

Board of Zoning Appeals – Hearing Room, Municipal Building 54 Hill Street, Shelton, CT.  
Tuesday, January 20, 2015 at 7:30pm

AGENDA:

- #1114-2 Michael McGinnis at 41 Birchbank Road
- #1214-2 Justin Calderaro: at 106 River Road
- #115-1 S&G of Shelton at Thompson Street, Map 108, Parcel 26, Proposed Lot 3A
- #115-2 S&G of Shelton at Thompson Street, Map 108, Parcel 26, Proposed Lot 3B

Mr. Conklin: Good evening ladies and gentlemen and welcome to the January meeting of the Zoning Board of Appeals. We have four items on the agenda this evening. We meet monthly to consider variances for zoning, consider zoning variances and zoning appeals. When your application is called, please come up to the table. You will be asked to provide four pictures and receipts indicating that you have notified your abutting neighbors, in compliance with the regulations to start the hearing. If you don't have these, we will reschedule the hearing for the next meeting. When you come before, in front of the Board you are giving testimony. This is a hearing. If the decision made by this Board at the end of the hearing is challenged and taken to the next level, it is the recorded testimony that is presented, not any member of this Board. Our minutes are transcribed verbatim. The two recorders on the table up here can only record one person at a time. The conversation at all times is between the person in front of us and the Board members only. There's no cross conversation between people sitting up here. Also, please turn off or mute all of your cell phones at this time so this way they don't interfere with the recording. And if you need to have any conversations out in the hallway there, please, or out in the audience, please take them out in the hallway because they will interfere with our recording up here. Present tonight are members Commissioner Bryan Vasser, Commissioner Linda Adanti, our clerk is Lori Michalak, I'm Ed Conklin, Chair and to my right is Commissioner Philip Jones. Also, we have one other issue tonight we need to discuss beforehand. We usually have five voting commissioners present on any given night. Tonight we only have four. It takes four affirmative votes for an application to pass. So if we close the hearing tonight and the application, and the applicant will have the option to delay the vote until the next hearing when there are five commissioners present, so that is up to them. Okay. Jamie?

**#1114-2 41 Birchbank Road**, Michael McGinnis of 41 Birchbank Road, Shelton, CT is seeking to waive Section 24.4.12, Schedule B, Standards 9 and 11 by varying the setbacks from the left side yard from 10 ft. to 2 ft. and the right side yard from 10 ft. to 8 ft., and maximum lot coverage from 15% to 16% for a 14'x39' deck.

Mr. Conklin: Is the applicant here? They already have a variance on this property.

Clerk: Yeah, that's what that says. Right side from 10 to 8 for an addition and 10 to 2 for a garage street line

Mr. Conklin: Yeah, have a seat.

Clerk: That's what those mean, this is right side and street line

Mr. Conklin: Alright so the only thing we have, right now as it stands, you have those variances on this property. On the right side you have 10 ft. to 8 ft. and on the left side from 10 ft. to 2 ft. Okay, so those variances do exist on the property. Right now it looks like you are going also for an added variance for 15 to 16 feet, I mean percentage of lot coverage.

Mr. McGinnis: Yes

Mr. Conklin: alright, do you have pictures and

Clerk: We need his name and address too

Mr. Conklin: And these are both of your abutting neighbors?

Mr. McGinnis: Yeah, Lloyd Tice and Haywood, Brett Haywood and Michele Pagliaro

Mr. Conklin: and these are actually the ones for, they picked them up

Mr. McGinnis: correct

Mr. Conklin: Okay, so both of them have received it. Okay, can you tell us

Clerk: we need his name and address

Mr. Conklin: Name and address please for the record?

Mr. McGinnis: 41 Birchbank Road

Mr. Conklin: and your name?

Mr. McGinnis: Michael McGinnis

Mr. Conklin: Okay, could you tell us what you're trying to do and why you can't meet the regulations?

Mr. McGinnis: I'm trying to build a deck on my house, just as my neighbors have. I had originally planned to do it years ago when I went up a second floor, but I didn't have the money so I waited, and I finally do now, and I just want to pretty much have a deck which pretty much everyone on the river has. I just couldn't afford it for awhile

Mr. Conklin: Is, you have a stair, is this a staircase that's existing here? On this part?

