER: Staying in line with the

JOHN KRAILER: Stretch the house.

COMM. J. ORAZIETTI: His hardship, he has a hardship here, he has a septic system right back here, he can't go back here.



MATT DECKER: That's correct. We have a pre-existing, non-conforming dwelling.

CHAIRMAN E. CONKLIN: Technically he's a pre-existing, non-conforming lot. So, the 27 -

COMM. J. ORAZIETTI: But still he has a hardship.

CHAIRMAN E. CONKLIN: Doesn't make a difference, he has 27' in the pre-existing, non-conforming, so he automatically gets 27', by the way.

COMM. J. ORAZIETTI: Okay. If you were, if you would go by that,

CHAIRMAN E. CONKLIN: If it went to court,

COMM. B. VASSER: You're both, you're both right.

*(LAUGHTER)*

COMM. J. ORAZIETTI: So, it looks good. Just that other people here that will not help, you know, unless you had a hardship. Yeah. Spell it out, you know.

COMM. B. VASSER: You, you are correct.

CHAIRMAN E. CONKLIN: Okay. Is there anybody else in favor of this application? Anybody else in favor of this application? Anybody opposed to this application? Okay. Any other further questions from the board.?

MATT DECKER: I want to submit my narrative or do you not need it?

CHAIRMAN E. CONKLIN: Did you read that, or?

MATT DECKER: I did not read it, not entirely.

CHAIRMAN E. CONKLIN: We don't need it then.

MATT DECKER: All that's for the record, correct?

CHAIRMAN E. CONKLIN: Yup. Yes, it is. I declare the meeting closed.

MATT DECKER: Thank you very much.

CHAIRMAN E. CONKLIN: Thank you. You're welcome.

Later that evening, upon motion made by Commissioner Vasser and seconded by Commissioner Adanti, the Board unanimously voted "In the application by John Krailer of 16 Whitewood Drive for a variance to Section 24, Schedule B, Line 7 to reduce the minimum setback from the front street line from the required 40' to 27' in order to construct a 40' x 25' addition consisting of a 3-car garage with bedrooms above, the application for a variance is approved.

Inasmuch as it is in line with the pre-existing non-conformity on the property and no other setbacks are being encroached upon. Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to Section 24, Schedule B, Line 7 to reduce the minimum setback from the front street line from the required 40' to 27' in order to construct a 40' x 25' addition consisting of a 3-car garage with bedrooms above.

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.”

- - -

VICE-CHAIRMAN P. CAVALLARO:

**#0619-04 5 Strawberry Lane, Lefteris Valsamis of 5 Strawberry Lane** for a variance to Section 24.12.1 Private Garage to increase the square footage from 750 sq. ft. to 936 sq. ft. in order to construct a barn measuring 26' x 36' x 20' high in an R-1 zone.

CHAIRMAN E. CONKLIN: Come up to the table, please.

UNKNOWN VOICE #3: You did pretty good with my! Very good. Yes.

VICE-CHAIRMAN P. CAVALLARO: I thought I had it!

CHAIRMAN E. CONKLIN: Name and address for the record, please.

UNKNOWN VOICE #3: 5 Strawberry Lane, Shelton, CT.

UNKNOWN VOICE #4: Lefteris Valsamis. And Eleni Valsamis.

CLERK T. KELLY: I'm sorry, what is your name?

ELENI VALSALMIS: Eleni. E-L-E-N-I.

CLERK T. KELLY: Okay.

LEFTERIS VALSAMIS: So, this is, this is the picture of the house and we wanted to put this barn on the right side, which is somewhere around here. And we meet all of the requirements as far as setbacks are concerned from the neighbors and from the street. Here's a note reads a regular zone, there's no wetlands or anything like that. I sent the letters to the neighbors. I went and talked to the neighbors. And these are the letters that I sent.

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: And, uh...

CHAIRMAN E. CONKLIN: Sorry. Yeah, sorry I forgot to ask for these. You only have two abutting neighbors, right?

LEFTERIS VALSAMIS: Yeah.

CHAIRMAN E. CONKLIN: Yeah, you said you're at a corner lot?

LEFTERIS VALSAMIS: I'm a corner lot. And not only is it a corner lot but it's a steep driveway and we have three grandchildren, they come, and we can't take them outside.

CHAIRMAN E. CONKLIN: Okay, who had the pictures that you're showing us but not giving it to us?

ELENI VALSALMIS: Yes, this is what we're trying to construct.

LEFTERIS VALSAMIS: This is the front.

ELENI VALSALMIS: And those are

LEFTERIS VALSAMIS: They are the same pictures, by the way. But um,

ELENI VALSALMIS: They're different, you know, here they are. They're...this and this are the same.

CHAIRMAN E. CONKLIN: Where is this existing shed on the lot right now?

LEFTERIS VALSAMIS: It's on the...it's, if you look at the aerial—aerial picture I think it's also on the aerial picture. But I think we're going to take that one down because it won't look good.

CHAIRMAN E. CONKLIN: Oh, it's this small one?

LEFTERIS VALSAMIS: Yeah.

ELENI VALSALMIS: Mm-hmm.

