

Board of Zoning Appeals – Hearing Room, Municipal Building 54 Hill Street, Shelton, CT.
Tuesday, April 21, 2015 at 7:30 PM

AGENDA:

- #415-1** **Soundview Avenue & Molnar Drive**, Ronic Enterprises, Inc. 90 Soundview Ave., Shelton, CT
- #415-2** **425 River Road, Map 66, Parcel 230**, Mike Ballaro of 14 Boehm Circle, Shelton, CT
- #415-3** **31 Wakeley Street**, John Dobkowski of 31 Wakeley St., Shelton, CT
- #415-4** **86 Maler Ave**, Kim M. Caro of 86 Maler Ave, Shelton, CT

Commissioner Conklin: Good Evening Ladies and Gentlemen. Welcome to the April meeting of the Board of Zoning Appeals. We have four items on the agenda this evening. We meet monthly to consider variances on zoning regulations and appeals of zoning department decisions and actions. When your application is called please come up to the table. To start the hearing our regulations require that you have your placard at your house, you provide four pictures and receipts indicating that you notified your abutting neighbors of the hearing tonight. If you don't have these we will reschedule the hearing for the next meeting. When you come 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 it 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 talking speaking at a time. The conversation at all times is between the person who has the floor and the board itself. Also please turn off or mute your cell phones. And any conversations in the audience need to be taken out into the hallway. The members present tonight are Bryan Vassar, our secretary Sue Pulos

Sue Pulos: Pulos

Commissioner Conklin: Uh to my I'm Ed Conklin, to my right is Jaime Jones, to his right is Philip Cavallaro - Jaime

Commissioner Jones: 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, April 21, 2015 at 7:30 p.m., in the hearing room of the Municipal Building, 54 Hill Street, Shelton, CT.

Commissioner Jones: Number 1 - Soundview Avenue and Molnar Drive, Ronic Enterprises, Inc., of 90 Soundview Avenue, Shelton, CT is seeking a waiver to Section 24, Schedule B, Standard 7 by varying the setback from the street line from 20 ft. no from 40 ft. to 20 ft. for a single family high ranch 32 ft. by 66 ft.

Commissioner Conklin: Is the applicant here?

Unidentified voice: I am

Commissioner Conklin: Please come forward.

Roger Spinelli: For the record my name is Roger Spinelli. I reside at 90 Soundview Avenue Shelton CT.

Commissioner Conklin: Ok do you have pictures and

Roger Spinelli: No I don't – I don't have pictures. I have everything but the pictures.

Commissioner Conklin: Undistinguishable – We're going to have to overlook that.

Roger Spinelli: I have a picture of the placard.

Commissioner Conklin: Uh is there a house on the property.

Roger Spinelli: No

Commissioner Conklin: What's on the property

Roger Spinelli: No it's just vacant land. It just – if I can

Commissioner Conklin: Oh you have a picture of the front of the vacant land then, ok. There's no side yard.

Roger Spinelli: This is the front of the property

Commissioner Conklin: Ok - And you have the receipts for the mailings.

Roger Spinelli: Yes I do – here are the receipts - do you want copies of the letters I sent

Commissioner Conklin: Ok Uh – Just one copy - Before we start

Commissioner Jones: April 21 2015 to Ed Conklin Chairman ZBA RE: ZBA 415-1 Soundview Avenue and Molnar Drive – RONIC Enterprises, Dear Chairman Conklin, At its February 5, 2015 regular meeting of the Shelton Inland Wetlands Commission received an application to conduct regulated activities at the above site identified as follows; Permit Application #15-1 Molnar Acres Lot #8 – Soundview Avenue/Molnar Drive. Proposal to construct a single family dwelling involving construction within upland review area along with wetland fill for grading and enhanced planting in regulated area for mitigation. This application at the April meeting requested and received an extension to consider the regulated activities pending the outcome of the ZBA proceeding. During the course of its review, one of the inland wetland commission discussion points was what affect to reduce the regulated activities a possible variance to the Soundview Avenue setback would have. It appears that should ZBA grant a variance all regulated activity would not be eliminated. However, upland review disturbance would be reduced and allow a greater flexibility to position the dwelling to minimize initial encroachment within inland wetland area of concern and help to prevent potential long term incremental encroachment. Signed very truly yours John Cook, Wetlands Coordinator.

Commissioner Conklin: You met with them beginning of this month.

Roger Spinelli: I'm sorry.

Commissioner Conklin: You met with them the beginning of this month

Roger Spinelli: I met on February and then they didn't have a meeting for this month

Commissioner Conklin: Ok

Roger Spinelli: I guess he was sick and there was only two of us and uh I requested a letter an extension I gave him a 65 day extension

Commissioner Conklin: Ok ok

Roger Spinelli: Yeah

Commissioner Conklin: Do you have a site plan.

Roger Spinelli: I do

Commissioner Conklin: Ok

Roger Spinelli: But before I start with the site plan I just wanted to share with each of the commissioners uh a copy of the Shelton Assessor Map showing the highlighted in the heavy yellow –you'll see this is the actual right of way typically it's a 50 foot right of way you can see it from Molnar Drive and Dexter Drive. And it starts on the upper part of page 50 feet and it comes down and goes 60 70 70 80 100 100 100 90 feet and 80 feet. And if you

look at the travel way, it hugs the easterly side of Soundview Avenue so as you can see this is a broad uh right of way which is typically 50 feet. And the X indicates the pond and this is the property that we're going to be discussing. And the site plan – where is the larger one here – if it makes it easier if you can and I have the larger map and what this shows here is the right of way right now is 73 feet which is typically 50 feet and as I just addressed to you that the travel way is on the easterly side of Soundview Avenue. So if it was a typical 50 foot right of way which I indicated on the map over here the house would be uh not the house but the actual set back line would be 47 feet on the corner of the uh to look at it from the street would be the left corner and it would be about 48 feet. Now the set back in the regulation in an R-1 zone is 40 feet uh is the set back line so its its an excess uh so we have more than enough so granting if you your commission decides to grant this 20 foot easement uh it doesn't impact any anything with safety or anything of the travel way uh it pulls the house forward in an upland area which is better for uh uh excavation and keeps us farther away from the wetlands or the pond and the setback for the wetlands is 50 feet. And I am on the agenda for next month uh for inland wetlands to uh go over this uh so easily the house complies if it was a 50 typical 50 foot right of way and you can see here in the bigger map just how much broader it gets but the travel way is completely over on the easterly side.

Commissioner Conklin: Um hum

Roger Spinelli: Uh and I guess basically that's it. I mean if you have any questions uh the house right now from the center line of the road to the house is 71 feet. So were more than far enough back even pushing the house forward 20 feet. It would be a typical even greater than if it would be a normal 50 foot right of way. But it's just been that way excessive goes from small to large and as you go down Soundview Avenue it goes back to the typical 50 foot right of way.