Mr. McGinnis: No, this, here's my walkway, it's going to go right to a landing and right to the deck.

Mr. Conklin: Okay, so that's, that's just a walkway

Mr. McGinnis: correct

Mr. Conklin: okay, that's not any structure

Mr. McGinnis: No

Mr. Conklin: Alright, so really all we're looking for tonight is to grant the variance on the percentage of lot coverage, because everything else has been passed, 7/16/1996, is that when you did the original addition?

Mr. McGinnis: Yes

Mr. Conklin: okay, so you got a variance back then to get those

Mr. McGinnis: right

Mr. Conklin: any other questions from the Board?

Ms. Adanti: Well, I just, could you clarify what it means to go from 15 to 16%, what

Mr. Conklin: That's the total amount of coverage on the lot

Ms. Adanti: I understand that, but what is going to be covered, the deck?

Mr. Conklin: Yes,

Ms. Adanti: Alright, so, in other words, it's just going to come out farther

Mr. Conklin: and as you were saying, all of your neighbors in the neighborhood have a rear deck on their lots

Mr. McGinnis: yes

Mr. Conklin: toward the river

Mr. McGinnis: Correct

Mr. Vasser: Can the deck be made smaller to fit within, or do you need the extra 1% for the entire thing? Do you follow me?

Ms. Adanti: Size-wise, 14 by

Mr. Vasser: What would you have to reduce it to in order to keep it under the 15%?

Mr. McGinnis: I really don't know I

Mr. Conklin: a lot of the lots down there are

Mr. McGinnis: They're all non-conforming lots

Mr. Conklin: they're all non-conforming lots and they're also small.

Mr. McGinnis: In fact, this house is smaller than both of my neighbors

Mr. Conklin: what's the depth on that? The deck is only 8

Mr. Vasser: 14 feet?

Ms. Adanti: 14 by

Mr. Vasser: the width of the house

Mr. Conklin: the width of the house, okay

Mr. Vasser: 39 feet, 14 by 39

Ms. Adanti: Can I see the pictures too please?

Mr. Conklin: Sure

Ms. Adanti: Thanks

Mr. Vasser: And the neighbors' decks, their lot coverage, they have the same problem?

Mr. McGinnis: Yeah, we have small lots down there, so there's

Mr. Vasser: Is your deck going to stand out further than any of the decks on the adjacent properties?

Mr. Conklin: Well one, because his house is back farther

Ms. Adanti: yeah, see this is one is back

Mr. Conklin: If you look at this, this house is set way back that way, it's set more close, it's right up against the road

Mr. Vasser: I see, yours is just set back farther. I just mean in proportion, is your deck larger than everyone else's?

Mr. McGinnis: No

Mr. Conklin: The history of that area is most of these houses were built as summer cottages back in the 50's and 60's, and they've been since converted to livable year round houses.

Ms. Adanti: Alright, thank you

Mr. Conklin: Any further questions? Alright, I'll declare the hearing closed

Clerk: No, no, anyone in favor?

Mr. Conklin: I'm sorry, anyone in favor to this application? (yes) Would you come up please? Would you please give your name and address for the record?

Mr. DeMayo: Good evening. My name is Lou DeMayo, I live at 37 Birchbank Road. I'm in favor of this application. Like he said, we're all pre-existing non-conforming lots down there, and they're very tight. And pretty much every property down there has variances on it. In regard to that 15% and that 1%, his house coverage right now is probably at 15%. I mean that deck may represent that 1%, um, you know, to not be able to enjoy that river view and you know, the amenities that that river gives you, you know, he's lived without it for what 20 some odd years?

Mr. McGinnis: yep

Mr. DeMayo: You know, he's been struggling to get that money up to build that deck so they can enjoy it. So that's why I'm in favor of it.

Mr. Conklin: and then you're saying essentially all your neighbors, all the neighbors, and they all have rear decks facing the river

Mr. McGinnis: Yeah, you can see both neighbors, and I'm probably one of the last ones that doesn't have one

Mr. Conklin: Okay, is there anyone else in favor? (no response) Is anybody opposed? (no response) Okay, no one being opposed, I'll close the hearing. Thank you.

