

Board of Zoning Appeals – Hearing Room, Municipal Building 54 Hill Street, Shelton, CT. Tuesday, September 15, 2015 at 7:30 PM

1. #815-01 11 Golec Avenue, Peter and Kim Statkevich of 11 Golec Avenue, Shelton, CT
2. #815-02 Pochong Trail Lot 1, Gary Todice of 115 Yukata Trail, Shelton, CT
3. #815-03 6 Pochong Trail, Gary Todice of 115 Yukata Trail, Shelton, CT
4. #715-2 61 Indian Well Road, Michael Walker of 55 Sintsink Drive, Port Washington, New York
5. #715-3 31 Wakeley Street, John Dobkowski of 31 Wakeley Street, Shelton, CT

Commissioner Conklin	Good Evening Ladies and Gentlemen. And welcome to the September meeting of the Zoning Board of Appeals. We meet monthly to consider variances on zoning regulations and appeals on zoning department decisions and actions. When your application is called, please come up to the table. To start the hearing our regulations require that you have a placard at your property, that you provide four pictures one including the placard and receipts indicating that you have notified your abutting neighbors ten days in advance 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 this board, you are giving testimony – this is a hearing. The decisions made by this board at the end of this hearing, if it is challenged, and taken to the next level, it's the recorded testimony that is presented – not any member of this board. Our minutes are transcribed verbatim. There are two recorders up here on the table and only one person can speak at a time so we can get everything. So please turn off or mute your cell phones at this time - if you have to have any conversations – please take them out into the hall. Present tonight is alternate commissioner Jim Orazatti, who will be sitting in for Commissioner Phil Cavalharo, Commissioner Linda Adanti, our clerk Sue Pulos, myself Ed Conklin, Commissioner Jaime Jones and Commissioner Bryan Vasser.
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, September 15, 2015 at 7:30 p.m., in the hearing room of the Municipal Building, 54 Hill Street, Shelton, CT – number one 815-01 - 11 Golec Avenue , Peter and Kim Statkevich of 11 Golec Avenue, Shelton, CT for a waiver to Section 23, Schedule B, Line 8 by varying the minimum setback from the rear property line from 25 feet to 8 feet and a waiver to Section 23, Schedule B, Line 11 by varying the maximum lot coverage from 25% to 42%.
Commissioner Conklin	Applicant here – please come up to the table – have a seat- give your name and address for the record please
Peter Statkevich	Peter Statkevich of 11 Golec Avenue, Shelton, CT
Commissioner Conklin	Are you going to speak
Unidentified Voice	Nope – nope
Commissioner Conklin	Ok – tell us what you're trying to do and what your hardship is please.
Peter Statkevich	Our hardship is we have a small non-conforming lot and where our house is set back we need a rear variance so we can get the set back to 8 feet so we can put a pool in – where they marked it on the – on the lot
Commissioner Conklin	Alright
Peter Statkevich	We're applying for hardship I guess
Commissioner Conklin	Uh served by city water city sewer
Peter Statkevich	City water – yep
Commissioner Conklin	City Sewer
Peter Statkevich	Yes sir
Commissioner Conklin	No septic on the property
Peter Statkevich	No septic – oh no sir
Commissioner Conklin	Uh tell me why you can't move it closer to the house.
Peter Statkevich	The regulations say you have to be 25 feet and
Commissioner Conklin	From the house
Peter Statkevich	From the house – from the rear setback and where the house is set on the yard, you can't get 25 feet.
Commissioner Conklin	I know that but is there any reason why you can't

Peter Statkevich	Well you got the deck coming off and we're going to put a patio instead – we're going to take the wood deck down
Commissioner Conklin	It's an in-ground pool so you need some clearance
Peter Statkevich	Yes yes
Commissioner Conklin	Around the pool so that way you can
	Multiple voices
Commissioner Conklin	Anyone – here's the plot plan
Peter Statkevich	I also have the four pictures and I also got letters from the three neighbors all saying that they have no objections.
Commissioner Conklin	Please read them into the record
Commissioner Jones	Sure – to whom it may concern – this one is from Laurie and Jim Tonucci – regarding the variance for property located at 11 Golec Avenue – I am writing this letter to inform you that we did receive notification of the Application for variance on the rear side of the property located at 11 Golec Avenue Shelton CT 06484 – owners – Peter and Kimberly Statkevich. We do not have any objections with the request for variance on changing the setback – I hope this letter helps facilitate the approval of such application. Best - signed Laurie and Jim Tonucci – similar identical letter signed by Joseph and Sandra Marmora from 9 Golec Avenue and one more from John Statkevich – um there isn't an address
Peter Statkevich	He's 24 Milne
Commissioner Conklin	Ok
Peter Statkevich	He's the rear – he's on the rear setback of the house
Commissioner Conklin	Where do you plan on putting the pump – the filter
Peter Statkevich	Um on the side of the house
Commissioner Conklin	Ok- Up over on your side of the house
Peter Statkevich	Yeah
Commissioner Conklin	Ok
Peter Statkevich	Yep
Commissioner Conklin	Because I drove past the property and noticed that this house behind is fairly close
Peter Statkevich	In the back – that's my father
Commissioner Conklin	Ok – it's fairly close to the
Peter Statkevich	There all close – yes
Commissioner Conklin	Ok – any questions from the board.
Commissioner Orazatti	This an in-ground pool
Peter Statkevich	Yes sir
Commissioner Orazatti	Has your insurance cleared that
Peter Statkevich	Didn't know I needed anything from the insurance – clearance
Unidentified voice	Well I talked to the
	Multiple voices
Commissioner Conklin	That's not our purvey
Peter Statkevich	I mean we did talk to the insurance – well we talked to them and they said there was no issues
Unidentified voice	She said that there should be no issues – I talked to her myself