Commissioner Conklin: Did engineering give any reason did you approach them at all why this

Roger Spinelli: Oh no No its its just is what it is.

Commissioner Cavallaro: The lot is what it is as well the property corners are where they are regardless of the right of way.

Multiple voices - indistinguishable

Roger Spinelli: Oh yeah – right

Multiple voices - indistinguishable

Commissioner Cavallaro: The City owns more property – they own more property

Roger Spinelli: Yeah correct that is absolutely correct

Commissioner Conklin: Ok

Roger Spinelli: For one reason or another they happen to own more property there I don't know I didn't go into the history of it and I'm not

Commissioner Vasser: Maybe there is future plans for Soundview

Roger Spinelli: No it wouldn't be – its just in this particular area it gets broader but it goes back to 50 feet as you go farther down or up towards White Hills uh it's just was whatever it was when it was

Commissioner Conklin: If I remember this is just before the hill that drops down

Roger Spinelli: Yes it is

Commissioner Conklin: Yeah

Roger Spinelli: And you got Whippoorwill

Commissioner Conklin: Yeah it is and if I remember right this this is raised up on this side to start with.

Roger Spinelli: Yeah Yup

Commissioner Conklin: Considerable rise to the road. I mean they placed the road on this side for that reason to go around that rock.

Roger Spinelli: Yeah

Commissioner Conklin: Rock outcropping. So I can't see the road ever being moved.

Roger Spinelli: No I can't either. And hopefully if they ever get Constitution Boulevard North going again then any traffic probably coming out of White Hills more than likely

Commissioner Conklin: Would take that instead

Roger Spinelli: Yeah would take that

Commissioner Conklin: Sort of parallels this road

Roger Spinelli: Yeah exactly

Multiple voices - undistinguishable

Commissioner Conklin: More toward the High School – any further questions – have anything Brian

Commissioner Vasser: How much higher is the property than the road. Voice fades.

Roger Spinelli: Well the property goes from the pond uphill towards the road.

Commissioner Vasser: But so the house is the same plane as the road

Roger Spinelli: No it would be down a little bit – it goes uphill be down a little bit - it's going to be on a slab it's going to be a high ranch so there won't be any foundation it will just uh just enough to come out of the ground for frost wall

Commissioner Conklin: No basement – nothing below grade – no basement

Roger Spinelli: No – No basement

Commissioner Conklin: Right

Roger Spinelli: Well you could walk into the basement hypothetically rather than go down into the basement.

Commissioner Jones: Will you put the house in the back of the property

Roger Spinelli: No that's wetlands back there that's all wetlands

Commissioner Jones: Oh all behind the pond is wetlands

Roger Spinelli: Its all wetlands this is the only upland that we have to uh to put it there is no other place unless we put a houseboat.

Commissioner Conklin: And that is a considerable distance off the roadway

Roger Spinelli: Oh yes

Commissioner Conklin: As it stand right now.

Roger Spinelli: Yeah

Commissioner Conklin: Ok a feeling that was a paper road that went over there and they wound up moving the road

Roger Spinelli: Uh yeah

Commissioner Conklin: To get around that rock outcropping and then just moved

Commissioner Conklin: Ok any further discussions or questions ok declare the hearing closed.

Commissioner Jones: #2 **425 River Road , Map 66, Parcel 230**, Mike Ballaro of 14 Boehm Circle, Shelton, CT is seeking a waiver of Section 24, Schedule B, lines 7 and 9 by varying the front set back from 40 ft. to 10 ft. and varying the right side set back from 12 ft. to 8 ft.; Section 24.8.3 by varying the residential setback from 40 ft. to 4 ft. to allow parking; and Section 42.5.5 by reducing the required parking square footage from 1/150 s.f. to 1/198 s.f.

Commissioner Conklin: Ok Applicant applicants – don't go anywhere

Commissioner Conklin: Name and address for the record please

Jim Swift: Uh Jim Swift Civil Engineer 102 Village Drive representing Mike Ballaro

Mike Ballero: Mike Ballero 14 Bohn Circle Shelton

Commissioner Conklin: Alright can you tell us what you are trying to do. The reason you can't conform to regulations.

Jim Swift: We have a very interesting little parcel its uh it's on the corner of Rural Heights Road and River Road and its of exceptionally odd uh shape and size – you can see the parcel forms sort of a triangle on the corner there and then has a very strange strip that comes and extends all along the uh the back outside there. Uh it is in a CA-2 zone uh which is uh which is you know fairly liberal and and common along the River Road and Mr. Ballero would like to build a retail facility there. Alright we had a technical session with the town with the chairman of planning and zoning and town planner and Rick Schultz just to see before getting to this commission to see if uh you know what they would be thinking about you know this kind of an application because its tight obviously – and they didn't see too many issues with it. Uh you know a lot of things particularly when you get to the back that have to do with the neighbors and the neighbors reactions but in in general the zoning staff and the zoning authorities that were at the meeting thought it was workable.

Commissioner Conklin: Ok

Jim Swift: So we laid this out with a moderate building of two stories uh there is some parking in the front and then a raised grade back and some parking uh in the back of the area off of Laurel Heights Road.

Commissioner Conklin: Is that back parking going to access the second floor

Jim Swift: Yes correct

Commissioner Conklin: Ok so it is going to be split

Jim Swift: Yeah just accessing the second floor and the second floor is uh uh you know it was expressed at that zoning was not going to approve any sort of an intense retail type of a use or anything like that maybe an office or something like that or that something else that is acceptable in a CA-2 zone so the next step for us was to see what variances we needed um clearly they are listed here and there listed of course in the application uh the front setback from 40 feet to 10 and that's not referring to River Road – that's referring to back here uh at Laurel Heights Road um the side setback from the map says 12 to 10 but the actually as advertised as 8ft

Commissioner Conklin: 8ft because your corner according to this – multiple voices

Jim Swift: The drawing was like this

Commissioner Conklin: Actually you had and that's why we looked at the application and the back of the application uh it was 12 to 8

Jim Swift: Yep

Commissioner Conklin: Ok which was filed and signed by the planning and zoning

Jim Swift: So for the record it was advertised properly and also for the record the letters that were sent out to all the ad joiners is correct at 8 feet.