Later that evening during the work session the Board, upon motion by Commissioner Jones and seconded by Commissioner Adanti, unanimously voted that:

**#1114-2** "In the application of Michael McGinnis of 41 Birchbank Road, Shelton, CT, for a certificate of approval for a 14'x39' deck to be located on the property of the applicant at 41 Birchbank Road, R-1 zone, and which requires reductions in the setbacks from the right and left side yards and an increase in maximum lot coverage,

The application for variances is approved.

Inasmuch as the lot is a pre-existing non-conforming lot; and

Inasmuch as the variances requested for the right and left side yards were previously granted and already exist; and

Inasmuch as the proposed deck allows full use of the property by the owner and is in harmony with the rest of the neighborhood,

Therefore, with due consideration for the public health, safety, welfare and property values, the approval of variances in the minimum setbacks from the right side yard from 10 ft. to 8 ft. and left side yard from 10 ft. to 2 ft. at the above is reaffirmed, and the increase in maximum lot coverage from 15% to 16% at the above is granted (Section 24.4.12, Schedule B, Standards 9 and 11) in this instance.

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."

**#1214-2 106 River Road**, Justin Calderaro of 4 Mohegan Road, Shelton, CT is seeking to waive Section 24, Schedule A, Line 2A to allow a pre-existing non-conforming 7 family listed as a 4 family dwelling.

Clerk: Name and address first

Mr. Conklin: I have two things from, something here from Planning and Zoning

Clerk: Do you want to get his name and address first?

Mr. Conklin: Could you read that please?

Mr. Jones: Read it now?

Clerk: Do you want to get his name and address first?

Mr. Conklin: What's that?

Clerk: Don't you want to get his name and address first?

Mr. Conklin: Uh, pictures we've got them. Receipts? You don't have any receipts? Do you have receipts from the people you mailed to?

Mr. Calderaro: Yes

Mr. Conklin: Okay Alright can you tell us what you, um, no why don't you read that first.

Mr. Jones read: "MEMORANDUM" To: Gerald Glover, Chairman, Board of Zoning Appeals. From: Richard D. Schultz, Planning and Zoning Administrator. Date: December 11, 2014. RE: ZBA Application #1214-2: 106 River Road. The Shelton Planning and Zoning Commission at their December 9, 2014 meeting received and discussed pending ZBA Application #1214-2 seeking a variance to allow for a seven (7) family dwelling to replace an existing four (4) family dwelling for property located at 106 River Road. This review was made pursuant to Section 4.4.5 of the Zoning Regulations. After discussion and review of the application, the Commission noted the following: 1. The property is zoned Residential R-3 which permits single family dwellings only. The City of Shelton recognizes the property as a four (4) family dwelling which is a pre-existing nonconforming use. A total of eight (8) on-site parking spaces are provided. The proposed use would require a total of fourteen (14) spaces. 2. The Commission is concerned with the inability of the property to provide sufficient on-site parking for the intended use. Furthermore, the Commission finds that the proposal would be in violation of the provisions of Section 41: Nonconformity. 3. Based on the circumstances noted above the Commission does not support this variance and recommends that the application be rejected. cc: Shelton Planning and Zoning Commission, File."

Mr. Conklin: Alright, also I have a letter from Justin Calderaro. Also, can I please get your name and address if anybody's going to speak here tonight?

Mr. Calderaro: Yes, Justin Calderaro, my address is 4 Mohegan Road in Shelton. The property address is 106 River Road.

Mr. Conklin: Okay. Are you going to speak?

Mr. Joseph Calderaro: Potentially, Joseph Calderaro, 30 Laurel Street, Trumbull, CT

Mr. Conklin: Okay, I also have a letter from the applicant here

Mr. Calderaro: So, the determination was made last month, am I understanding, was Rick's determination?

Mr. Conklin: No, nothing has been, we're just opening the hearing

Mr. Calderaro: that's just his recommendation?