Clerk	For the record, I need your name
Kimberly Statkevich	Oh my name is Kimberly Statkevich
Commissioner Conklin	Any other questions – ok – anybody else in favor of this application.
Commissioner Conklin	Pardon – please come up and give your name and address for the record please
John Statkevich	My name is John Statkevich – I’m the father of Peter – and what he wants to do is fine with me. I approve it
Commissioner Conklin	And you are the property that’s right directly behind
John Statkevich	24 Milne on the rear side – I’ve been there 52-54 years now
Commissioner Conklin	Ok – anybody else in favor – anybody opposed – anybody opposed – any other questions from the board – I declare this hearing closed. Ok thank you.
Commissioner Jones	Number 2 – 815-2 Pochong Trail Lot 1 , Gary Todice of 115 Yukata Trail, Shelton, CT for a waiver to Section 24, Schedule B Line 7 by varying the minimum setback from the street line from 30 feet to 20 feet and a waiver to Section 24, Schedule B Line 9 by varying the minimum setback from the left side line from 15 feet to 10 feet. And we’re going to discuss that with Number 3 #815-03 6 Pochong Trail , Gary Todice of 115 Yukata Trail, Shelton, CT for a waiver to Section 24, Schedule B, Line 7 by varying the minimum setback from street line from 30 feet to 20 feet.
Commissioner Conklin	Ok – can I have your name and address for the record please
Gary Todice	Gary Todice, 115 Yukata Trail, Shelton CT
Commissioner Conklin	Do you have receipts for me please
Gary Todice	Letters
Commissioner Conklin	Pictures
Gary Todice	Power of Attorney from the property owner – gave me permission to go for the zoning
Commissioner Conklin	Ok
Gary Todice	Photos of the house and the lot – overgrown mess – I got a letter from Zoning – Tom Dingle approving my lot – subdivisions – so there’s two preexisting nonconforming lots there – he approved all the lot lines- my lot line revision
Commissioner Conklin	Read that please
Commissioner Jones	This is uh from Rick Schultz Planning and Zoning Administrator. September 15, 2015 – the Shelton planning and zoning department has reviewed the pending ZBA Applications #815-02 and #815-03 for 6 Pochong Trail and the related Lot #1 and finds the proposed variances requested for this development to be reasonable and consistent with this neighborhood. Another letter from the Zoning Enforcement Officer Tom Dingle certifying the lot lines revision for subdivision lots 41,42,43,44,45,46,47 located at 6 Pochong Trail owned by Patrick M. Ferrull has been examined by me as required by the Zoning regulations of the city of Shelton CT and I am satisfied that the same complies with the requirements of said zoning regulations and may be used and/or occupied because it is a lawfully existing non-conforming lot(s), use, building or other structure which may be continued in accordance with the provisions of Paragraph 41.1 and Section 44 of the Zoning Regulations. Signed by Tom Dingle and finally one more letter authorization and limited power of attorney – Shelton Planning and Zoning – this shall confirm that, Gary Todice of 115 Yukata Trail, Shelton, CT is authorized to represent me and act on my behalf with respect to all matters pertaining to zoning issues, including but not limited to, submitting documentation, attending hearings and obtaining approvals with respect to certain lots I own located at Pochong Trail, Shelton, CT and known as 12.A-78 and 6 Pochong Trail, Shelton CT known as 12.A-79.Signed by Patrick Ferrull May 15, 2015 and it was notarized same date by notary Gina Ferranti.
Commissioner Conklin	Ok – can you tell us what you’re trying to do here. – voice fades
Gary Todice	I’m building two houses – lot one has wetland issues that’s why I need the left side – move it over to get it as far away from the wetlands as possible and I need to move it closer to the road to get it away from the wetlands. Lot 2 doesn’t have any issues but I want the houses to line up so I figured I’d move the house up closer – voice fades
Commissioner Conklin	The neighborhood
Gary Todice	Yes – voice fades
Commissioner Conklin	Um – a lot of other houses in this neighborhood close to the street
Gary Todice	Yep
Commissioner	This is in harmony with the with

Conklin	
Gary Todice	There is only one other house here and there is a house here
Commissioner Conklin	But I mean there is a lot – I mean in general
Gary Todice	Yes
Commissioner Conklin	This whole Pine Rock area all the houses are close to the street
Gary Todice	Yes
Commissioner Conklin	Ok service by city water city sewer
Gary Todice	City water-city sewer
Commissioner Conklin	Ok – you have questions – Jim Linda
Commissioner Adanti	No I'm set
Commissioner Conklin	This is essentially what you had before but now you have the lot lines all straightened out and approved
Gary Todice	Yes
Commissioner Conklin	To be consistent with the other neighbors
Gary Todice	And the line went crooked before – now it's just straight
Commissioner Conklin	Right – it's a uniform looking lots
Gary Todice	Yes – trying to make them all – voice fades
Commissioner Conklin	The previous plan the lot that was all the way to the left hooked behind the other lot so everything is straightened out
Commissioner Adanti	Yes, I remember
Commissioner Conklin	Other questions – Bryan
Commissioner Vasser	I'm ok
Commissioner Conklin	Is anybody in favor of this application – anybody opposed – any other questions from the board. Ok – I declare this hearing closed. Thank you.
Commissioner Jones	Number Four #715-2 61 Indian Well Road , Michael Walker of 55 Sintsink Drive, Port Washington, New York for a waiver to Section 5, Line 3 of PDD Statement of Uses and Standards by varying the minimum setback from the right side line from 5 feet to 1.40 feet and the minimum setback from the left side line from 5 feet to 3feet.
Unidentified voice	I did want to hand this to the gentlemen on the left so I wanted you to see that all of the properties are pretty much on the lines as you know – so that I know – um that
Clerk	Excuse me but technically for the record
Michael Walker	Michael Walker uh formerly 67 Indian Well now 55 Sintsink Drive Port Washington
Clerk	Thank you
Michael Walker	Trying to get back home – uh ok – I'm not sure – you want me to start all over again.
Commissioner Conklin	Yeah why don't you quickly do that – there in the minutes but just so it's clear
Michael Walker	I want to build a new house to live in and I'm trying to build it to current codes- updating the septic system to a new septic system – basically improving the neighborhood – and all of the neighbors are very excited that we are replacing a blight house in the neighborhood with a new beautiful home – to be at current code the home needs to be elevated – stairs inside – septic requires a 3 foot set back and I've spent so far close to \$1,000 for permits and surveys for septic – for B1 and things – I really would not like to have to go through that again or – it's on the river so I can't go in any direction towards the river. And it's – the property is owned by the residents – us – the Maples Community and the property management the Paliaro's are thrilled that this finally has a chance to happen – so what we are really trying to do is something nice in the neighborhood – we're all in tight spots and we're trying to build a new home here.
Commissioner Conklin	Ok – first from the meeting last month – one of the biggest concerns as to some of the members of the board was this one foot
Michael Walker	Yes
Commissioner Conklin	That's