LEFTERIS VALSAMIS: It won't look good with the barn; it's going to be a clash between the two. So, we're thinking of taking it out completely.

CHAIRMAN E. CONKLIN: And this is the actual barn you are building?

LEFTERIS VALSAMIS: Yes.

ELENI VALSALMIS: Yes. And the only thing for the variance is because it's just the coverage we're allowed is a little bit under for what this --what we're trying to order the exact same kit, and we're just under, um...the coverage for our lot is under, a tiny bit under, that one.

LEFTERIS VALSAMIS: It's 7, this one here is, uh, like the gentleman said, it's 26' by 36'.

CHAIRMAN E. CONKLIN: Is this a kit or is it a...?

LEFTERIS VALSAMIS: It's a kit, yes.

CHAIRMAN E. CONKLIN: It's a kit.

ELENI VALSALMIS: It's custom order, with exposed beam is inside, you know, natural wood.

LEFTERIS VALSAMIS: But it, but it's big, they are pre-cut

ELENI VALSALMIS: Yeah, we ordered it custom order. And it's only at like 50' over the allowance for our lot. And that's what we're requesting, the variance is not the distance from our neighbors, it's only the size that it is 50' feet over.

COMM. B. VASSER: What's the height of the doors?

LEFTERIS VALSAMIS: This door won't be there.

COMM. B. VASSER: Uh-huh. And what's the height of this?

LEFTERIS VALSAMIS: This is a side door, so this one here is a regular garage door.

COMM. B. VASSER: Uh-huh.

LEFTERIS VALSAMIS: And normally speaking, the one that we are planning to put is 3 bay, 3 bay, 3 doors, and,

CHAIRMAN E. CONKLIN: What's the height of the doors?

LEFTERIS VALSAMIS: They're, I think it's uh, either 8 or 10 feet, one or the other, I'm not sure.

COMM. B. VASSER: It can't be 10', right?

CHAIRMAN E. CONKLIN: Yeah, max is, there is a max of 10'.

COMM. B. VASSER: Max is 10'?

CHAIRMAN E. CONKLIN: Yeah.

LEFTERIS VALSAMIS: Yeah.

ELENI VALSALMIS: And the barn is actually, we put 20' height, but it's not 20', it's 19 1/2', but because

COMM. B. VASSER: From here to the peak?

LEFTERIS VALSAMIS: Yeah, yeah, yeah.

ELENI VALSALMIS: Yes. It's 19 1/2, but when they asked us how big, it's like 20 was a round number but it's 19 1/2.

CHAIRMAN E. CONKLIN: Well, the max height is 20, so you can go up to 20.

ELENI VALSALMIS: Yeah.

CHAIRMAN E. CONKLIN: Without an error.

ELENI VALSALMIS: But it's actually that particular one we plan to put is 19 1/2.

CHAIRMAN E. CONKLIN: And it's not going to be any closer to the road than the house is?

LEFTERIS VALSAMIS: No.

ELENI VALSALMIS: No, no, no, no, no.

CHAIRMAN E. CONKLIN: It can't be.

LEFTERIS VALSAMIS: It's going to be exactly on the same line as this house, just like they have it in the picture.

CHAIRMAN E. CONKLIN: Is there going to be any driveway that's leading up to this?

LEFTERIS VALSAMIS: Well, that's the, the question, now. We would like to put a driveway, a second driveway that goes from here to there to the barn.

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: But it won't be black top, and it won't be - I don't know if you guys are familiar with the, um,

ELENI VALSALMIS: Gravel.

CHAIRMAN E. CONKLIN: That's not, that's not up to us. I'm just asking a question of where you're

LEFTERIS VALSAMIS: Yes, most likely we need to have another driveway, most likely.

CHAIRMAN E. CONKLIN: Yeah.

LEFTERIS VALSAMIS: Because the existing driveway is on this side and it's very difficult to go all around it.

CHAIRMAN E. CONKLIN: What is the distance between the house and the structure?

LEFTERIS VALSAMIS: The distance, it's 35'.

CHAIRMAN E. CONKLIN: Okay, 35'.

LEFTERIS VALSAMIS: Yup.

CHAIRMAN E. CONKLIN: All right.

COMM. B. VASSER: What's the reason for that 750 square-foot max.?

CHAIRMAN E. CONKLIN: Pardon?

COMM. B. VASSER: What's the reason for that 750 square-foot max.?

CHAIRMAN E. CONKLIN: Picked. It's the number they picked.

LEFTERIS VALSAMIS: It's actually

COMM. B. VASSER: It's an acre lot. I mean, there's plenty of space. I don't understand.

CHAIRMAN E. CONKLIN: Yeah. I, I, I don't know why, it's the number they picked.

VICE-CHAIRMAN P. CAVALLARO: What happened in Shelton, people were building very large buildings, so they had to put some sort of a limit.

COMM. B. VASSER: Uh-huh.

COMM. J. ORAZIETTI: So, this door is where, here?

LEFTERIS VALSAMIS: This door

ELENI VALSALMIS: Yes. Yes. Yes. Yes, on the side.

LEFTERIS VALSAMIS: Yes, they're going to be facing; they're going to be facing on the side, on the side of the

ELENI VALSALMIS: Of the house.