Commissioner Conklin: Yes

Jim Swift: Um - So continuing on this is a residential zone line – the residential zone line is the rear property line that extends in this direction and extends in this direction. And one of the issues that you have in a residential zone when it adjoins the CA-2 zone is that you are not supposed to park in that in that setback. So obviously this is one of the issues of the variance that is very important to the neighbors including that who wouldn't have an issue – and and I'm given to understand that they don't have an issue

Mike Ballero: And they are here tonight

Commissioner Conklin: OK

Commissioner Conklin: Is there any opposition by you if we require plantings along that like

Jim Swift: Oh absolutely not, absolutely not – no

Jim Swift: We would expect it – just as good neighbors

Commissioner Conklin: OK

Jim Swift: Uh and then last but not least um we the planning and zoning commission has a fairly stringent parking requirement of I think it's 1 per 150 uh one space per 150 square feet which they know is a bit much – you know unless it's a restaurant or something really intense and were not – were not proposing any kind of a restaurant use there – 5 per 1000 is more than normal – uh for retail uh so we're asking for relief of for that parking requirement from one space per 150 to one per 198 which is just – indistinguishable

Jim Swift: Um we don't see any issue with the - with the state – you know we can get our access from our property – that is not an issue

Commissioner Conklin: Is the reason why you did not put any extra parking here is because of State regulations

Jim Swift: Not because of state regulations but we felt that the zoning commission is probably going to be more interested in once you and the state for that matter – once you put in and define your parking space – if

we had put a couple parking spaces here – it might have been a little bit more difficult for them to maneuver back in and back out again uh we're fortunate that we wouldn't need any variances from this board for how that is configured so if they are happier with spaces here and deleting those you know this is the kind of fine tuning that we could do. Um once we get to the state. But we think the state is going to be happy with this plan.

Commissioner Conklin: OK - Questions

Commissioner Jones: Um so that will be retail

Mike Ballero: At this time retail is what it's zoned for – it's all I can do there uh I don't know undistinguishable

Jim Swift: It is unlikely – the CA-2 has a has a lot of you know different smallish retail type of reliefs um you know we haven't really picked one yet this is this is almost more of a spec building uh but because of the nature of the parking um you know the zoning commission has already told us that they're going to be looking very closely at whatever use we want to put in here. And we we have made commitments that that it's not going to be restaurant – we're not going to compete with the deli next door or anything like that. And the restaurants are the ones that really kill you as opposed to other retail so as we as we go to uh to get occupancy permits from planning and zoning they will be checking up on us to make sure we don't give anything that's too high a parking

Commissioner Conklin: Could you object to a stipulation that the second floor only be used for an office

Multiple voices – Swift and Ballero- indistinguishable

Commissioner Conklin: The reason why for that is that the traffic in and out of that parking lot would be limited – in other words people come in the morning or can leave maybe for lunch but basically versus a retail you're coming and going all the time. Being abutting to a residential neighborhood.

Mike Ballero: Um hum ah just out of curiosity – I always thought that that would be an office – would there be an advantage to try and get that upstairs to be residential. Uh I was just asking.

Commissioner Conklin: That is beyond our purvey – that is an issue with planning and zoning

Mike Ballero: Would that – would that - what I'm trying to ask is would that be the best parking – the best activity

Commissioner Vasser: Most people unless it's a single person they are going to have two cars so when you live there typically you'll have more parking I would imagine.

Mike Ballero: So it's more parking in residential you feel

Commissioner Vasser: I do

Commissioner Conklin: Ok

Multiple voices – indistinguishable.

Commissioner Conklin: Well right now they're looking for five - five spaces to be reduced to two spaces or three

Commissioner Vasser: You mean -you mean per the code I mean that's the requirement part that we are talking about

Multiple voices – indistinguishable- Right

ZBA Minutes – Book 42, 104

Commissioner Vasser: I'm talking about the real deal the facts of life are cars have we have three cars at our house

Multiple voices – indistinguishable

Commissioner Vasser: OK - So how many tenants are going to be in the building

Mike Ballero: 4 um as of right now – I think I really don't uh

Commissioner Conklin: What are you saying two on the front side

Mike Ballero: Two on the front or one – I really don't know and two in the back or one – I don't really know.

Commissioner Vasser: Ok and on the top floor

Undistinguishable

Mike Ballero: They are very small –even with the – unclear – 800 ft. per

Commissioner Vasser: So you may have 4 on the bottom floor

Mike Ballero: No no 2 on the bottom

Commissioner Vasser: 2 on the bottom

Mike Ballero: 800 feet apiece

Commissioner Vasser: Yes

Mike Ballero: And 2 on the top – 800 feet apiece

Commissioner Vasser: So total of 4

Mike Ballero: Ok

Commissioner Cavallaro: The upper level is graded for rear parking

Mike Ballero: That's correct

Commissioner Cavallaro: How are people – cause there is not a lot on the ground floor – how are the people going to get to the upper lot and the bottom lot

Mike Ballero: We we – unclear - We can put stairs - Yes there is going to be a retaining wall here with stairs – we're going to make it look real nice with stone - Yeah

Jim Swift: If there is a connection to those two uses we'll do stairs

Mike Ballero: If that's required I can very easily do stairs – no problem – right here is stone stairs coming up

Jim Swift: Yeah again to get back to Mike's point about the upper level and the stairs that is the purview of the zoning board of appeals um and we certainly not at this time uh that would be a variance of the use regulations in the town so you know we would be as we are dealing with the planning and zoning commission

would be absolutely certain they would be supportive of something like that before we would even thought about coming back

Commissioner Conklin: I mean that being that that is one the the resident parking lot and the residential set back we have to look to minimize the impact which would be keeping it to a non-commercial usage where you would have traffic coming and going all day.

Jim Swift: Oh I agree – multiple voices – undistinguishable we have no objection to the office

Commissioner Jones: What is he building immediately to the other

Mike Ballero: Mrs. Piccolo's deli

Commissioner Jones: OK

Mike Ballero: Mrs. Piccolo is here

Mike Ballero: Unclear – voice fades

Commissioner Conklin: Ok any other

Commissioner Vasser: No I was just thinking of the functionality of the building so I would imagine that the tenants would park in the back and the customers would park in the front and I was just trying to get a feel for how that might work

Commissioner Conklin: Yeah this is very steep upgrading road ok as you can see by the so by the time that parking lot I'm sure is probably higher than the – this can be a down downhill walk

Multiple voices – unclear and undistinguishable

Jim Swift: There will be a little bit of fill in the back but it's still downhill

Commissioner Conklin: Yeah

Commissioner Vasser: As long as the front parking lot accommodates the amount of customer's that would come in and out or flow um I guess the zoning department will look at that each time they review a tenant application right?

Jim Swift: Yes

Commissioner Conklin: Is that two spots or is that considered one spot.

Jim Swift: That's its uh two spots

Undistinguishable

Commissioner Conklin: One Two Three Four Five Six- so - you have seven normal, regular spots and you have one handicap spot

Jim Swift: Yep

Commissioner Conklin: Uh so that just doesn't quite meet the regulations for the first floor being 800 square feet – it's the second – it's the upper level that is creating the variance on the parking

Jim Swift: Yeah no no the the uh

Commissioner Conklin: If your requiring what's required 100 under 50 square feet per space

Jim Swift: Per space

Commissioner Conklin: Per space looks like you're short one parking place

Jim Swift: Yeah yeah

Laughter - undistinguishable voices

Jim Swift: It's not much but we're a bit tight and one parking space could you know

Commissioner Conklin: Well that's why I was asking – why I mean undistinguishable

Jim Swift: To the point we really didn't want to be having any of the retail people um anybody going to the first floor of the retail unit

Commissioner Conklin: You're trying to keep

Jim Swift: To have to come down

Commissioner Conklin: Ok you're trying to separate the two parking places from parking in each one

Jim Swift: Um

Commissioner Conklin: And it would be more encroachment upon the residential also

Mike Ballero: Trying to stay away from this gentlemen's right

Commissioner Conklin: Right ok

Commissioner Conklin: Alright – any other questions? - No

Commissioner Conklin: Alright – any other questions here

Commissioner Conklin: Ok anybody in favor of this proposal?