Michael Walker	I decided to change that to two and a half feet at that corner and restructure the whole plan – if that will help – I think that – if that’s what we – you know are struggling with – then we can do that.
Commissioner Conklin	Ok
Michael Walker	So on that side it would be 2 and a half and on the other side it would be 3
Commissioner Conklin	3
Michael Walker	Significantly more than I think even my neighbors have on theirs
Commissioner Conklin	This neighbor next to you is inches
Commissioner Vasser	Is this you
Michael Walker	Yes and if you look to the right they have a zero and they just got that not too long but – maybe 10 years ago – so yeah that’s me and obviously you know I just want to twist it and um you know get space for both neighbors so that we can have a walkway – they’ve all ok’d it – you’ve read into testimony last week that the neighbors were perfectly happy and thrilled to have this you know this property that is falling down, dilapidated be replaced with something beautiful.
Commissioner Conklin	Right
	Undistinguishable voice – too far from microphone
Commissioner Vasser	Where is the current sight – is this the current – voice fades
Michael Walker	I gave another new one here
	Multiple voices
Michael Walker	... and I can keep the house relatively straight and not twist it
Commissioner Vasser	Now can we talk about why we couldn’t dog this back in- to get more setback on this back corner
Michael Walker	Well we’re doing that now – we’re changing this to – where we are today – I could do a jog and
	Undistinguishable
Michael Walker	That may be ultimately what will happen with this if it definitely becomes 2.5 I’ll actually make a jog here.
Commissioner Conklin	Uh – huh
Michael Walker	This is my neighbor my friend here as well
Commissioner Vasser	Well today
	Multiple voices
Michael Walker	But um – my main concern is here because of the septic issues on this side and basically is more a staircase issue – yes but if you want to say 3 and I can jog – I can even do that – and with 3 on both sides and then this would be on me to figure out how I’m going to do that – but I’ve got to have a building with an architect design on it
Commissioner Conklin	Three would at least be uniform on each side of the house
Michael Walker	Yeah – I think that would be reasonable
Commissioner Conklin	And that’s pretty much what all the houses are – well most of them are down there is three feet
Michael Walker	It’s –it’s –it’s – I’m ok with that – I mean I’m trying to do the right thing
Commissioner Vasser	I know some of them are on the line but I mean that’s not right – you know
Michael Walker	Well I was here two years ago and they gave me a zero on one side because in some situations – as a matter of fact – my house was on the other property – I had to lift it up and move it onto my property so it’s really screw up neighborhood – where it’s –its – it’s a friendly nice neighborhood and everybody tries to work and that’s why I put the three on that side so it would have a nice walk way over them – you know – the other side is a very close friend of mine – I didn’t think it was an issue – I realize that it’s an issue so I’m trying to
Commissioner Conklin	It’s not necessarily an issue with him now, we got to remember this is forever
Michael Walker	Right

Commissioner Conklin	It's got to be correct now.
Michael Walker	Right
Commissioner Conklin	Bryan – you haven't been in town and this used to be basically all summer cottages
Commissioner Vasser	Yeah
Commissioner Conklin	For people from New York
Commissioner Vasser	Right
Commissioner Conklin	And people have since built them into permanent homes – and trying to
Commissioner Vasser	Yeah I just don't want to further compound the problem
Commissioner Conklin	Unfortunately the lots are so narrow that you cannot – you have to give variances – I mean the lot is pre-existing non-conforming lot that has to have a variance to build on
Commissioner Vasser	Sure I understand
Commissioner Conklin	Questions
Commissioner Orazetti	There is no house there now – this says existing house
Michael Walker	There was – I knocked it down
Commissioner Orazetti	Ok
Michael Walker	They gave me permission at town hall to just take it down – it was a real...- a danger
Commissioner Orazetti	Yeah I went and looked
Michael Walker	Yeah – so now it's just a chimney is still there – I've stopped until
	Multiple voices
Michael Walker	Yeah I do have some pictures
Commissioner Conklin	His is the third down on the left
Michael Walker	These are some of the old pictures of it – this was there about a month and a half ago – about two months ago – I mean it was a disaster. And I mean the taxes are 800 – I mean there is no taxes – it's really just land – so I'm building a new house obviously it will be – this is what the plan is – just a rough idea of what the plan is – voice fades
	Undistinguishable voice
Michael Walker	Any other questions that I can answer for you guys
Commissioner Conklin	Any more questions
Commissioner Adanti	I'm good
Commissioner Conklin	Any questions
Commissioner Vasser	No
Commissioner Conklin	Ok thanks – uh anybody in favor of this application – is there anybody opposed to this application – ok no more questions from the board – I declare this hearing closed.
Commissioner Jones	Number 5 715-3 - 31 Wakeley Street , John Dobkowski of 31 Wakeley Street for a waiver to Section 24, Line 8 by varying the minimum setback from the rear property line from 25 feet to 10 feet and a waiver to Section 24.4.11 by varying the minimum setback from the right side line (Two House Lane) from 15 feet to 10 feet.
Commissioner Conklin	This is a continuation from last month
John Dobkowski	Ok my name is John Dobkowski-I live at 31 Wakeley Street and I'm uh – this is a continuation – I'll um – to everyone who doesn't – isn't familiar with the situation – I made an application in April for a garage – a 750 square foot garage – um a 744 square foot garage and with a 12 foot door and uh the board rejected the 12 foot door because of neighbor concerns. I understand that and I took some – then looked at what I needed and decided that I could do with a smaller garage and basically in the same spot. Now the smaller garage that I

	<p>applied for last month uh was a 16% reduction down to 624 square feet. Uh it depended upon a septic condition because I have septic – I have an 8500 square foot lot but the septic system needed to be repaired – I have a swimming pool in the back and I want to put the garage where the swimming pool was. In order to put the garage there I had to have to have a BR100A compliant septic system because the house – I built the house in 1970 – it does not apply to the current regulations – I had to have somebody dig up the septic system in order to document the system so that I could get compliance – Because I had some minor problems with the septic system uh and the cost of digging up the septic system and documenting it, um I deemed it necessary to replace the septic system so I have a brand new totally brand new septic system which is compliant to 2015 – to the latest regulations. That septic system that I started to do was a hybrid system and it was – if it failed for any reason because of the cleaner or whatever I would have to replace the system and not fix it. So at the last minute I decided to put a more conventional septic system in which took up more area of the land and at the meeting I came back in with a smaller garage because I had set back issues from the new septic system. So I reduced that again to 30% from my August which is 40% from my original garage. So I tried to put everything in and in the letter I made a mistake saying that there was a motor home still in it cause I used a template and I left the sentence in there – had nothing to do with it but it recreated an issue with my next door neighbor and they wanted more time to research the problem so we put it off until today. I agreed at the time that I would resend out all the documentation as soon as I was able to verify that I had all the correct permits that was necessary because if it was moved in any way the size of the garage had to change. So I – that was last week – I got that all taken care of and this is a sample letter with the certified mailed receipts with all the documentation that I sent out to the property holders and – in the neighborhood.</p>
Commissioner Conklin	Uh
John Dobkowski	I also
Commissioner Conklin	This is the letter itself
John Dobkowski	That's the letter itself – yes
Commissioner Conklin	Ok
Commissioner Conklin	Can you read it into the record
Commissioner Jones	<p>Sure the sample of the notification letter that was sent out – this one is to Mr. and Mrs. Johnson from John Dobkowski dated September 4 2015 Regarding the Public Hearing on September 15 2015 at 7:30PM at Shelton City Hall. As you know at the last hearing on August 18, 2015 it was discovered that I made a mistake in the notification letter and it caused confusion so Darlene Conklin asked for a continuance to the next meeting in September so she could be prepared to oppose the application. During the August 18, 2015 meeting, I made changes to the application as to the proposed square feet of the garage. I reduced it 30% in square feet from 624 square feet to 442 square feet. The setbacks remain the same and the garage will be approximately in the same space as my pool was. Since the updated application paperwork will not be available at the town clerk the Board of Appeals chairman asked me to mail out the revision with updated numbers and a revised plot plan via certified letter to expedite the process at the next meeting. The enclosed material will have the updated numbers placed over the original and a cop of the revised plot plan I submitted at the August 18th meeting. Formal meeting notice follows- Pursuant to section D of the Shelton Zoning Board of Appeals regulations, you are nearby notified of a pending application for a detached garage. The variance is for setback from the rear property line to 10 feet and 10 feet from the Two House Lane Street property line (20 feet from pavement) on my property at 31 Wakeley Street. The pending application will be heard at a public hearing on September 15, 2015 at 7:30 PM at the Shelton City Hall, 54 Hill Street, Shelton, CT 06484. If you have any questions, please call me at my home 203-924-0584 or if you'd rather, a copy of the application with all site drawings and building sketches are on file at the Town Clerk's Office at Shelton City Hall. Thank You. John Dobkowski; 31 Wakeley Street; Shelton, CT 06484</p>
Commissioner Conklin	Thank you
John Dobkowski	<p>Ok I wanted to also update the update the pictures of the things that have actually changed. That's a picture of the driveway where I keep my truck and the trailer that has come into the driveway um – you can see that it's a little bit on the tight side and actually my truck hangs out past my property line onto where the street should be. Now a second picture is the actual backyard and I annotated on the picture where the garage will would be and this is in the exact same position that my in the ground swimming pool was at the beginning of last month. So that's all been taken care of and my hardship is - is that I have a septic system so I only have a very limited amount – although I have a lot of grass area – I have a very limited amount of where I can erect this uh structure – and I want to make it a permanent location – I want to put a standard foundation on it – it's going to be the same as my house with a cedar impression shingles on it – match - color matching so that it will work with the property – spent a lot of money on the property I want to make it look good.</p>
Commissioner Conklin	Ok – in the neighborhood are there other detached garages
John Dobkowski	Yes-yes – in the 200 feet there is probably 60 detached garages
Commissioner	Ok so this would be in harmony with the neighborhood itself.