Mr. Conklin: Yes

Mr. Calderaro: Okay

Mr. Jones read: "To whom it may concern, It has come to my attention that my property on 106 River Road is currently a commercial property allowing four apartments to be rented in the home. When I purchased the home, the previous owner had six of the eight apartments rented to tenants. Although I had a title search done before purchasing the property, my attorney never informed me that the house was only a legal four-family. The home was re-assessed in 2013, and the assessment was done under the assumption that the property was an eight family. Furthermore, my sewer bill has been for an eight family house for the past three years (I made the decision to combine two of the apartments last year). As a result, I have incurred thousands of dollars in additional expenses for each year that I have owned the property. In August of this year I had a fire at the property. One of the apartments was completely destroyed, and my tenants were displaced for over a month. This caused me to incur substantial expenses, due to providing housing for my displaced tenants and to remedy the damage that was caused by the fire. My insurance policy did not cover all of the damages; I was forced to pay much of the cost out of my own pocket. This situation has put me under great financial strain, and made it very difficult for me to make ends meet, let alone invest further money into the property. Furthermore, it was under these difficult circumstances that I became aware that the house was only a legal four family home. As someone who was raised in Shelton, I take pride in the town that I grew up in. It is my goal to be a diligent landlord with ethical, responsible tenants. Most of the tenants who I inherited from the previous owners were not responsible individuals. Over the last few years, I have learned that my tenants reflect on me as the property owner, as well as the Town of Shelton that they reside in. My home is on over an acre of land. In terms of parking space, there is a dirt-lot that would allow for ample parking if the zoning variance was approved. Furthermore, the home is zoned as a R3 property, which supports my contention to have the variance granted. Due to the fact that the property is commercial, I do not receive garbage pickup for the town. However, I pay to have a four yard dumpster, along with a recycling container picked up monthly, which would be sufficient if the house was fully rented. If the zoning variance was approved to allow for seven apartments to be occupied, it would relieve a great deal of the financial strain that I am currently experiencing. Furthermore, over time it will allow me to renovate the property, which will reflect on my local neighborhood, and hopefully attract more responsible tenants to live in my home. Additionally, this will generate more tax revenue for the town. Please consider this request, as this fire has dramatically impacted my financial well-being. Justin Calderaro."

Mr. Conklin: So this is a use variance in front of us actually, not a zoning issue per se. Okay, when did you buy the property?

Mr. Calderaro: 2011

Mr. Conklin: 2011, okay, the attorney did no zoning compliance check on the house?

Mr. Calderaro: I was told that he had, but unfortunately no, this was brought to my attention until recently

Mr. Conklin: alright so he didn't do that. I mean normally someone would pull the Assessor's card,

Mr. Calderaro: of course

Mr. Conklin: I mean, that alone would have told you it was a four family house.

Mr. Calderaro: Well, I do have a document that I got from the Assessor's office dated 1992 stating that the house was an 8 unit home and it was fully occupied at that point

Mr. Conklin: In 1992?

Mr. Calderaro: Correct

Mr. Vasser: When did you receive that?

Mr. Calderaro: recently, I went to the Assessor's office in preparation for the meeting. And you will see it's noted on the back that at the time of the inspection the house was fully rented. When my house was re-assessed in 2012, as I stated in the letter, it was done with the assumption that it was an 8 family home.

(documents being reviewed)

Mr. Conklin: I'm trying to see where it states it's an 8 unit

Mr. Calderaro: It says right on the top, 8 unit apartment

Mr. Vasser: And that's not what it is now on the Assessor's card? This is, do you know when it changed and why?

Mr. Calderaro: I don't. Like I said, when I had, when it was re-assessed recently, it was done by an outside services and they told me that the house was still an 8 family and that's currently what I'm paying my assessment for. And my sewer bill as well.

Mr. Vasser: and who came up with that assessment, that it's an 8 family home, is there a current tax card on file or something that says it is, or is just this one from 1992

Mr. Calderaro: That's the last one I have.

Mr. Vasser: Do you have every, do you have them from '92 on up?

Mr. Calderaro: I have everything, I got everything they had at the assessor's office, so these are the three pieces, excuse me, 4 pieces.

Mr. Conklin: What were you applying for at Planning and Zoning?

Mr. Calderaro: Excuse me?

Mr. Conklin: What were you applying for at Planning and Zoning that made you come here?