Commissioner Conklin: Anybody opposed.

Commissioner Conklin: Ok – Being there is no one in favor and no opposition, I declare the hearing closed.

Commissioner Conklin: You weren't opposed to the plantings correct?

Jim Swift: Of course not.

Mike Ballero: No not opposed, not at all.

Commissioner Conklin: Alright.

Commissioner Conklin: Roger – can you come back up.

Multiple background voices

Commissioner Conklin: We – I apologize – Have a seat. We do have to open your hearing back up again. Um I did forget to ask in regards to this does anybody in favor of this this proposal? On Molnar Drive and Soundview. Is there anybody opposed? Ok being no opposition. Ok thank you.

Commission Jones: #3 31 Wakeley Street 31 Wakeley Street, John Dobkowski of 31 Wakeley St., Shelton, CT for a certificate of approval for a 744 s.f. (26' x 26' plus 5' x 14' bump out) garage in an R-5 zone which requires a variance to increase the maximum door height from 10' to 12'; a variance of the setback from the rear property from 25' to 8'; and a variance in the setback from the right side from 15' to 10'.

John Dobkowski: My name is John Dobkowski and I live at 31 Wakeley Street and I've live there for 45 years. Um what I'm what I'm after is uh I'd like to build a detached garage for a motor home – I'm retired and uh uh I've owned a motor home before and I found that uh with the extreme variances in the temperatures and the sun and the cold in the winter jumping around that the inside of the motor home I'd have plumbing problems and whatever have you so I'm looking to build a garage so that I can um buy the motor home and keep the maintenance down on the motor home – the outside and whatever have you. Looking for a uh a Class B motor home which is uh tops out at about 28 feet long with the bumper it's about 29 29 and a half its about depending on the vendor and uh and looking to make the garage uh 31 feet.

Commissioner Conklin: Before you continue

John Dobkowski: Yep

Commissioner Conklin: You need to give your name, going to need your receipts.

John Dobkowski: I didn't get one return

Commissioner Conklin: Ok that's ok – we really don't need those – we just need to see that you have mailed them out

John Dobkowski: Yes

Commissioner Conklin: And we need pictures

John Dobkowski: Uh this is the this is the picture of the house

Commissioner Conklin: Ok

John Dobkowski: And this will be side yard and basically where the garage is going to go

Commissioner Conklin: Ok

John Dobkowski: Or I'm proposing where it go

John Dobkowski: There is a sample of my letter I sent out

John Dobkowski: Ok

John Dobkowski: Ok Um what what I - I tried to do with the property and the move on the property was uh to uh figure a way place the uh garage on the property and uh by placing it uh because it's a corner lot uh I have no real access to put the garage onto my driveway and the driveway isn't long enough to support a motor home turning in and uh with a reasonable shot of an old guy getting the motor home in the garage so uh the only place that I could uh place the garage would be in the corner facing Two House Lane which would give me another driveway on Two House Lane. So I would have two two driveways.

Commissioner Conklin: Um the first driveway faces out to Wakeley

John Dobkowski: No

Commissioner Conklin: Faces also out to Two House Lane

John Dobkowski: Two House Lane

Commissioner Conklin: Ok

John Dobkowski: You could see from this – this drawing here that this is my current driveway my two car garage is here. Currently there is an in ground swimming pool that's in here that going to – voice fades – my kids are long gone – huge uh uh time consumer for me. So basically I want to put a single door on the road – if we look at the picture – you can see that I my that- this is where the where the door from the motor home will go – I'll take a these three sections out and have the the fence rebuilt in so that goes into the uh I'm going to have a double door is what I'm looking for. Not a this double door uh being 12 foot high to get the motor home inside uh becomes a problem I guess that's the first zoning restriction and if you look at this this is my house the side view of my house and the garage and the garage will be over on this side it's hard to notice here but these are two different doors and they I had them custom made and the people who made these doors can made a third door for my garage. Now my intent is to use the same style and uh materials that I used on the house – I just resided it with Certainty – a polymer siding – so I want to do the same thing with the garage – this is what the garage will look like – from the from the this will be the street out here – um – trying to keep the height of the garage down we have the same pitch as on the house using the same shingles – use a scissor truss on the inside to get the garage into the uh take about brings its down about a foot the whole height which will be under the 20 feet but um trying to minimize the height as much as possible um the idea here is to I'm going to keep the fence around there to take uh um ability take the tallness off the building cause it is it is tall but it is not it will be shorter than all the buildings surrounding it so all the other buildings are at least two stories plus the normal five pitch roof so um basically what we're going to see on the ground here is where the pool is I have a line out and this is my garage door the back of the garage is uh extended out this side here by about five feet so I can get the full length of the garage and to stay under the 750 square foot restriction for a detached garage. Um I going to keep the um um fence around to try and keep off the highness of the garage so that it doesn't look like a stuck there. The front of the garage where the garage is is going to be this is the proposed garage there's another house at Two House Lane number 1 Two House Lane and it is about their front porch would be about 18 inches or 24 inches behind the front of the garage. Now the only way that I can get the garage in there is to

Commissioner Conklin: Now is that is that porch is not enclosed - so in other words the actual house is sitting four or five feet

John Dobkowski: Yes yes

Commissioner Conklin: Deeper than the front of that porch

John Dobkowski: Yes it is

John Dobkowski: The only way that I can get the garage in there would be to move the variance against the road five foot in so that I'm 10 foot from the property line but 20 feet from the pavement – um- in order to get it into that corner I'd have to more it down obviously there isn't 25 feet for the variant but I can more it down to within 8 foot of my property line which there is a cedar fence that runs the whole length where-where the pool used to be. So I'm hoping that will take off some of the highness from the garage – and um basically you know the garage is a going to build a quality garage – the contractor is uh Klotter Farms in Ellington – they build custom garages and that who has supplied this – these drawings. I'm using a little farmhouse porch around the side of it to try and uh keep the uh you know make it aesthetic as possible.

Undistinguishable voices – papers rustling

Commissioner Conklin: You know the Town does have a very strict restriction I mean the problem is if we give you this for the 12 feet uh someone can turn around and use this for commercial after you leave that's the biggest reason why that rule has been put in place

John Dobkowski: Ok

Commissioner Conklin: As it stands the rest of it looks like you were – let's see – you are going slightly beyond the pool is now

John Dobkowski: Yes-yes

Commissioner Conklin: Ok

John Dobkowski: The pool is 10 feet from my property line.