Conklin	
John Dobkowski	Yes – there are – it’s also being under 15 feet its – it’s the house is surrounded – the garage is surrounded by houses that are at least two stories – a cape – two raised ranches in the immediate area so it will be at least 10 to 15 feet shorter than the house – my house is 27 feet so it’s going to be substantially less – it’s actually going to be in the spot where my septic – I mean my swimming pool was and that’s behind a cedar fence
Commissioner Conklin	Alright – I noticed when I drove around the neighborhood today to get a feel for what was going on
John Dobkowski	Ok
Commissioner Conklin	And I noticed that the garage that would be right across from where this is literally either on the property line or over the property line.
John Dobkowski	It’s – it’s on the property line and he has a two foot easement around the property line which has been a problem for the neighborhood I guess
Commissioner Conklin	Ok so there are other houses that are well
John Dobkowski	Actually that house there is the original house from the entire area and the person who owned that owned all the land around it and as they, as the family died off they sold off all the property around – I actually – the real estate people who started my house bought the land from the guy there – his name is Ernie Bright. So its and if you look at that and there is and if you look at the real street plan that house the front porch is actually on the city property – that’s just the way it is – he’s done a very nice job of bringing it up to level – I mean it was a very - very tough house and it actually looks really - really nice.
Commissioner Conklin	Alright – any other questions – ok
Commissioner Conklin	Audience – you want to come up
Darlene Conklin	Ok my name is Darlene Conklin, 1 Two House Lane Shelton CT
Richard Conklin	I’m Richard Conklin 1 Two House Lane Shelton CT
Darlene Conklin	Ok we are opposed to the um plans to construct a garage on his property. We have a letter from one of the abutters Pete Johnson
Commissioner Conklin	Which side is he on
Darlene Conklin	He
Richard Conklin	He’s behind
John Dobkowski	He’s in the – if you look towards the back he’s in the corner – uh he has a cape
	Unidentified voice
John Dobkowski	If you have a map I could show you
Commissioner Conklin	Can you read that please
Commissioner Jones	Sure
Richard Conklin	It’s kind of hard to read
Commissioner Jones	To Whom It May Concern My name is Peter Johnson-my property 44 Jordan Avenue adjoins #85 Wakeley from the back. I attended last meeting under the assumption Mr. Dobkowski was building an RV garage. At the last minute he changed his paper work, or says it was a typo. Now he proposes at 17 foot by 26 foot garage with no indication of height. For this reason, I have no idea what Mr. Dobkowski what’s to build; it could be a 10 foot high garage or a 20 foot high garage. I think a structure of this caliber will be an eyesore in the neighborhood. I will have to oppose the garage. Thank you. Peter Johnson Signed Peter Johnson September 15 2015.
Darlene Conklin	I also have another letter in opposition of the garage from um Dave I can’t say his last name but it’s the neighbor right across the street from Jack’s property – Jack’s two car under the house garage is here – the proposed garage is going to be here and this is Dave’s property – right across the street
Commissioner Conklin	He’s the one who has the detached garage
John Dobkowski	Yes
	Multiple voices
Commissioner Conklin	He has a detached garage and he’s opposed to it

Darlene Conklin	But that detached garage was pre-existing when he bought the house
Richard Conklin	It's been there like 19
Darlene Conklin	So it wasn't like he asked for a variance to put that garage there – that garage has been there since day one
Commissioner Conklin	Can you read this
Commissioner Jones	David
John Dobkowski	Saberio
Commissioner Jones	Saberio 2 House Lane, To Whom It May Concern. My name is David Saberio; my property is located directly across from proposed waiver. I would prefer to attend this meeting but for un-related reasons I must speak from outside. As I wrote in my letter for the April hearing on this same matter, I have a clear view of this property from every window in front of my house. Right now I see trees and a fence looks very nice. The last proposal that was denied was in fact bigger than my house. Now I see from the vague proposal that I saw that the structure is turned to run along Two House Lane. There is no indication of the height of the structure; there is no mention of the door height. Regardless it still infringes on two setbacks as I see it. This neighborhood is not structured for an accessory building of such magnitude. The lots are small and a structure like this will stick out like a sore thumb. For me personally I would be looking at a giant wall of siding towering over the existing fence. If people have any out buildings they are just all typical sheds eight by twelve etc. I would imagine the applicant is still trying to install a ten foot high door and for me that is going to take on a commercial profile which can promote many business uses down the road. I know 10 foot doors are acceptable sometimes but they should be reserved for buildings that are set back far from the property so they don't overpower the neighboring properties. I would imagine the setbacks were put in place for a reason. I think people should understand that if you don't have the property to do something that you want you just need to accept that. We can talk about siding and custom doors all day but that is only meant to overshadow the fact that the structure is non-conforming. I urge the board to understand that if approved this will have a dramatic effect on my property and the neighborhood. Call me crazy but I really wish people would consider their neighbors and their neighborhoods when they apply for things like this and not just themselves. Thank you for listening. Signed David Saberio
Commissioner Vasser	What size is his garage
John Dobkowski	Um I have the
Commissioner Conklin	Um this gentlemen's garage
Commissioner Vasser	The person who just wrote
John Dobkowski	Wait a minute his garage is 20 by 22
Commissioner Vasser	With what size door
John Dobkowski	Uh two single doors
Commissioner Vasser	Across
John Dobkowski	Across the front
Commissioner Vasser	Ten foot
John Dobkowski	Um I would say they were 8 foot – his van doesn't fit inside so they're not anymore then that
Commissioner Vasser	How high
Commissioner Conklin	When you it on last month you made it – stipulated that the doors – you specifically said that the door was not going to be any higher than 8 feet
John Dobkowski	Uh
Commissioner Conklin	Last month
John Dobkowski	My trailer is 8 – if the door – the door will probably be 9 foot because the trailer is 8 foot
Commissioner Conklin	I'm sorry
John Dobkowski	And I can't – the door will be whatever the building codes are