LEFTERIS VALSAMIS: Of the house. And there will be

ELENI VALSALMIS: This side.

LEFTERIS VALSAMIS: 2 windows.

COMM. J. ORAZIETTI: It's a beautiful barn.

LEFTERIS VALSAMIS: Yeah, 2,

ELENI VALSALMIS: Thank you, yes.

LEFTERIS VALSALMIS: 2 windows on the side looking at the street.

COMM. J. ORAZIETTI: This is a sliding door, also?

LEFTERIS VALSAMIS: Yeah, but that one we won't put it on. Everything you put on is extra, you know, so, you ain't going to go.

COMM. J. ORAZIETTI: So, this is going to be the actual wood. Okay. So, this is going to be front...

CHAIRMAN E. CONKLIN: He was saying there's going to be 3 garage doors here.

LEFTERIS VALSAMIS: There's going to be 3 garage doors here.

ELENI VALSALMIS: And there will be facing the house and the garage we were planning to put it this way, like.

COMM. J. ORAZIETTI: Are they doors like this so they open over?

LEFTERIS VALSAMIS: Yes, yes. Always have to like that.

COMM. J. ORAZIETTI: They're not overhead doors?

LEFTERIS VALSAMIS: No, no, no.

ELENI VALSALMIS: No, no, no.

COMM. J. ORAZIETTI: They're hinged doors?

ELENI VALSALMIS: Yeah, they're hinged doors.

LEFTERIS VALSAMIS: They're hinged doors and um, you know, depends how fancy you want to get, you can order extra special hinges and special hardware ...it's uh...they have a listing, you know. It's a beautiful build—it's a beautiful building, you know?

COMM. B. VASSER: And there's no setback issues here?

LEFTERIS VALSAMIS: No, no.

ELENI VALSALMIS: No, no setbacks.

LEFTERIS VALSAMIS: No, no whatsoever. And I talked to this neighbor because he saw the sign in front of the house and he came and I - what I did is I put markers on the 4 corners so I told him "this is exactly what it is, this is the distance from the house. This is the distance from the road. This is the distance from your property." You know, the reason for the variance is because this barn has what they call the *(lean?)*.

CHAIRMAN E. CONKLIN: Mm-hmm.

LEFTERIS VALSAMIS: Which is, it gives you an extra

ELENI VALSALMIS: Little bit of square footage

CHAIRMAN E. CONKLIN: Now, uh,

CLERK T. KELLY: Excuse me Mr. Chairman. I have to change the tape. Okay.

CHAIRMAN E. CONKLIN: Okay. Hold on one second.

ELENI VALSALMIS: Thank you, yes.

LEFTERIS VALSAMIS: And the, and the color of--

CHAIRMAN E. CONKLIN: One second, one second.

LEFTERIS VALSAMIS: Oh, excuse me, yes.

CLERK T. KELLY: Okay.

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: And the color of the barn and the color of the house is about, is the same so there won't be a clash as far as the colors are concerned, so,

CHAIRMAN E. CONKLIN: Okay. No running water in this structure?

LEFTERIS VALSAMIS: Absolutely not.

ELENI VALSALMIS: No.

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: No.

CHAIRMAN E. CONKLIN: Electricity?

LEFTERIS VALSAMIS: Electricity, yes.

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: Yes.

CHAIRMAN E. CONKLIN: We usually allow electricity and heat, but no running water.

LEFTERIS VALSAMIS: No, no, no.

ELENI VALSALMIS: No, no, no, no water.

LEFTERIS VALSAMIS: No heat, it's uh, we use it as a playground for the grandchildren and then when the time I put my cars in there.

CHAIRMAN E. CONKLIN: Okay.

COMM. J. ORAZIETTI: Did you get any letters from the neighbors or no?



ELENI VALSALMIS: We mailed them.

COMM. J. ORAZIETTI: You mailed them, right?

ELENI VALSALMIS: We gave you the receipts.

LEFTERIS VALSAMIS: Yeah, yeah.

COMM. J. ORAZIETTI: But I was wondering--

ELENI VALSALMIS: I gave you the receipts.

COMM. J. ORAZIETTI: Oh, okay. I guess we'll find out.

LEFTERIS VALSAMIS: I, I, I mailed the letters to the neighbors and I gave them the picture of the barn and I also gave them the picture of uh, the

ELENI VALSALMIS: The lot and where it's going to be sitting.

LEFTERIS VALSAMIS: Of the lot with the location of the barn and everything, so,

CHAIRMAN E. CONKLIN: Okay.

LEFTERIS VALSAMIS: You know, I want to be able to say "good morning" to them when I get up in the morning!

CHAIRMAN E. CONKLIN: You mailed all three of those documents to all the neighbors?

ELENI VALSALMIS: Yeah, yeah, yeah, all 3.

LEFTERIS VALSAMIS: Yes, yes, yes, yes, absolutely.

CHAIRMAN E. CONKLIN: All right. Any questions? Okay. Anybody in the audience in favor of this application? Anybody in favor of this application? Anybody opposed to this application? Any further questions from the board?

COMM. L. ADANTI: No, I'm good. Thank you.