Commissioner Conklin: Ok – the string looks like on the edge

John Dobkowski: Yes

Commissioner Conklin: So you're two feet closer to the fence line then you were previously

John Dobkowski: Yes

Commissioner Conklin: Ok – how long has the pool been there you said

John Dobkowski: 40 – 44 years

Commissioner Conklin: Ok so that's before the zoning then

John Dobkowski: Yes

Commissioner Conklin: Ok - There was no variance given for the pool back then

John Dobkowski: No – no I don't believe so – we had building permits I believe but I –I don't they said 10 feet was where

Commissioner Conklin: Yeah – back then 10 feet was acceptable – alright

John Dobkowski: Any questions Bryan?

Commissioner Vasser: Um what is the uh other than convenience I mean having the mobile home or the RV on the lawn as opposed to a storage facility or something – have you thought about that.

John Dobkowski: Yeah – I thought about that – every time you're going to do something - it has - you're going to have to go out and bring it back to the yard uh - the yard actually to even the driveway it would be difficult to support that – I – my old motor home I use to have in there but there was no – uh – I could put it up against the side of the fence and it was only a 20 foot motor home so I could get my vehicles in and out of the garage but if I put that on – in the driveway uh it'll have to be moved in order to take something out of the garage. It usually winds up being a uh-uh

Commissioner Vasser: Just a convenience

John Dobkowski: Yeah yes absolutely – I-I can do it so that's what I would like to do.

Commissioner Cavallaro: There's no second floor anyplace

John Dobkowski: No-no-no. It's clear span the whole the entire the entire garage – just 26 feet across and I want to use it have a little workshop or something in there because my garage right now there is

Commissioner Conklin: Going to be heated then

John Dobkowski: No

Commissioner Conklin: No heat inside

John Dobkowski: No. I don't plan no water no heat just electricity.

Commissioner Conklin: Alright

John Dobkowski: I don't plan on being out there when it's freezing cold. It's going to be insulated. Uh just to keep the temperature moderated and I expect you know except for late December January February to be you know if I use if I use the motor home I would probably be gone some of that time too that's the plan.

Undistinguishable voices

Commissioner Conklin: Any other questions?

Commissioner Cavallaro: Would you object if we put a restriction that you know absolutely no commercial use it's strictly for the motor home.

John Dobkowski: Uh that would be fine for me yeah I mean that's my uh desire – I don't have a – I don't have a - I'm retired I don't have a reason to have a commercial

Commissioner Cavallaro: Uh when you sell the house – that becomes the problem

John Dobkowski: Ok yeah

Commissioner Conklin: This variance goes with the property – it does not go with the owner

John Dobkowski: Yes Yes I understand

Commissioner Conklin: So it's carried on

John Dobkowski: Yep

Commissioner Conklin: Bryan

Commissioner Vasser: Um how about uh – how about some tall plantings or something to shield it from the next door – I don't know – it's just undistinguishable – lot so close to the side you know – have you talked to any of the neighbors at all.

John Dobkowski: Yes -I've talked to there is one one no one has voiced a you know a total disapproval of it I have one who is across the street – directly facing the front of the garage and he was concerned about the size of the garage but that's behind the fence and the tree so uh I talked to all the other neighbors uh in fact one the side closest to is one here – I don't what their opinions are they did not have a negative opinion before but um I talked to all the neighbors around and everyone and some of them said they would come and support me if I wanted but I didn't see that it was a – a – that much of a big deal but maybe it was.

Commissioner Conklin: Ok alright

Commissioner Vasser: Thank you

Commissioner Conklin: Is there anybody in favor of this application? In favor? Anybody opposed?

Commissioner Conklin: Come up to the table please.

Commissioner Conklin: Have a seat- relax

My name is Conklin but don't hold that against me

Commissioner Conklin: Ha-ha

Darlene Conklin: My name is Darlene Conklin

Commissioner Conklin: OK

Darlene Conklin: 1 Two House Lane

Commissioner Conklin: You're the abutting neighbor which would be on the closest

Darlene Conklin: Yes

Indistinguishable voices

Richard Conklin

Darlene Conklin: And for the record- we are not related – I have never met you before

Commissioner Conklin: No ha-ha

Darlene Conklin: Well just in case – we have documentation to oppose this application

Undistinguishable – multiple voices

Darlene Conklin: Actually and before we start with mine I'd like to give you Dave's which is across the street from Jack's house. On the form Jack has his name his official name as John but we all call him Jack. So I don't want anybody to get confused when I call him Jack and the documentation say John. This is from Dave – right across the street from him.

Commissioner Conklin: Ok – and we just need one copy actually

Darlene Conklin: Uh for the other gentlemen

Commissioner Conklin: He's going to read it into the record.

Darlene Conklin: Oh ok – so he can read Dave's first. And I got some pictures from Dave.

Commissioner Jones: 4-20-2015 To Shelton ZBA regarding 415-3 Due to reasons beyond my control I am not able to attend meeting. However I feel my voice should be heard. I live directly across the street from Proposed Variance. I have a clear view of the property across the street from every window in the front of my house, and there are many. Right now I see the end of one house and a fenced in yard. Looks very nice! If this proposal is granted, I will be looking at two houses. This is not a shed, or garage. It carries the same footprint as my Cape Cod. It would be like putting my house in his backyard. The neighborhood is not conducive to two structures on the size of the property. It intrudes on three zoning setbacks and will only induce others to do the same thing. The bigger issue is that the proposed structure, with a 12 x 16 overhead door certainly takes on a commercial profile. It is obviously earmarked for some kind of recreational vehicle and will be an eyesore in the neighborhood. Down the road it can be used for numerous commercial applications. This is not a commercial neighborhood. It is proposed to be placed

directly across from my driveway. I don't think I should be forced to look at this every day. I am certain it will devalue my property because no-one is going to want to look at that, which will make my property hard to market. People will be concerned that there will be some kind of business operating out of there and will deter any potential buyers. There is a place for R.V. buildings but Two House Lane is not one of them. I urge the board members to visualize this structure outside of their kitchen window and consider that when it comes time to vote. Please help me to protect my investment and our neighborhood. Thank you. David J. Saboeiro.

Commissioner Conklin: Ok

Darlene Conklin: This is the picture that Dave supplied to me to give to you. Looking out of his house towards Jack's house.

Commissioner Conklin: Ok

Darlene Conklin: And where that big Oak tree is supposedly where the door of his garage his driveway unclear voice

Commissioner Conklin: OK

Darlene Conklin: And then also Dave took pictures again of the way it looks now and the way it's going to look with the proposed structure

Commissioner Conklin: OK

Darlene Conklin: So that's what Dave would be looking at. Out of his every front window of his house.

Commissioner Conklin: OK

Richard Conklin: One thing you have to bear in mind

Sue Pulos: Can we just stop for one minute – I have to adjust tapes.