Commissioner Conklin	Um the max size doors
John Dobkowski	Yes the max size door is 10 foot tall – my trailer is just 8 foot and I can't put it in an 8 foot door – so I need some room to get it in and to you know to
Commissioner Vasser	The code Ed is 10 foot – right
John Dobkowski	The code is 10 foot – yes
Commissioner Vasser	Is 10 foot the maximum size
John Dobkowski	Yes yes
Commissioner Conklin	I thought the code was lower than that – I thought it was 9
Commissioner Orazetti	Yeah
Commissioner Conklin	The code is 9 feet
John Dobkowski	The code is 10 foot – we can check that but I don't have the code with me – I'm going on
Commissioner Conklin	I'm pretty sure it's 9 feet
John Dobkowski	But whatever the code
Commissioner Conklin	I think we would stipulate 9 feet max
John Dobkowski	Whatever the code whatever the garage is it will be definitely excuse me it will definitely be within the building codes
Commissioner Conklin	Yeah he made a statement that the garage is non-conforming and the you at no time said that the structure itself was going to be non-conforming
John Dobkowski	Oh absolutely not – it's going to conform to all rules and regulations for the town because I've got plenty of people watching
Commissioner Conklin	Yes
John Dobkowski	So it's going to be there
Commissioner Conklin	Alright
	Undistinguishable voice – too far from microphone
John Dobkowski	Do you want me to address that letter now or do you want to wait until the whole thing is over.
Commissioner Conklin	Uh why don't we wait
John Dobkowski	Until everyone speaks – ok alright that's cool
Darlene Conklin	Ok and we the Conklin's are also opposed to this application for the garage. Do you want to read it or do you want me to.
Ricard Conklin	All yours
Darlene Conklin	I have my own copy
Darlene Conklin	Um at the last ZBA meeting on August 18, 2015, Mr. Dobkowski was asked and agreed to send a copy of the newest proposed variance and garage plans to his abutters at least 10 days before the next ZBA meeting. This implied all abutters would receive something from Jack by September 5, 2015. We waited until Wednesday, September 9, 2015 for any information from Jack then we went to City to the City Clerk's office in Shelton City Hall to request a copy of the above mentioned plans. We were informed by one of the City Clerk's that if anyone came in asking for the newest plans as submitted by Jack Dobkowski, they were to contact to Ed Conklin concerning this matter. When I questioned that as being out of the ordinary, the City Clerk phoned somebody and asked that person what the special instructions were. Then the City Clerk told us to see Cindy, who is the Mayor's assistant, to try and straighten out the matter. The City Clerk also told us that she was informed that all the abutters should have received a letter from Mr. Dobkowski at least by September 5 th , which is 10 days before the next ZBA meeting, which was recorded in the minutes from the August 18, 2015 minutes. We informed her that we did not receive anything therefore we went to City Hall looking for the information. We met Cindy in the Mayor's outer office and explained why we were there. Cindy stated that it was fortunate that Tom Dingle just happened to be in her office at that time and requested that we speak with Mr. Dingle concerning this matter. After bringing Mr. Dingle up to speed on the proposed variances for Mr.

	Dobkowski's detached garage, Mr. Dingle stated he would try to contact Mr. Dobkowski, if his number was not unlisted and request Mr. Dobkowski to send us the required information. Mr. Dingle also suggested that we contact Mr. Dobkowski ourselves if we do not receive anything by Friday, September 11, 2015. I explained to Mr. Dingle that I would be apprehensive to contact Mr. Dobkowski concerning this matter since I was not sure how he would react. Mr. Dobkowski has been extremely cool to us since this matter has begun. Mr. Dingle stated that he would try to contact Jack on Wednesday, September 9, 2015. We did receive a notice from the Post Office in our mail on Friday, September 11, 2015, that they did try to deliver a certified letter to us that day and it would be available for pick up the following day, Saturday September 12, 2015. We did pick up the letter at the requested time but once again Mr. Dobkowski sent the proposed variance documents 3 days before the ZBA meeting. I am submitting a copy of the notice from the United States Post Office with the date September 11, 2015, which the postmaster told me indicated that that was the date the Post Office first received the certified letter to mail. Ok so I will ignore Jack's arrogant sentence in his letter to his abutters and state our reasons why we are opposed to Jack's variance request to construct a one and one half detached garage on his property. In Jack's application, he does not state if this a one and one half car detached garage or if he is still trying to get a garage big enough for a motorhome. And that's the statement in question. The proposed garage might be in Jack's back yard but it is in our front yard. The proposed garage structure will tower over our property.
Richard Conklin	Let me just show the folks at this point
	Unclear voices
Darlene Conklin	Throw me off my game - With the proposed garage, when we exit our front door, we will be looking at a solid wall of structures.
Richard Conklin	Unclear
Darlene Conklin	When you include the house itself, we will see nothing but a least 60 feet of solid structures almost the entire width of Jack's property which is 85 foot wide. So that is a- a we are submitting a copy of an aerial view of both Jack's and our property to illustrate the closeness of the proposed garage to our property.
Richard Conklin	If you look at this picture, this is Jack's pool – the blue thing on there – it's – even I can understand that and if you look at that fence along left to right – right at the very end of the south end of the pool you can see how close the pool is to the property line. The good thing about the pool is with that six foot fence there we can't see anything. You know he could have anything he wanted there and it wouldn't bother me at all –ok
Darlene Conklin	But with the proposed garage being – legally he can go up to 20 feet tall
Commissioner Conklin	How tall is the garage going to be
Darlene Conklin	Yeah are we going to see a massive amount of
Commissioner Conklin	Mr. Dobkowski – how tall is the garage going to be
John Dobkowski	Um a standard garage one - one garage – I was – the original garage I paid somebody to design the garage to have the best footprint possible and I didn't do that this time because I have no idea what the size was going to be – and it was – it's going to be within the codes. Uh uh with a nine foot door probably 12 foot 13 foot 14 foot I don't know – it's going to have a pitch similar to my house when its – when it's done – it's a one car garage – how tall could it be – there is going to be no second story – it's just going to be enough to get the snow and the water off the garage so the garage doesn't collapse under heavy snow.
Richard Conklin	What's the width of the garage?
Commissioner Conklin	It would be less than - Ok so if it's a five pitch roof at 17 feet wide that's 40 – less than 48 in so it's going to be less than 12 feet high
John Dobkowski	I would think so yes – I would think so
	Unclear
John Dobkowski	If whoever is going to construct the garage that that's the correct size that's where it will be. I'm not going to put I'm not going to make it enough
Commissioner Conklin	Do you have any objections to us limiting it to a 5 pitch with 12 foot height
John Dobkowski	Um – I don't understand the building so I – so if I put a nine foot uh door on it and I – uh- what does that limit it to
Commissioner Conklin	Ok
John Dobkowski	I don't know – I mean you're asking me design it right here
	Multiple voices