CHAIRMAN E. CONKLIN: Nothing? Okay, I'll declare this hearing closed. Thank you.

LEFTERIS VALSAMIS: Thank you.

CHAIRMAN E. CONKLIN: We need to keep all these pictures.

ELENI VALSALMIS: Oh, all of these?

CHAIRMAN E. CONKLIN: Nope, nope, you didn't show us those.

COMM. J. ORAZIETTI: We have copies.

ELENI VALSALMIS: And I think... do you need that one, too?

CHAIRMAN E. CONKLIN: Yes, uh, do we have a copy of that?

ELENI VALSALMIS: Oh, you can keep that.

LEFTERIS VALSAMIS: Oh, you can keep it. It's okay. I have a copies over here. Okay thank you.

CHAIRMAN E. CONKLIN: Thank you. Yup.

- - -  
Later that evening, upon motion made by Commissioner Cavallaro and seconded by Commissioner Oraziotti, the Board unanimously voted "In the application by Lefteris Valsamis of 5 Strawberry Lane for a variance to Section 24.12.1 Private Garage to increase the square footage from 750 sq. ft. to 936 sq. ft. in order to construct a barn measuring 26' x 36' x 20' high,

The application for a variance is approved.

Inasmuch as all setbacks on the property meet the requirements and the resulting total lot coverage is well below the maximum allowed. Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to Section 24.12.1 Private Garage to increase the square footage from 750 sq. ft. to 936 sq. ft. in order to construct a barn measuring 26' x 36' x 20' high.

**This certificate is contingent upon the following stipulations: 1. There shall be no running water in the garage. 2. The garage is for non-commercial usage only. 3. The garage doors shall not be over 8' high.**

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."

- - -  
VICE-CHAIRMAN P. CAVALLARO:

**#0619-05 77 Fawn Hill Road, Ed and Judite Collins of 77 Fawn Hill Road** for a variance to Section 24, Schedule B, Line 9 to reduce the minimum setback from the left side property line (corrected during hearing to right side) from the required 30' to 22' in order to construct a single story addition measuring 22' x 23' in an R-1 zone.

JUDITE COLLINS: Hi, I'm Judite Collins, 77 Fawn Hill Road.

CHAIRMAN E. CONKLIN: Okay.

DAVID MELANSON: Hello, I'm David Melanson, Brentley Builders. I'm the contractor. I live on 5 Brent Leaf Drive, Shelton, Connecticut.

CLERK T. KELLY: Could you just repeat your name again?

DAVID MELANSON: David Melanson.

CLERK T. KELLY:: How do you spell that last name?

DAVID MELANSON: M-E-L-A-N-S-O-N. Just bear with me. My allergies are--

CHAIRMAN E. CONKLIN: Okay. You have, um, pictures and...?

CLERK T. KELLY:: And your address? I'm sorry sir.

DAVID MELANSON: 5 Brent Leaf Drive.

CLERK T. KELLY: Okay. Perfect.

JUDITE COLLINS: I have the pictures.

DAVID MELANSON: I apologize.

CLERK T. KELLY:: No, no, no. It's okay.

CHAIRMAN E. CONKLIN: All right. Let's lay out these pictures.

JUDITE COLLINS: And I also have my neighbor here, too.

CHAIRMAN E. CONKLIN: You can't speak as of now.

COMM. J. ORAZIETTI: Let's bring the maps down that way.

CHAIRMAN E. CONKLIN: Unless he's part of your building party or something of that nature. All right, then. Uh, now these pictures are facing from which direction? I noticed you, your application is from Fawn Hill--you're saying your street is on Fawn Hill Road which is back here. Okay. Now, you're claiming that is the front of your house, or is that your legal address, or?

JUDITE COLLINS: It's the front of my house. I'm right on Fawn Hill, yeah.

DAVID MELANSON: Yeah, this is considered the front of the house.

CHAIRMAN E. CONKLIN: Well, that is showing me Wilson Lane.

DAVID MELANSON: I, I know.

JUDITE COLLINS: I know, it's like it turns - it's part Wilson and then it turns into Fawn, it's really strange.

DAVID MELANSON: It loops right around. It has a loop here.

CHAIRMAN E. CONKLIN: Okay. So where does Fawn Hill start, start and...?

DAVID MELANSON: Fawn Hill is actually over here.

CHAIRMAN E. CONKLIN: And where does it end?

DAVID MELANSON: And it ends, it used to be a dead-end road over here at one time where Wilson was.

COMM. J. ORAZIETTI: On the Google Map it's Fawn, Fawn Hill Road.

DAVID MELANSON: Right.

COMM. J. ORAZIETTI: Right in front of the house.

DAVID MELANSON: It's, it's, you know I mean, I don't know why they set that up like that.

CHAIRMAN E. CONKLIN: All right.

DAVID MELANSON: It's beyond me quite honestly.

VICE-CHAIRMAN P. CAVALLARO: It's caused confusion, now.

CHAIRMAN E. CONKLIN: Yeah, that's why I was trying to, when I got these maps...

JUDITE COLLINS: It's very confusing.

CHAIRMAN E. CONKLIN: I was trying to associate what went where and this one showed me Wilson Drive, okay. So, it is facing - and I have to make this clear for the record - okay, even though this does show Wilson Drive, okay, this is actually Fawn Hill Road.