Mr. Calderaro: Well, like I said originally, I had an issue at my house where the Fire Marshal came to the house and some other issues came to light in terms of the apartments not being up to code, building code. So about almost a year ago now I began renovations on some of the apartments, getting everything up to code. And then at the time of the fire, I was speaking with Joe in the building office and he had informed me at that point that the house was actually only a four family. So I had several tenants that I, that have left the house since and I'm trying to get everything up to (unclear)

Mr. Conklin: due to the fire, okay

Mr. Calderaro: And that's the other thing I, you know, I invested a lot of money into getting some of these apartments up to the building code, to be told that I can't rent them

Mr. Vasser: Before the fire or after?

Mr. Calderaro: before the fire

Mr. Conklin: So somewhere, do you have the, those assessment cards

Mr. Vasser: Well this is from 1982 and 1965, I don't know how much, I was looking for something

Mr. Conklin: Well, I'm trying to look for something, find something in between, seeing if maybe that was the reason why it was 8 family and they were told they had to roll it back to 4

Mr. Vasser: right, that's why I was asking

Mr. Conklin: somewhere along the line

Mr. Vasser: I'm think that, you know, it seems that there should be something a little newer than 1992. And that's all that they said was

Mr. Calderaro: Yeah, that's was everything they had

Mr. Vasser: they had nothing else?

Mr. Calderaro: Uh uh

Mr. Conklin: Who is the owner? Does it say in there who the owner was?

Mr. Calderaro: Yeah, Jack Hannah

Mr. Conklin: okay

Mr. Calderaro: And like I said, when I purchased the home, there was already 6 tenants living, 6 of the units were occupied when I purchased the home

Mr. Vasser: And when you purchased the home you went and got building permits to update all 6?

Mr. Calderaro: Well, the permits came, yeah, I mean it wasn't at the time of the purchase, but when I started doing the renovations you know, the units that were renovated I pulled permits for. And

Mr. Vasser: And at no time, there wasn't any discussion about the fact that there was 8 units, or 7 units whatever they were,

Mr. Calderaro: No

Mr. Vasser: during the building permit process?

Mr. Calderaro: No, according to what Joe told me is that the building department doesn't communicate with the zoning department. Those are two separate animals, so apparently they wouldn't have any of the information that the assessor's office



Mr. Vasser: so they look at each permit for each unit individually without seeing if they were all on the same

Mr. Calderaro: and I have C.O.'s that I've pulled for all my current tenants

Mr. Conklin: You pulled a C.O. for each one of your, as your tenants turned over?

Mr. Calderaro: Correct

Mr. Conklin: and who inspected?

Mr. Calderaro: Joe

Mr. Conklin: Joe did? I have to figure out where they have the number of units on this one

Mr. Vasser: So there were 3 permits pulled?

Mr. Calderaro: correct

Mr. Vasser: so they really wouldn't, they wouldn't have been able to do the math. If they had 8 permits maybe,

Ms. Adanti: how many four?

Mr. Calderaro: three

Mr. Conklin: So this one looks like it had 6 apartments, 1, 2, 3, 4, 5, 6. This was when? (unclear) put a date on this thing easily. Do you see a date on this thing? I see 6 units on that one, but I don't see a date. There it is, this was recent. Okay. So this property was just re-evaluated last August

Mr. Calderaro: August of 2013?

Mr. Conklin: 14, run date, oh this is a run date. You ran this, this is the run date, this isn't the date of evaluation. 8 unit, oh there it is, 8 unit apartment. Alright. Okay. Let's see, how many parking places do you have there?

Mr. Calderaro: I mean I believe Rick said there was 8, I haven't really gotten to the point where I, you know, labeled them all and said there's this many parking spaces. It's never been an issue in the past, even when there were 6 tenants in the house there was always ample parking. I'd say it's probably about 40 feet long, 2 spaces deep, the dirt lot

Mr. Conklin: the dirt lot?

Mr. Calderaro: uh huh

Mr. Conklin: and this is 1 and a half acres?

Mr. Calderaro: Correct

Mr. Conklin: okay. Alright, any other questions? (no) We're really going to have to, the Board is going to have to go to the Zoning Board of Appeals and do some checking on all this

Mr. Calderaro: okay

Mr. Conklin: alright, so we have to keep this hearing open until next month. Alright? Because right now as it stands it seems like it varied between 6 units, 8 units and somewhere it has a 4 unit number. So we're going to have to go through some records here and see when things were done and how things were accomplished. Alright?