Commissioner Conklin	If its 9 foot instead of 8 foot walls it'd be 13 feet
John Dobkowski	Uh 13 feet would seem to be a reasonable height.
Richard Conklin	He said he wanted to have the pitch the same as on the roof of the house and that's
	Multiple voices
John Dobkowski	I – I – I you know I don't I don't have the building expertise to design it here at this table – so I-I – it would be within the building codes
Darlene Conklin	And because it would be within the building codes he does have the option of raising it up to almost 20 feet.
Commissioner Conklin	We can limit it
	Voice too far from microphone
Darlene Conklin	Ok well because Jack is very vague on his description of what he's building, how can we
Commissioner Conklin	We'll take considerations into account
Darlene Conklin	Ok – ok – let's keep going
Richard Conklin	You can read
Darlene Conklin	Next I am also submitting a picture of what we currently see from our front yard – you can hand these out
Commissioner Conklin	I have a question – I went past your house – how is this your front yard – this is your side of your yard where you have a car port which is your side yard
Darlene Conklin	I – I
Commissioner Conklin	Your house fronts on two house lane
	END OF TAPE 1
	BEGIN TAPE 2
Darlene Conklin	With the setback of our house from the street when we walk out our front door the supposed garage is in the front of the house that's to the left of the house. So yes it could be – it could be considered the side yard too but when I walk in and out of my front door – it's right there.
Commissioner Conklin	So you're saying if you to the right and looked over there
Darlene Conklin	To my left
Commissioner Conklin	And how about during the winter cause also I went down the street and I noticed that you have a series of trees that are at least 12 to 14 feet high.
Richard Conklin	Two apple trees
Darlene Conklin	We have two apple trees
Commissioner Conklin	So that would block
Darlene Conklin	The rest of the trees are John's
Commissioner Conklin	Well these trees right here which would block the view of that so are you planning on taking these trees down so that you would see that all year long
Darlene Conklin	It's still
Richard Conklin	When we walk out our front door and look to the left which is the north
Commissioner Conklin	Well this is during the winter when this whole tree here is defoliated
Richard Conklin	Right - But this here is going to be in the winter too and this is what the new view is going to be – you can't tell me
Commissioner Conklin	I couldn't tell – that is not – there's no proof that's a real scan.
Richard Conklin	My view is not restricted
Commissioner Conklin	That building looks about 16 to 18 feet to me

Richard Conklin	Well that's because
	Multiple voices
Darlene Conklin	The size of the building could be as tall as 20 feet which was my understanding because Jack said he was going to try and do everything to conform to regulations – I'm not an engineer – that's the best I could do – this picture was to illustrate exactly what we'd be looking at 12 months of the year – it's a solid wall
Commissioner Conklin	So
Darlene Conklin	Between his house
Commissioner Conklin	So how long – how wide is that building per your drawing
Darlene Conklin	Um actually with the fence and everything his
Commissioner Conklin	Yeah but you're looking at it per perspective so you can't be as exact – how wide did you draw that building to scale of the lot.
Darlene Conklin	I tried to figure that – I didn't – I just put it in there where I thought it would go
Commissioner Conklin	So that drawing can be thirty feet wide
Richard Conklin	Um I don't know about that
Darlene Conklin	No – no it can't be because the fence isn't that long – from his house to the street – to the end of his fence is not that long
Commissioner Conklin	Well I'm just looking at the – this side is longer than that side
Darlene Conklin	I know – I'm not an expert at uh 12:30 at night
Commissioner Conklin	Well you're giving us something that you want us to view and I'm trying to stipulate or find out how what you decide how you do that
Darlene Conklin	The length of his the width of his garage even though is not drawn properly is actually extended further than this picture
Commissioner Conklin	So in this – you're saying the pool from - in his yard extends from here out to here
Darlene Conklin	Yep and where is that -voice fades
Richard Conklin	We did the best we could with the information that was available
Darlene Conklin	So with the plans that Jack submitted this is his pool – so I tried to draw the structure – the structure that the proposed garage is going to overlap his house so I tried to illustrate with my poorly designed picture the wall that I would see from his garage which starts 10 feet from his fence on Two House Lane and then the wall continues all the way down to the end of his house so he has approximately 60 feet or we have approximately 60 feet of structure blocking that side of the house and we only have 85 feet wide
Commissioner Vasser	Are there any
Commissioner Conklin	But that's a fence
Commissioner Vasser	Are there any – are there any
Commissioner Conklin	That has no bearing on this discussion at all
Darlene Conklin	It's not a fence – when the garage is built it's going to be above the fence.
Commissioner Conklin	Oh you're talking about the 65 feet the length of his backyard
Darlene Conklin	The length of his back yard is 85 feet
Commissioner Conklin	Right
Darlene Conklin	When he adds the garage to it which is being built to the right of the house it overlaps the house so this view here where we have a view between his house and the street is going to be eliminated. Because his garage is going to overlap slightly here so we'll see the house – we see an overlap – from the house to the garage so there is no space there and then the garage is going to go out 17 feet wide towards the street
Commissioner Conklin	Are there any conditions under which you would support this garage? Any kind of screen – landscaping – covering – painted clouds – anything at all

Richard Conklin	Laughter
Commissioner Vasser	I mean I hate to be facetious but I – you know –
Darlene Conklin	Yeah – at this
Commissioner Vasser	it there any condition at all that you can see that you would support this
	If he could put something up there to hide the garage and let us see what we can see in this picture
Darlene Conklin	And see that
Richard Conklin	We'd be happy as heck
Commissioner Vasser	Well the question he's asking is you don't like the look of the garage
Commissioner Vasser	We can't make it see-through
Commissioner Conklin	So if he planted trees across the back of it here which blocked it that would
Commissioner Vasser	I mean are there anything
Richard Conklin	It's certainly a step in the right direction
	Multiple voices
Commissioner Vasser	The man wants the garage to enjoy his property – you don't want to look at the side of a garage – is there anything that he can put there
Darlene Conklin	Alright
Commissioner Vasser	That you might
Darlene Conklin	Jack wants the garage to enjoy his property
Commissioner Vasser	Sure
Darlene Conklin	I would like to enjoy my property
Commissioner Vasser	You can
Darlene Conklin	With that garage in that – in the front half of his property I cannot enjoy my property
Commissioner Conklin	Well that's
Commissioner Vasser	What if there's a green screen – like cypress – or Italian (unclear)
Darlene Conklin	I honestly never considered that because
Commissioner Vasser	Well let's consider it
Darlene Conklin	Ok because at this point because of the issues it's
Commissioner Conklin	What are the issues
Commissioner Vasser	If you planted trees there
Darlene Conklin	Can I
Commissioner Vasser	You would
Darlene Conklin	Can I finish
Commissioner Vasser	Oh sure
Darlene Conklin	My reading and then maybe some of these questions will be answered
Commissioner Vasser	Oh sure – go right ahead
Darlene	Ok thank you - and I'll ponder that at the same time.