DAVID MELANSON: Uh-huh.

JUDITE COLLINS: Correct.

CHAIRMAN E. CONKLIN: Okay, by the map you supplied to us. Okay. And the front of your house is based upon

JUDITE COLLINS: Right.

CHAIRMAN E. CONKLIN: That, that view.

JUDITE COLLINS: Yes.

DAVID MELANSON: Correct.

CHAIRMAN E. CONKLIN: Okay. All right, so, and that was one of the questions here, was, to reduce the left side of your house. The problem is, okay, you're actually reducing the right side of your house, because everything we do is based upon standing on your front porch looking out at the road.

DAVID MELANSON: Yeah, okay.

CHAIRMAN E. CONKLIN: Okay. So, we have to make it clear for the record, you're actually looking for a reduction on the right-hand side of your house and not the left-hand side.

DAVID MELANSON: That is correct.

CHAIRMAN E. CONKLIN: All right? Let me take a quick look at these and then pass them down. All right, tell us what you're trying to do and why you're having trouble meeting the zoning regulations.

DAVID MELANSON: Well, we're just looking to build an in-law addition off to the side. 8 hours.

CHAIRMAN E. CONKLIN: Okay.

DAVID MELANSON: Expand the house, you know, making the living space a little more convenient for them inside their house.

CHAIRMAN E. CONKLIN: Okay. What is the living space going to be used for?

DAVID MELANSON: Uh, master bedroom only.

CHAIRMAN E. CONKLIN: And it's a single story?

DAVID MELANSON: Yes.

CHAIRMAN E. CONKLIN: This house is a ranch?

DAVID MELANSON: Yes, it is.

CHAIRMAN E. CONKLIN: Okay. Peak lines will be running down the same...?

DAVID MELANSON: I have the same design. Yeah, exactly.

CHAIRMAN E. CONKLIN: Okay.

COMM. B. VASSER: And you can't build behind because the septic?

DAVID MELANSON: Yeah, exactly.

CHAIRMAN E. CONKLIN: Okay. You're keeping it, actually

DAVID MELANSON: Actually, we spoke a a little bit.

CHAIRMAN E. CONKLIN: Yeah, I was going to say,

DAVID MELANSON: Yeah.

CHAIRMAN E. CONKLIN: It's a little bit narrower than the original section of the house.

DAVID MELANSON: Exactly.

CHAIRMAN E. CONKLIN: Which is 22' wide.

DAVID MELANSON: Yeah. We tried to work with it, we tried to squeeze it

CHAIRMAN E. CONKLIN: Yeah, and the house is not set on the lot.

DAVID MELANSON: Yeah. Right.

CHAIRMAN E. CONKLIN: Square to the lot is one of the problems is here. And also, I don't know why they do that.

DAVID MELANSON: Yeah, I know.

CHAIRMAN E. CONKLIN: It's the biggest problem. And then also, they kitty corner the lots. Uh, where's the septic?

DAVID MELANSON: The septic is back here.

CHAIRMAN E. CONKLIN: Okay. Uh, where's the, it's a well? This should be a well.

DAVID MELANSON: Well? No, city water.

CHAIRMAN E. CONKLIN: It is city water up there? Okay.

JUDITE COLLINS: Yeah, it's city water.

CHAIRMAN E. CONKLIN: All right so we have city water and a well. Okay. What's the, is this your septic and galleys?

DAVID MELANSON: Yup.

CHAIRMAN E. CONKLIN: Okay. So that's the existing septic right there.

DAVID MELANSON: Exactly.

CHAIRMAN E. CONKLIN: All right, so we can't go back with the addition.

DAVID MELANSON: Exactly.

CHAIRMAN E. CONKLIN: All right. Questions?

COMM. J. ORAZIETTI: How long have you lived here?

JUDITE COLLINS: 21 years.

COMM. J. ORAZIETTI: Okay. This is going to be an in-law set-up?

JUDITE COLLINS: Yes. Well, it's going to be a master bedroom, so we have an extra room for my parents. Mm-hmm.

CHAIRMAN E. CONKLIN: It's not a true in-law set-up? You're just adding a

JUDITE COLLINS: Right.

CHAIRMAN E. CONKLIN: An extra bedroom.

JUDITE COLLINS: More space to the house.

CHAIRMAN E. CONKLIN: Or you're not having a separate living area with a kitchen?

JUDITE COLLINS: No. Oh, no, no, no.

DAVID MELANSON: Oh, no, nothing like that.

CHAIRMAN E. CONKLIN: So, it's not a true

DAVID MELANSON: It's just a master.

JUDITE COLLINS: It's just a master bedroom.

CHAIRMAN E. CONKLIN: Yeah, it's not an in-law set-up.

JUDITE COLLINS: It's all it is, is just a master bedroom.

COMM. B. VASSER: It's really only 2 (corners? forms?), right?

DAVID MELANSON: Exactly.

COMM. B. VASSER: The majority of it is inside the building lot?

DAVID MELANSON: Exactly.

CHAIRMAN E. CONKLIN: Okay. Any other questions?