Sue Pulos: There we go – my apologies.

Commissioner Conklin: Go ahead.

Richard Conklin: I was just going to say that you have to keep in mind the neighborhood this is going up in – it's a neighborhood with small cooperatives – ok – my house next door number 1 Two House Lane is 100 feet wide and 60 feet deep – Jack's lot is 100 feet by 85 feet – so we're talking small properties here and I just get personally I get the feeling that we're trying to put 6 gallons of gas into a 5 gallon container – no matter how you squeeze it in it's not quite going to be alright. Undistinguishable voice And we certainly invite all of you or any of you to come over and take a look at it in person.

Commissioner Conklin: Do you have something you want to read.

Darlene Conklin: Oh I can or

Commissioner Conklin: If you if you don't mind.

Darlene Conklin: Yeah I don't mind. Um we're presenting Richard and I Darlene are presenting to the Board our list of oppositions to the Zoning variances to application 415-3. Um first the proposed RV garage is not in harmony with the rest of the neighborhood; second there are no other RV style garages in our neighborhood; third the his proposed variance will prohibit us from fully using our property – we have an organic garden on that side of our property and the his structure will interfere with the sun and therefore the growth and production of our garden and I did bring documentation proving my garden and how well it does currently; um the proposed RV garage will

tower over our property and our organic garden; please bear in mind that John's property is 85 by 100 foot and our property is 60 by 100 foot. These are very small lots; the proposed RV garage will have a commercial sized door which is in non-conformance with the neighborhood; the size of the proposed RV garage is the same foot print as my neighbor's house so it will be the same as constructing a house in John's back yard and we are not zoned for that and this is the property of my neighbor's house Dave that was just read into the minutes – his foot print right here is 26 feet the side of the garage that Jack wants to put facing our yard is 31 feet. So I will be looking at this every single day of my life.

Undistinguishable Mr & Mrs Conklin's voices

Darlene Conklin: Um 8 the upper floor could easily be converted into living quarters; 9 the property values in the neighborhood would be negatively impacted; 10 the proposed RV garage will negatively impact the image of the neighborhood; 11 the proposal will negatively impact the residential quality of the neighborhood; 12 by approving this variance the Zoning Board of Appeals will be setting a precedent thereby allowing other structures of this size to be built in our neighborhood and all neighborhoods in the city; 13 there are two marinas behind our neighborhood. If this variance is approved, the residential boat owners could apply for variances to erect boat garages and store their boats on their properties instead of at the marinas;

Richard Conklin: Costs about \$2000 a winter to store a boat at the marina

Darlene Conklin: 14 If the commercial size garage door is approved, it will set a precedent for other oversize garage doors to be constructed; 15 before making a final decision on this application, 415-3 for a variance to John Dobkowski's property, we request the board members to visit our neighborhood and personally see for themselves the negative impact of this request. And attached to that we have pictures of what the side yard looks like as of now this was taken two days ago beautiful sunny- beautiful trees

Richard Conklin: That's Jack's house

Darlene Conklin: Yeah right here on the corner – that's Jack's house

Darlene Conklin: So this all this will be garage when he gets done with it.

Richard Conklin: As you'll see as we go along

Darlene Conklin: And that's my garden too by the way that's why voice fades - The gardens down here – it's right up against the the fence

Richard Conklin: Unclear – I'm not – oh I'm sorry – you missed one –

Darlene Conklin: This is standing on my sidewalk leading to my front door of it – unclear -I just walked out a few feet turned and took this picture. It was just a beautiful scenery unclear

Commissioner Conklin: To the right of this is Two Two House Lane correct

Richard Conklin: Yes - This is me standing in front of the six foot tall fence - Well - I'm only 5 foot 7

Darlene Conklin: Yeah – we just wanted to prove how tall the fence is so the fence isn't even 6 feet tall – he's 5 feet 7 and the proposed structure is just a tad less than 20 feet. So we're going to be looking at a mass of 31 foot by almost 20 foot tall wall between us and his house 8 feet from my fence. So then we did a before picture of what it looks like now

Richard Conklin: Right now it looks like this

Darlene Conklin: And because we're not really technically

Richard Conklin: We're not artists or engineers – I did the best I could with this

Darlene Conklin: So this is what we're going to be looking at after it's built more or less. We're not sure you know it's about that high it's definitely going to be that wide – it's just going to be a building a brick building - so even though the fence would be there it's still not going to change the size of this massive structure -multiple voices.

Richard Conklin: If the yards we're bigger it would not be a problem at all. Unclear

Darlene Conklin: Ok and just listening to Jack tonight he did say there would be no second floor which we were not aware of um but it could easily be modified once the building is up – anybody could go in and throw up a second floor. It's not an issue.

Commissioner Conklin: I think the height of this building would permit uh would negate that from happening. Cause its 19 feet to the top of that building it be about 6 or 7 feet up you know for the truss ceiling itself so you'd only have 12 feet high so you'd never be building a second floor if I understand the height – you wouldn't be able to get that into there.

Darlene Conklin: Alright unclear voice – fades and also Jack said he had talked to all the neighbors including us regarding this and nobody was that negative about it Jack has never personally talked to me about it

Richard Conklin: Jack mentioned it to me very casually maybe two years ago we bumped into each other on a walk so in a matter of two minutes he had mentioned to me he was thinking filling in the pool and getting rid of it or whatever and putting in a garage and that was the end of the conversation – I just pictured a garage as a one car garage – I didn't picture this thing

Darlene Conklin: It's a footprint of their house – it's a footprint of Dave's house across the street

Richard Conklin: Dave's house is small isn't it?

Darlene Conklin: Uh well this side of it is 26 feet – so what we're looking at is 34 from our view will be 31 feet excuse me from our side yard and we use our yard – we're outside in our yard all the time – I mean even through the winter. After my husband goes for his walk in the neighborhood he sits in his chair in our front yard because there is someplace in there you can sit without being too cold.

Richard Conklin: Yeah even in the winter I sit out in the yard

Darlene Conklin: I just said that

Richard Conklin: To take a nap - Yeah - The neighbors think I'm crazy.

Darlene Conklin: And then my vegetable garden – it's an organic garden I very proud of it. I just it's the bounty I mean I've had that for 15 years. With that structure being right next to the fence it's going to interfere with my garden unclear voice fades.

Richard Conklin: I just wish either one of us had more property there so this would not be a problem.

Commissioner Conklin: So it would be a direct impact impact on your property itself

Darlene Conklin: Yes

Commissioner Conklin: Ok

Darlene Conklin: In fact on our property and our quality of life.