Mr. Calderaro: Sounds good

Mr. Conklin: We'll find out some more information on all that. Any other questions from the Board?

Ms. Adanti: I just want, when talking about the parking lot, you referred to it as a dirt lot

Mr. Calderaro: yes

Ms. Adanti: so it's not paved, and

Mr. Joseph Calderaro: partially paved

Mr. Calderaro: Yeah, there's one area, it's probably about a drive's length, maybe 15 feet that's paved and then

Mr. Vasser: It's not marked or anything, it's just

Mr. Calderaro: correct

Mr. Conklin: Yeah, there's supposed to be two units per, per unit, two parking units

Ms. Adanti: Do you know how big it is? I mean, do you have a measurement?

Mr. Calderaro: In one of the pictures I have the dirt lot there you can see it, it's quite wide

Mr. Vasser: You said it was 40 feet did you say?

Mr. Calderaro: I mean that's an estimate off the top of my head, I'd say it's probably bigger than that to be honest, but, just being conservative

Mr. Conklin: Okay, so it's up on the road though, it's two deep, there it is

Mr. Jones: (unclear) setback from the highway, so he's not parking on the city

Mr. Conklin: Yeah, because you're including, like he's saying, you're including the setback from the highway for the available parking area

Mr. Calderaro: I'm not understanding, I'm sorry, that setback from the highway

Mr. Conklin: There's a distance from the center of the road to, into your property, that's a State highway, so it's probably 25 feet that is not usable for anything

Mr. Calderaro: So the beginning part of my property can't be used to park on?

Mr. Conklin: Right

Mr. Calderaro: but what if my house is directly, you know, offset from the road

Mr. Conklin: And that would be something else to deal with, but this is a change

Mr. Calderaro: okay, I'm just trying to understand

Mr. Vasser: See, typically there's an easement, you know, and this car is in it

Mr. Calderaro: okay

Mr. Vasser: you know, for sure, quite possibly the others

Mr. Conklin: Alright,

Mr. Calderaro: If changes need to be made to the parking situation, I mean, we have more than enough land, I mean, the lot's zoned so that, I mean I can build (unclear) houses without any sort of variance whatsoever. So I mean, there's definitely plenty of land that I can you know, accommodate as necessary to be in line with the code

Mr. Vasser: Is there a survey in the package somewhere?

Clerk: Is there a survey, Bryan wants to know?

Mr. Conklin: Pardon?

Mr. Vasser: Is there a survey

Mr. Conklin: No, there was no, the only thing I have is, he's just showing this, that's it.

Mr. Vasser: And which one are we here

Mr. Conklin: 106, it's lot 106, the first lot there

Mr. Vasser: Do you have a survey? I mean not, I know you don't have it here, but is there one that exists?

Mr. Calderaro: I've never had the land surveyed

Mr. Vasser: If you say there's ample parking, you know, you've got to, you know, it's got to

Mr. Conklin: this property drops drastically and quickly off to the river, as you saw in these pictures

Mr. Vasser: Yeah, so there may be a lot of land, but I don't know without looking at a survey or

Mr. Joseph Calderaro: this whole space right here, and then there's, so then it drops down but then there's a flat area down here as well, obviously,

Mr. Vasser: is this where the cars were here?

Mr. Joseph Calderaro: Yes, they were all on top, and then (unclear)

Mr. Vasser: A survey would tell us where the property lines, it would tell us where the setbacks are, and the usable space and then what's left over beyond that, and also if there's any other places on the property that could be used for parking, that's the only way we can tell. You know, looking at something flat like this

Mr. Conklin: that line that you're seeing, the dark heavy line, that's pretty, probably pretty close to the setback. It's pretty close to that house from the road

Mr. Vasser: Oh, I see, yeah I suppose you'd be right, because it looks like in the photos (unclear)

Mr. Conklin: You know, it could be an issue with all of the parking

Mr. Calderaro: Well, the reason that I questioned that, as you look and see how close these houses are to the street. I mean, if you're saying that you can't park within 25 feet of a state highway, then these people can't (unclear) their driveways