CHAIRMAN E. CONKLIN: Okay. Any questions? Anybody in favor of this application? Anybody in favor of this application? Anybody opposed to this application?

UNKNOWN VOICE: I have some questions.

CHAIRMAN E. CONKLIN: Okay. Name and add - before you start, name and address for the record, please.

RICHARD WIDOMSKI: Richard Widomski.

CLERK T. KELLY: W-I-D-O-M

RICHARD WIDOMSKI: S-K-I.

CLERK T. KELLY:: S-K-Y?

RICHARD WIDOMSKI: I! I!

CLERK T. KELLY: Oh, I'm sorry. And address?

RICHARD WIDOMSKI: 81 Fawn Hill Road.

CHAIRMAN E. CONKLIN: You have to speak up because it's recording.

RICHARD WIDOMSKI: Oh, sorry. Fawn Hill Road. So, the way it looked on the legal notice, that the setback is 8' from the uh, or the setback is 8' from the property the way it's reading--you're reading it from the legal notice.

CHAIRMAN E. CONKLIN: No, it's not. 8' is

RICHARD WIDOMSKI: No, no, no, correct.

CHAIRMAN E. CONKLIN: 22'.

RICHARD WIDOMSKI: Right, right it's 22'. So, it makes it look like it's off by 8' from my property, but it's

CHAIRMAN E. CONKLIN: No, they're telling you, the legal notice is telling you that it's 22' from the property line.

RICHARD WIDOMSKI: Correct.

CHAIRMAN E. CONKLIN: They're reducing the setback from 30' to 22'.

RICHARD WIDOMSKI: Correct, so...what? So, that's really not my property there, I just wanted to be clear for the record that the front part that's abutting my property is only 4'. So,

CHAIRMAN E. CONKLIN: Where is your property?

RICHARD WIDOMSKI: It's over to the left.

JUDITE COLLINS: His would be here, right here.

RICHARD WIDOMSKI: Yeah, actually here. So, the setback, I just want to get on the record that the setback from my property is the 4'.

CHAIRMAN E. CONKLIN: No.

RICHARD WIDOMSKI: Sorry, 26'.

CHAIRMAN E. CONKLIN: 26'.



RICHARD WIDOMSKI: So, and not 22'.

CHAIRMAN E. CONKLIN: 22', correct.

RICHARD WIDOMSKI: Because, uh, I'm concerned if I were to ever move or if they moved, somebody would pull a legal notice or see that they're allowed--even though they may only encroach it 4'; I want to make sure that it's on record that they're not going to approve the 8' for the front.

CHAIRMAN E. CONKLIN: I don't know where you're getting 8' from. There's nothing in here that says

RICHARD WIDOMSKI: Well, when you read, it sure does.

CHAIRMAN E. CONKLIN: *(READING)*: "Left-side property line from the required 30' to 22'."

RICHARD WIDOMSKI: Correct. So, it looks like, uh, you're - based on the way it's worded, makes it looks like my property, we're allowing it to go 22'.

COMM B. VASSER: No, no, you're, it's, it's,

RICHARD WIDOMSKI: The way it's worded in the legal notice.

COMM B. VASSER: The line from the required 30',

RICHARD WIDOMSKI: To 22.

CHAIRMAN E. CONKLIN: To 22.

COMM B. VASSER: To 22.

RICHARD WIDOMSKI: Correct.

COMM B. VASSER: So that means the difference is 8, that means they're building 8' closer.

RICHARD WIDOMSKI: Correct.

COMM B. VASSER: To the property line, not

RICHARD WIDOMSKI: Right.

COMM B. VASSER: 22' closer to the property line.

RICHARD WIDOMSKI: Right. But I just want to get it clear on the record where my property, it's not 22', it's 26.

CHAIRMAN E. CONKLIN: Right.

COMM B. VASSER: That, if...your, your property is here?

RICHARD WIDOMSKI: Correct.

COMM B. VASSER: 26' is this side, is what they're requesting.

RICHARD WIDOMSKI: Yes. Yes, I just want to make sure it's on record.

COMM B. VASSER: It's clear and on record.

RICHARD WIDOMSKI: Okay.

COMM B. VASSER: Yes sir.

RICHARD WIDOMSKI: Okay.

JUDITE COLLINS: And I have the notification letters and a copy, too, of the receipt.

CHAIRMAN E. CONKLIN: Okay, well, we don't need those.

JUDITE COLLINS: You don't need them?

CHAIRMAN E. CONKLIN: No, you gave us, you gave me the receipts that you mailed them out, didn't you?

JUDITE COLLINS: They're—they're right there, yeah.

CHAIRMAN E. CONKLIN: We should have the other stamped ones. I should have them; I thought she gave me those.

JUDITE COLLINS: No.

CHAIRMAN E. CONKLIN: Okay, so all three we did.

JUDITE COLLINS: Yeah.

CHAIRMAN E. CONKLIN: All three gave them back, okay, that shows that they got them, too.

JUDITE COLLINS: And just a copy of the letters.

CHAIRMAN E. CONKLIN: Okay.

JUDITE COLLINS: I don't know if you want them. And I attached the survey, too. And I also had them come over, all three of them, separately, and I put markers. I had them walk over and I actually showed them and they're okay with it.