Commissioner Conklin: OK alright anybody else opposed - ok your turn to speak - please come up - please have a seat

Unclear voice

Commissioner Conklin: Please give your name and address for the record

Villia Struyk: Sure Villia Struyk 55 Jordan Avenue

Commissioner Conklin: Ok

Villia Struyk: We're right at the end of Two House Lane

Sir our view is

Commissioner Conklin: Sorry can you just make sure you give name please

Eugene Struyk, 55 Jordan Avenue

Commissioner Conklin: Ok

Eugene Struyk: Our view from right were you're sitting is the Conklin's house and then um Jack's house and then um what street are you on

Darlene Conklin: Wakeley

Multiple voices - unclear

Eugene Struyk: So it's an H and um

Commissioner Conklin: Ok - yes

Villia Struyk: It's completely out of character with the neighborhood. We're upset about the fact about the way it would look and I'm so sorry I wish that we all had lots

Multiple voices - unclear

Eugene Struyk: And it would be beautiful but multiples voices

Villia Struyk: For someone to have convenience of having an RV parked there and to negatively impact the whole neighbor seems just grossly unfair to us. We are also really concerned about the possibility of setting a precedent because we already have commercial areas kind of encroaching.

Commissioner Conklin: One thing this Board does not do by the way set precedent.

Villia Struyk: Ok

Commissioner Conklin: We could grant this variance to him your neighbor next door we can say no to and there is no precedent – we do not - we do not set precedence ok

Villia Struyk: OK

Commissioner Conklin: The precedence would be set for upstairs though but I understand what you are saying in regards to the precedence issue about it could impact the neighborhood

Villia Struyk: Right. I don't I'm not up here it's not easy for me to be here – I hate confrontation I hate saying anything against a neighbor especially I don't know you well but I know you're a very nice person my husband has said but from the heart I just do not think this would be good for the neighborhood overall – it would not be good for the value- just the home life there is a school right over there it's- it's a quaint little residential neighborhood it doesn't need this huge commercial type of building on a very small lot – I can't emphasize how small our lots are – I think you almost have to go there and see.

Commissioner Conklin: Ok

Darlene Conklin: Well just to help unclear – this is Jack's documentation from his paperwork – Jack's house – my house – the Struyk's live here – right up at the end of Two House and there –there living room overlooks all of us.

Villia Struyk: We're built on a slab

Darlene Conklin: So they're up there too so they're when they look out of their front room windows they can look all the way down into school yard

Commissioner Conklin: Ok

Darlene Conklin: So Jack's garage will also impact their view too – impede their view. So that's where there sitting on the neighborhood area.

Commissioner Conklin: That's your feeling

Eugene Struyk: Oh the fact that unclear past let's say this house is the site line and the next house is and the garage would come out in between the both of them and it's like a putting a house right in - In somebodies backyard

Commissioner Conklin: Ok

Eugene Struyk: You know unclear – beautiful house multiple unclear voices – absolutely – his porch on his front-his porch on his back are as beautiful as can be – his house is perfect but um

Commissioner Conklin: OK Alright

Eugene Struyk: He has one of the nicest houses in the neighborhood

Multiple voices - unclear

Commissioner Conklin: Alright – ok – are you done

Darlene Conklin: Yep

Commissioner Conklin: You finished

Villia Struyk: Yes

Commissioner Conklin: Ok – it's your turn to speak.

John Dobkowski: Ok I obviously don't intend on a –on a changing anyone's quality of life –I'm just interested in un uh creating this environment that I would like to be in and I've gone through great pains to make sure that it's not a uh uh obsessive or a a uh eyesore in the neighborhood it should take on the exact same character as my house I would and its going to have pay a contract would state that about 30% more to make it equal to the look of the house – I spent a lot of time and effort in making my property good uh and uh I intend to keep it that way – uh – it's going to be maintenance free and take on exactly the same look as the house – you can see from the

pictures and from everybody's pictures that the house is uh uh a quality – I built the house in 1970 and totally remodeled it over the last 10 years – just before I retired. So I obviously don't want to infringe on anybody's rights but uh that's why I'm here – I'm asking for permission to build a garage

Commissioner Conklin: OK

Commissioner Conklin: Any other questions.

Commissioner Vasser: Where – where do you keep your RV now?

John Dobkowski: I don't have an RV right now.

Commissioner Vasser: Oh ok

John Dobkowski: I – I made the choice that we weren't going to get an RV until I could take care of it on the property – I had one before and it was a constant problem uh once it got to be three or four years and there's constant temperature changes – I had plumbing problems – I had tank problems interior problems with the uh uh in the summer time it can be 130 degrees inside there is you don't get out and open the windows and then in the winter time it'd be and the temperature changes fast once the sun comes out and then it goes back so everything is a big problem.

Commissioner Vasser: Where did you keep that RV?

John Dobkowski: I kept it in the driveway yes and it was a smaller it was a one it was a Class C motorhome – it was band front with a a little dog house over the top of the van and it was 20 feet long and I could push it right out to the edge of my property and I could still get my truck in and out of the garage but uh speaking with a larger RV um my my property actually is only about 30 feet of driveway so uh it would I wouldn't be able to get a vehicle in

Richard Conklin: When you were doing all this though our house was not there and Villas house wasn't there

John Dobkowski: Um well absolutely yes – your house wasn't there when I had the motor home – it was just a vacant lot – that's a true statement.

Commissioner Conklin: OK any other questions – ok – I declare this hearing closed.

John Dobkowski: Thank you

Commissioner Conklin: Thank you

Commissioner Jones: Number 4 Kimberly M. Caro of 86 Maler Avenue, Shelton, CT is seeking to waive Section 24, Schedule B, Standard 7, by varying the setback from the front property line from 30 ft. to 20 ft. to add an above ground pool.

Kim Caro : Hello – Kim Caro 86 Maler Avenue Shelton CT

Commissioner Conklin: You have receipts and pictures

Kim Caro : Yes I do inaudible voice left back, right side, right back

Commissioner Conklin: Ok could you tell us what you are trying to do and the reason you can't conform to regulations

Kim Caro : Yeah

Commissioner Conklin: What your hardship is

Kim Caro : We just recently moved to unclear – closed on March 5th and I've worked in Shelton for 36 years so I moved here Shelton from another town because we absolutely fell in love with the house um my parents just sold their house after 38 years in Huntington because they're 90 and 88 and it was too much for them to keep so they go to Florida in the winter they come up in the summer and we bought this house because it has a beautiful master bedroom on the first floor and when they come up in the summer they are going to stay with us. Loved everything about the house except for the back yard. The slope. And so you know our hope that we could level it out a little bit bring in some fill and put in an above ground pool there then that's why we're here that's the whole to utilize the slope that's in the back and we need 10 feet which is um from what I understand an easement it's part of our property but its protection

Commissioner Conklin: It's Conservation residential – its Conservation easement.

Kim Caro : Correct

Commissioner Conklin: On the back of your property which your pool is touching right on the corner of.

Kim Caro : That's - that's where we're asking the pool to be placed – there is no pool yet.