Conklin	
Commissioner Vasser	No problem
Darlene Conklin	Alright so you saw the picture of what we currently see – you’ve seen the picture of what we will see if the garage is built. Please bear in mind that Jack’s property is 85 feet by 100 feet and our property is 60 feet by 100 feet. These are very small lots. Jack has not mentioned the height of the proposed garage nor the size of the garage. And that’s when I was typing this before today. The proposed variance is only 10 feet from our property line. The proposed garage is not in harmony with the rest of the neighborhood. Any of the um detached garages in the neighborhood were all pre-existing per zoning. A far as I know. We talked to a realtor and they said that this proposed garage will devalue our property values. Currently the only plans on file with the City Hall of Shelton CT are the proposed RV garage dimensions of 26 feet by 26 feet. We have zoning laws established to help maintain conformity within neighborhoods. If this proposed variance is granted, other homeowners (we have two marinas behind our neighborhood), especially those with boats stored in their yards will also request variances to their properties to construct garages. All cities have zoning laws for a reason. Once a variance has been approved, that new variance is now the norm. For example, look at the Maples. The variances have been approved so many times the new norm is now about 3 feet between homes. You recently had a gentlemen in here at the last meeting requesting with the approval of his neighbors to ask for a reduction in that variance down to a foot and a quarter. That would result in one neighbor having to go into his other neighbor’s house just to wash the outside of his own windows. We chose to live in Shelton because of the country atmosphere and open spaces between the dwellings. If we had wanted to live with over developed properties structures within 10 feet of property lines we would have chosen to live in a downtown environment. We did not choose that type of environment yet it is being forced upon us. Uh statistically the average male in the United States has a life expectancy of 76.4 years and a female of 81.2 years which is quoted from the Center for Disease Control and Prevention, 2012. This equates to the fact that I will have to look at Jack’s proposed garage for almost three times longer than his life span. In conclusion we urge you to come down to Two House Lane and see for yourself the impact of this proposed garage. You will see it is not in conformity with the neighborhood and would open the door for other such structures to be built within our neighborhood. Looking at the pictures submitted, you will see that this proposed structure will block our view forever.
Commissioner Conklin	If we do grant variances – we do not set precedent. So that does not become involved for granting variances. Um also you have a structure that goes over the height of the fence – how tall is that structure on your property
Darlene Conklin	What structure
Commissioner Conklin	You have a shed in your back yard that looks like it’s probably about 12-13 feet above the height
Richard Conklin	Oh the portable one – the portable shed
Commissioner Conklin	I don’t know. No – no not the portable one – the one that’s (unclear) permanent structure
Richard Conklin	Oh I don’t know about that
Darlene Conklin	I don’t know how tall it is either – we had it built at another location and brought it with us when we moved in – over 20 years ago – and it’s been in that location for over 20 years
Commissioner Orazetti	How close is it to the property line
Darlene Conklin	Pretty close
Commissioner Conklin	About one two feet it looks like
Richard Conklin	Yeah to Jack’s property line
Jack Dobkowski	I would say it’s probably about 18 inches
	Unclear voices
Jack Dobkowski	If that
Commissioner Vasser	If you had to
Darlene Conklin	We can walk (unclear)
Commissioner Vasser	If you had to estimate what would the height be.
Richard Conklin	The height
Commissioner Vasser	Yes

Richard Conklin	Could be 8-9 feet – I don't know – I never really thought about it.
Commissioner Conklin	Now it's well over the height of the fence
Darlene Conklin	Yes
Commissioner Vasser	The fence is 6 feet
Darlene Conklin	Well it's actually 5 and a half now but when it was installed it was 6 feet I think but yes it's definitely I will agree it's definitely higher than the height of the fence but it's in the back corner of the property next to Jack's shed which is also in the back corner of the property
Commissioner Vasser	And how tall is your shed
John Dobkowski	Uh how far is my shed from the property
Commissioner Vasser	How tall is your shed
John Dobkowski	My shed would be I would say 7 feet tall
Commissioner Vasser	7 feet
John Dobkowski	I can stand inside and just touch the peak of the shed
Commissioner Vasser	Is your shed shorter than the shed next door
John Dobkowski	I believe – yes well uh we'll you can see the shed I will show you a picture – as we go
	Unclear voice – too far from microphone
Commissioner Conklin	So there are other structures in the neighborhood that approach that height – within building that garage
Darlene Conklin	If he keeps the garage down to 12 feet but then again I'm looking at a six foot wall whether it be a garage- whether it be shrubbery
Commissioner Conklin	That's allowed by – that's allowed – that is – he can have a fence on his property
Darlene Conklin	Yes he can have a six foot fence
Commissioner Conklin	But that's not what's in front of us
Darlene Conklin	A six foot tall fence – but when you put in a twelve foot or taller
Richard Conklin	This is what he's complaining about is this
Darlene Conklin	Garage in that same spot where his pool was 10 feet from my property line I have a solid wall above the fence of about 60 feet – house – garage and he's got a little bit on the front end a little bit on the back end of clear space
Commissioner Vasser	Um
Darlene Conklin	I will definitely feel boxed in with a structure that close to the property line and tall and taller than the fence
Commissioner Vasser	What's the – how far is the (voice fades) – there is no measurement – how far is it from the property
Commissioner Conklin	It's 10 feet
John Dobkowski	10 feet
Darlene Conklin	That's what he's suggesting it be – I mean the backyard the regulations are 25 – that pool was pre-existing when we moved in – but we had no problem with it
Commissioner Conklin	Pre-existing non-conforming structures do create harmony in the neighborhood
Darlene Conklin	Excuse me
Commissioner Conklin	Pre-existing non-conforming structures do create harmony in the neighborhood in other words if people had the buildings before and they are in this case detached garages even if they are before zoning they do create pre-existing non-conforming harmony in the neighborhood of other people having similar structures
Commissioner Vasser	If this garage were turned