CHAIRMAN E. CONKLIN: Okay, you sent out this survey map along with it, right?

JUDITE COLLINS: Yes, yep. And I actually spoke with them, brought them over, put markers,

CHAIRMAN E. CONKLIN: Okay.

JUDITE COLLINS: And showed them exactly what the plan was, and, and they're fine with it.

COMM B. VASSER: Mr. Chairman, I just want to make one point. I think what Mark is trying to say is that the, the variance request is for 22', which means that either one of these corners could potentially be 22'.

RICHARD WIDOMSKI: Yes.

CHAIRMAN E. CONKLIN: Correct.

COMM B. VASSER: Okay.

RICHARD WIDOMSKI: Yeah, but I don't

COMM B. VASSER: But we have to stipulate

CHAIRMAN E. CONKLIN: We do.

JUDITE COLLINS: And this is Rich.

CHAIRMAN E. CONKLIN: We can stipulate for this map.

*(MULTIPLE VOICES; UNCLEAR)*

COMM. B. VASSER: This is going to stay 26.

JUDITE COLLINS: Yeah. And this is Rich.

CHAIRMAN E. CONKLIN: We can stipulate per the drawing.

*(MULTIPLE VOICES; UNCLEAR)*

COMM. B. VASSER: I understand. I understand now.

JUDITE COLLINS: And he's Rich.

RICHARD WIDOMSKI: That's why, yeah, that's why, why I'm here, cause

JUDITE COLLINS: That's Rich. Yeah, it's Rich.

COMM B. VASSER: Oh, Rich.

RICHARD WIDOMSKI: Because I'm Rich, I'm the neighbor.

JUDITE COLLINS: Mark is on the other side.

RICHARD WIDOMSKI: Yeah.

JUDITE COLLINS: He's on the other side where the garage is.

COMM B. VASSER: Okay, wow, I thought I saw it somewhere.

JUDITE COLLINS: Yeah.

RICHARD WIDOMSKI: Yeah, that's okay. So I just, yeah, right. That's what I want to get on record, cause

COMM B. VASSER: I got it.

RICHARD WIDOMSKI: Yeah.

JUDITE COLLINS: Right.

COMM B. VASSER: I got you, now.

CHAIRMAN E. CONKLIN: We would, we stipulate, also, that it's per this drawing that's supplied to us, with these dimensions.

RICHARD WIDOMSKI: Okay.

JUDITE COLLINS: Yeah, we're not going to alter anything. It's exactly the way it is.

COMM B. VASSER: But if it's worded a certain way without a stipulation then it could

JUDITE COLLINS: Right.

COMM B. VASSER: You know,

RICHARD WIDOMSKY: Yeah.

COMM. B. VASSER: Potentially,

RICHARD WIDOMSKI: So, so it looks like, it looks like it could be 22' on, on my property, as well.

JUDITE COLLINS: Right.

COMM B. VASSER: Yeah, I understand what you're saying.

RICHARD WIDOMSKI: So, yeah. Yup,

CHAIRMAN E. CONKLIN: Yes.

RICHARD WIDOMSKI: All right. so it'll go

COMM B. VASSER: I thought you thought it was going to be 8' or 6', or 8.

RICHARD WIDOMSKI: No, no, no, no, yeah. So, so, it'll go the way you guys uh, vote when you approve it, if you approve it. It'll state that the front part of the property will be, the front corner will be at most 4'.

COMM B. VASSER: It'll be based on this plan.

RICHARD WIDOMSKI: Okay, and that's how it'll be worded?

CHAIRMAN E. CONKLIN: This, the, the, the, the drawings supplied to us at the, at the hearing.

RICHARD WIDOMSKI: Okay.

VICE-CHAIRMAN P. CAVALLARO: This is part of a permanent record.

RICHARD WIDOMSKI: Okay, perfect.

CHAIRMAN E. CONKLIN: Yeah.

RICHARD WIDOMSKI: Okay, yeah, I was concerned down the road if I were to sell the house for instance, and somebody looks at this and says:

CHAIRMAN E. CONKLIN: All these documents

RICHARD WIDOMSKI: "Woah, woah, these people..."

CHAIRMAN E. CONKLIN: All these documents that you see here

RICHARD WIDOMSKI: Yup.

CHAIRMAN E. CONKLIN: You can go into the City Hall log and all these are on file, everything that's here.

RICHARD WIDOMSKI: Okay.

CHAIRMAN E. CONKLIN: Okay? So, it's there.

RICHARD WIDOMSKI: Okay. Thank you.

CHAIRMAN E. CONKLIN: All right. So, you're not objecting to it, you just had questions of what

RICHARD WIDOMSKI: Just had questions.

CHAIRMAN E. CONKLIN: And wanted to clarify what was going on?

RICHARD WIDOMSKI: Yes, correct.

CHAIRMAN E. CONKLIN: All right. Anybody else opposed just to make sure? Okay. Any other questions?

UNKNOWN VOICE #4: *(INAUDIBLE; UNCLEAR)*

CHAIRMAN E. CONKLIN: You can't speak from the audience. You want to speak, please come up to the table, give your name and address for the record.