Commissioner Conklin: Ok

Kim Caro : That's where it would go if we would be allowed the 10 extra 10 feet that we would need to do that

Commissioner Conklin: Ok, So how would you be able to do the fill without encroaching upon that conservation

Kim Caro : Well uh we would need a retaining wall

Commissioner Conklin: Ok

Kim Caro : So that the fill would not go beyond that point we would be very respectful of the amount of space we would be limited to so the pool that we were interested in is self-contained it's 12 by 24 and its uh we would have the retaining wall behind that or if that was self-standing which we think it is which we think it is and how the build uh pool people think it is we would have the retaining wall on the side of it to hold up the fill and hopefully be able to have somewhat of a little flat yard back there unclear

Commissioner Conklin: The um do you have an A2 survey of this property

Kim Caro : Yes I do I have is that do you have your highlighted ok if you want

Commissioner Conklin: I just don't see a stamp on this it starts out saying that it is ok there it is ok do you have any objections to having it surveyed and placed to make sure that the retaining wall stays within the boundaries of your property.

Kim Caro : No I am not opposed to that

Commissioner Conklin: Ok then outside the conservation easement

Kim Caro : Right I realize we are limited to whatever it is we need to do.

Commissioner Conklin: Ok

Commissioner Conklin: And you're saying this this is and it's hooked up to tell you said this was 12 by

Kim Caro : 12 by 24

Commissioner Conklin: 24 ok then its above ground

Kim Caro : Yes it is

Commissioner Conklin: So it will not be dug it will cooping around it everything will also be contained within

Kim Caro : Yes

Commissioner Conklin: The pool itself alright any questions - Bryan

Commissioner Vasser: Could it be on the side of the house um that

Kim Caro : Well the existing deck that's there now - My thought was that if there was just a couple of steps down to that pool then it could kind of utilize that back slope a little bit and then the side yard that's there now could be utilized as a yard. There

Commissioner Vasser: Here

Kim Caro : Sit out there and that's where guest could sit for picnic or – I do have a question though.

Commissioner Conklin: Is – is – this – is this correct is this showing that the tree line is that close to the house - Where are those pictures undistinguishable voices

Commissioner Conklin: This is where you're planning on putting the pool is back in this area correct?

Kim Caro : Um this is actually on the right side – we're asking for the left side. OK - This is the left side.

Commissioner Conklin: Alright so it would actually be in this area

Kim Caro : Yep it would be in this area right there. And then this side yard would just be just were the yard would be if there were - if we wanted to have a picnic or a little volleyball game or something.

Commissioner Conklin: Planning and zoning would prefer to keep the pools behind the house –

Commissioner Conklin: That snow fence up for some reason or

Kim Caro : Yeah that is just for our dog we just moved in in March

Commissioner Conklin: Alright so your house is sitting up on a hill

Kim Caro : Yeah

Commissioner Conklin: All the way around

Multiple voices

Kim Caro : We fell in love with the house itself it gorgeous and it's just the backyard we just we really hope we can do something with that.

Commissioner Conklin: Is that rock wall where the boundary line is for the conservation is do you know

Kim Caro : I think so but I think that's further back

Multiple voices

Commissioner Conklin: Oh that's the back you're in front of that actually by 10

Kim Caro : Correct

Commissioner Conklin: I can total distance here - 20 feet 20.90 roughly 20 feet ok so you have to come up 20 feet from that line. Ok

Commissioner Conklin: So right now your dog run is going down the conservation easement.

Kim Caro : Well this is - these are the specs that I had pulled up. I don't know if these are important to you.

Commissioner Conklin: We have this

Multiple voices

Commissioner Conklin: We have a copy yes

Commissioner Conklin: Um When you sent the card in – did you send it to Conservation or

Kim Caro : Yes I did yep - So this is my dog he's not very big and it's just a very small area we have for him

Commissioner Conklin: Ok -Alright Bryan -Gentlemen -Bryan any questions

Commissioner Vasser: Um no

Commissioner Conklin: Alright is anybody in favor of this application. Is there anybody opposed. Ok Any further questions from the board.

Commissioner Conklin: No ok I declare this hearing closed. Thank you.

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

#415-1 “In the application of Soundview Avenue & Molnar Drive, RONIC Enterprises, Inc. of 90 Soundview Ave., Shelton, CT for a certificate of approval for a single family hi- ranch, 32' x 66' which requires a variance of the minimum setback from the street line from 40' to 20' located on the property of the applicant in an R-1 zone.

The application for variances is approved.

Inasmuch as the shape of the lot causes the need for variance, and

Inasmuch as the adjacent property owners are in favor of the application.

Therefore with due consideration for the public health, safety, welfare and property values, the approval of the variance reducing the minimum setback from the street line from 40” to 20” (Section 24, Schedule B, Standard 7) in this instance.

The 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.”

During the work session the Board upon motion by Commissioner Jones and seconded by Commissioner Vasser, unanimously voted that:

§#415-2 “In the application of 425 River Road, Map 66, Parcel 230 Mike Ballaro of 14 Boehm Circle, Shelton, CT for a certificate of approval for the development of a 2 story, 36’ by 44’ commercial building with 14 parking spaces to be located on the property of EG Investment LLC, 425 River Road, Map 66, Parcel 230 in a CA-2 Zone which requires a variance of the minimum set back from 40’ to 10’; a reduction in the right side set back from 12’ to 8’; a reduction in the residential setback from 40’ to 4’ to allow parking and a reduction in required parking from 1/150 s.f. to 1/198 s.f..

The application for variances is continued until the next formal meeting of the Zoning Board of Appeals.

During the work session the Board upon motion by Commissioner Vasser and seconded by Commissioner Jones, unanimously voted that:

#415-3 In the application of 31 Wakeley Street, John Dobkowski of 31 Wakeley St., Shelton, CT for a certificate of approval for a 744 s.f. (26’ x 26’ plus 5’ x 14’ bump out) garage in an R-5 zone which requires a variance to increase the maximum door height from 10’ to 12’; a variance of the setback from the rear property from 25’ to 8’; and a variance in the setback from the right side from 15’ to 10’.

The application for variances is denied.

Inasmuch as the shape of the lot causes the need for variance, and

Inasmuch as the adjacent property owners are not in favor of the application.

During the work session the Board upon motion by Commissioner Jones and seconded by Commissioner Cavallaro, unanimously voted that:

#415-4 “In the application of 86 Maler Ave, Kim M. Caro of 86 Maler Ave, Shelton, CT for a certificate of approval for a 12’ x 24’ above ground pool in a CRD #10 zone which requires a variance to reduce the left side setback from 30’ to 20’

The application for variances is approved.

Inasmuch as the shape of the lot causes the need for variance, and

Inasmuch as the adjacent property owners are in favor of the application.

Therefore with due consideration for the public health, safety, welfare and property values, the approval of the variance reducing the minimum setback from the street line from 40” to 20” (Section 24, Schedule B, Standard 7,) in this instance.

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

Respectfully Submitted,
Susan M. Pulos, Clerk