Mr. Vasser: Well there may, there may be a sliver here that would accommodate the length of a car, not two, it's probably not designed to be stacked like that. So there, it may have been planned that way, but without the survey it's difficult for us not knowing the property or anything about it, to say that makes sense or it doesn't, we'd have to see the

Mr. Calderaro: the details

Ms. Adanti: And you said that there's a drop, that there's another flat area behind here that could be used

Mr. Joseph Calderaro: Yeah, the entire (unclear) of the house there's another area, I mean it's a big area, but it's a 10 foot drop from the road and then the

Mr. Calderaro: The house is essentially built down a hill, so it's a three story house, you know, it looks like a ranch from the top of the hill, it's essentially built right down. And laterally, you know, there's some drop off, probably a 15 or 20 feet

Mr. Vasser: So in order to get parking, it would have to be somewhere back here and you'd have to pave (unclear)

Mr. Calderaro: If you wanted 6 (unclear) parking spots there?

Mr. Vasser: 14

Mr. Calderaro: Unless they were two in a line, you couldn't go 14 across on it, is my guess.

Mr. Vasser: Unless there was significant site work

**\*\*several talking at once\*\***

Mr. Conklin: Alright, any other questions? (no) Okay, we'll leave this open until next month to look up some issues

Clerk: Anybody in favor, anybody opposed?

Mr. Conklin: What's that?

Clerk: in favor, and opposed

Mr. Conklin: Okay, is anybody else in favor of this application? (no response) Anybody opposed? (no response) Alright, okay, next month we'll take this up again.

Mr. Calderaro: Thank you for your time.

**#115-1 Thompson Street, Map 108, Parcel 26, Proposed Lot 3A**, S&G of Shelton, LLC, of 689 Long Hill Avenue, Shelton, CT is seeking to waive Section 24, Schedule B, Standards 1, 3, 4 and 9 by varying the minimum lot area from 40,000 sq. ft. to 29,935 sq. ft., square on the lot from 150 ft. to 115 ft., lot frontage from 135 ft. to 116 ft. and setback from the left side yard from 135 ft. to 116 ft. for the creation of a single family lot.

**#115-2 Thompson Street, Map 108, Parcel 26, Proposed Lot 3B**, S&G of Shelton, LLC, of 689 Long Hill Avenue, Shelton, CT is seeking to waive Section 24, Schedule B, Standards 1 and 3 by varying the minimum lot area from 40,000 sq. ft. to 37,480 sq. ft., and the square on the lot from 150 ft. to 130 ft. for the creation of a single family lot.

Mr. Conklin: Okay, good evening gentlemen

Mr. Swift: We're here

Mr. Conklin: you were here a couple months ago

Mr. Swift: Yes, we have. Just to open, my name is Jim Swift, a professional engineer

Mr. Perry: Ben Perry, S&G

Mr. Swift: Mr. Chairman, the adjainers were noticed and the notices are safely packed away in my filing cabinet in my office, embarrassingly. So I would like to leave it to the Board as to whether you would like to open the hearing and table it until next month, or can we make the presentation

Mr. Conklin: I'm going to have to say we'll have to continue this until next month.

Mr. Swift: Okay

Mr. Conklin: And the reason why is it's always been the standard protocol of what we've always done here. Even though I'm a new Chairman, I think we're going to stick with that protocol, okay?

Mr. Swift: So open the meeting, table it and

Mr. Conklin: We won't even open it, because we haven't, don't have everything here to fulfill the application, or the application's requirement of the pictures and abutting neighbor being notified.

Mr. Swift: Well, just the presentation, do you want us to fill out a new application?

Mr. Conklin: No, you're set. Just be here next month.

Mr. Swift: Okay

Mr. Conklin: With the proper, you don't have the pictures here, where are the pictures

Mr. Swift: We do have the pictures

Mr. Conklin: Okay

Mr. Perry: And actually, I don't know if makes any difference, but, no, okay, thank you.

**Approval of Minutes**

During the work session the Board upon motion by Commissioner Jones, and seconded by Commissioner Vasser, unanimously approved the minutes of the December 16, 2014 meeting as submitted by the clerk.

Respectfully submitted,  
Loreen Michalak, Clerk