UNKNOWN VOICE #4: *(INAUDIBLE; UNCLEAR)*

RICHARD WIDOMSKI: No, they're not going to correct the legal notice but it's, it's, it's fine.

CHAIRMAN E. CONKLIN: The legal notice is correct because it goes by the mini - it goes by the minimum setback.

UNKNOWN VOICE #4: As long as you go by the plan, rather than by the legal notice.

CLERK T. KELLY: What is his name?

CHAIRMAN E. CONKLIN: Well, it goes by the legal notice.

VICE-CHAIRMAN P. CAVALLARO: You have to state your name and address for the record.

*(UNCLEAR)* WIDOMSKI: ? WIDOMSKI.

CHAIRMAN E. CONKLIN: What's your address?

? WIDOMSKI: 49 Christine Drive.

CHAIRMAN E. CONKLIN: Okay.

? WIDOMSKI: If it goes by the legal notice, there's a contradiction between the legal notice and the plot plan.

RICHARD WIDOMSKI: Right, yeah, no, they said it's going to go by the map.

? WIDOMSKI: And that's why, are you gonna go and you don't go by the legal notice, then?

CHAIRMAN E. CONKLIN: Well, it goes by the legal notice—legal notice is asking for the minimum reduction and that is what is required by legal notice.

? WIDOMSKI: What are you going to pass? The legal notice, the minimum?

CHAIRMAN E. CONKLIN: Can I finish?

? WIDOMSKI: Or the print?

CHAIRMAN E. CONKLIN: Can I finish?

? WIDOMSKI: Pardon?

CHAIRMAN E. CONKLIN: The legal notice is required to get the minimum setback or minimum reduction that they're asking for. If there are other issues that people wanted to clarify, we'll clarify them in, when we have the vote or we're going to stipulate it's per, per the drawing.

? WIDOMSKI: Here's the legal notice that they're asking for.

COMM. B. VASSER: I understand, this, this, this plan is part of the permanent record, so,

? WIDOMSKI: Yeah, but so is this legal notice.

COMM. B. VASSER: Right, but

? WIDOMSKI: But what? What, what, what, what's the problem with that?

*(MULTIPLE VOICES; UNCLEAR)*

CHAIRMAN E. CONKLIN: There is no "but." I just explained to you. It goes by the minimum reduction, that's what is, the regulation requires. Now, when they're asking for a variation, it goes by the minimum reduction or maximum reduction.

? WIDOMSKI: Which is the plot plan?

CHAIRMAN E. CONKLIN: By that, they're asking for.

? WIDOMSKI: Which is the plot plan?

CHAIRMAN E. CONKLIN: No, you aren't listening.

? WIDOMSKI: No, you're not listening to me!

RICHARD WIDOMSKI: Oh my God.

? WIDOMSKI: You're not listening to the question.

RICHARD WIDOMSKI: ...Oh man. No, no, no. Dad, we're good. We're good.

CHAIRMAN E. CONKLIN: You weren't listening to

RICHARD WIDOMSKI: We're good.

CHAIRMAN E. CONKLIN: What the legal requirements are. The legal requirements are for a

RICHARD WIDOMSKI: Right, correct.

? WIDOMSKI: I want this matter on the record that it goes by the plot plan. Thank you.

CHAIRMAN E. CONKLIN: Yeah, okay. All right. Okay? Any other questions?

COMM. B. VASSER: Nope.

CHAIRMAN E. CONKLIN: Okay. Any other? Okay. I declare this hearing closed. Thank you.

JUDITE COLLINS: Thank you.

RICHARD WIDOMSKI: Thanks.

CHAIRMAN E. CONKLIN: All right, you're welcome.

Later that evening, upon a motion made by Commissioner Vasser and seconded by Vice-Chairman Cavallaro, the Board unanimously voted "In the application by Ed and Judite Collins of 77 Fawn Hill Road for a variance to Section 24, Schedule B, Line 9 to reduce the minimum setback from the right side property line\* from the required 30' to 22' in order to construct a single story addition measuring 22 feet x 23 feet, The application for a variance is approved with a stipulation.

Inasmuch as the right side is the most appropriate location on the property for the addition and that the existing septic system prevents the addition from being added to the back of the house. Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to Section 24, Schedule B, Line 9 to reduce the minimum setback from the right side property line\* from the required 30' to 22' in order to construct a single story addition measuring 22 feet x 23 feet.

*\*At hearing, application corrected to read "right side" not "left side" property line.*

**This certificate is contingent upon the stipulation that the 22' setback is for the rear corner; the front corner shall not be less than a 26' setback for the addition as shown on the survey map submitted to ZBA during 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."

**OTHER ITEMS OF BUSINESS:**

**MINUTES - Motion made by Chairman Conklin and seconded by Vice-Chairman Cavallaro to approve the minutes from the May 21, 2019 hearing as presented by the clerk. Motion approved by unanimous vote.**

**HEARING ADJOURNED AT APPROXIMATELY 8:30 P.M.**

by Tina M. Kelly, Clerk  
for PHILIP J. JONES, SECRETARY,  
SHELTON BOARD OF ZONING APPEALS