Commissioner Conklin	You can't because of the septic system
Commissioner Vasser	Oh I was just making a point – if the garage were turned he would – he could set back enough from the fence
Darlene Conklin	Um hum
Commissioner Vasser	And you'd be looking at a longer structure which would be perfectly legal
Darlene Conklin	Right
Commissioner Vasser	Ok so if he puts the garage this way you're looking at less of a structure a bit close albeit but still a structure that's narrower and planted something in the back maybe a trellis with a nice flowering vine or something – I mean just something that make it soothing – would that not be better than putting it in this direction – I mean
Darlene Conklin	That would be better but
Commissioner Vasser	This is perfectly legal
Darlene Conklin	Yep it's perfectly legal but his property cannot accommodate it
Commissioner Vasser	Well
Darlene Conklin	Because of septic issues
Commissioner Vasser	Ok well maybe that can be changed – I don't know but the point is
Darlene Conklin	If Jack had
Commissioner Conklin	The septic is considered the hardship – see that is what the problem is
Darlene Conklin	Right
Commissioner Conklin	That's considered the hardship of his property – of fitting this building on
Commissioner Vasser	The point I'm trying to make
Commissioner Conklin	What he's saying is that building can fit on this property – his hardship is the septic system – so he's turning it sideways -
Commissioner Vasser	And you're looking at less of a building – sideways
Darlene Conklin	So
Commissioner Vasser	You could be looking at 32 feet if he moved the septic
Darlene Conklin	Right which is what we thought the first time
Darlene Conklin	So now Dave has got the problem of looking at 26 feet this way
Commissioner Vasser	Oh he has a problem of looking at this guy's garage – sounds to me like this guy has a massive garage across from this guy's house
Darlene Conklin	Dave's garaged is not massive – it's in the back corner of his property – how far – how big is how long is his driveway – much longer than Jack's
Richard Conklin	Well it's probably 40 feet if
Darlene Conklin	So it's not in your face – this is in your face – now if Jack had proposed and was able and I'm not sure he's able to do it or not – but if he proposed to put the garage back here in the back corner – I would not have a problem with it.
Richard Conklin	The other guy would have a problem with it
Darlene Conklin	Well Pete might but Pete already has the hedge – the tall hedge – our Pete – the Pete over here might
Commissioner Conklin	But then he's making two driveways which seems rather
Darlene Conklin	Right – excessive
Commissioner Conklin	Um-uniform in the neighborhood

Darlene Conklin	Yeah
Commissioner Conklin	And he's putting it in the place where it belongs with his driveway
Darlene Conklin	But if it was back here in the back yard and it's in my backyard – then it's in Pete's back yard and it's in this Pete's back yard – that's not as offensive as being up here – I go in and out of my driveway many times a day and I'm going to be staring at this massive wall – 10 feet from my place
	Multiple voices
Commissioner Conklin	Well that's the question – again what happens if he was to plant arborvitaes across the back there
Darlene Conklin	It would be awful tall
Commissioner Conklin	The arborvitaes grow 20-30 feet
	Unclear voice
Darlene Conklin	Ok I'm not that familiar with them
Commissioner Vasser	Jack – remind me again where is the door – the drive in door this side or this side
John Dobkowski	The drive is going towards the driveway
Darlene Conklin	Up there
John Dobkowski	Up there
Darlene Conklin	So he's eliminated the second driveway
Commissioner Vasser	Oh ok
John Dobkowski	It's going to connect to the driveway
Darlene Conklin	So this is the back of the garage now and this is the side
Commissioner Conklin	Which side you won't be seeing since he has a fence along there
Darlene Conklin	Oh the side will be seen – it's all the height above the fence that will be seen
John Dobkowski	Yep I could – there are two large arborvitae there right now which would shield most of the building but I could very easily put more in – it works for me
Commissioner Vasser	He's looking for a compromise
Darlene Conklin	Yes I know you are and if I wanted to live
Commissioner Conklin	I think you would be more crowded in if he put arborvitaes in right against the fence
John Dobkowski	They do get out of hand
Richard Conklin	As long as there on this side I don't care
Commissioner Conklin	Yeah but you're complaining about the wall you're seeing
Richard Conklin	Um hum
Richard Conklin	But I'd rather see
Commissioner Conklin	At least you have a distanced of 10 feet rather versus the
Richard Conklin	I'd rather see the arborvitae then this here – if I have to see something – I'm not what I'm going to see now apparently so
Darlene Conklin	We bought the property because we liked the area – we liked the view – we liked the openness – and now it's being taken from us
Commissioner Conklin	Well your rights are not legally
Darlene Conklin	But that's one of the reasons you why buy a piece of property – if I wanted to be boxed in I would have lived in another area.
Commissioner	But you are never guaranteed what the neighbors will do and if he put the garage this way moving the septic

Vasser	system – it would be perfectly legal and you wouldn't be sitting here – you know – you can't control
Commissioner Conklin	And that's what this board looks at – is hardships to the property and the hardship of that property is the septic system
Darlene Conklin	So we look at his hardship and not my hardship
Commissioner Conklin	What is his hardship
Darlene Conklin	His hardship is his septic system
Commissioner Conklin	Well it's a hardship of the property
Darlene Conklin	Of the property – yes – and my property values will be devalued
Commissioner Conklin	We have nothing from anybody that says that
Darlene Conklin	No I was not able to get that in writing – not that quick – I didn't think of it until the last minute – I only got a verbal – that's why I didn't even specify a name
Commissioner Orazetti	Can we establish a height for this garage
John Dobkowski	We talked about it last month when we went through the whole thing and I thought that it would definitely no taller than 15 feet – again I'm not - I'm not an architect or whatever I just put together the garage uh my my-trailer is 8 foot so the garage door will have to be 9 foot in order to get the trailer in there that is – that is – it won't go into an 8 foot door – it's uh – it's 7 foot uh 10 and a half or 11 inches and that just is just too much not – just to knock the top off
Richard Conklin	Can't let the air out of the tires – that's what we did in the old days.
	Unclear voices
Commissioner Conklin	Can put stipulations on height of the garage door, height of the building – uh
Darlene Conklin	Yeah because right now Jack's proposing a garage and he obviously doesn't have a firm – a firm idea of what he's proposing – so how are we supposed to agree to – it might be this – it might be that – it might be the other thing – depends on how its constructed – well I'm not going to approve something I don't know what it's going to look like
	Multiple voices
Commissioner Conklin	A 9 foot building with a 5 pitch roof you'd have to have a header above the door – it would probably be 13 6 max - I mean that would be tight – so probably 14 feet would be reasonable height to accommodate a 9 foot door. At a 5 pitch roof. – Guys are quiet down there – what do you have to say.
John Dobkowski	I'm sorry
Commissioner Vasser	The shed is going to remain.
John Dobkowski	Yes
Commissioner Adanti	I'd like to see a plan – I'd like to see a plan – total plan
Richard Conklin	Or an artist's rendering
Commissioner Adanti	Yeah – with measurements and all before I could really say
John Dobkowski	Is an artist's rendering of the building a requirement for a variance – is it just building codes – or
Commissioner Conklin	It's not required no but
Richard Conklin	Sometimes people can't comprehend what you are saying
Commissioner Conklin	Well we're granting something that obviously some of the neighbors are having a problem with – ok – which isn't too unreasonable in the neighborhood so we're caught in a dilemma here and the problem is you know we're looking at how much of an impact is it – is it a major impact? Is it a minor impact? Can we put other stipulations in to lessen the impact upon the neighborhood – is the building going to be in harmony with the neighborhood – again we're talking about in harmony with the neighborhood.
John Dobkowski	If we're at a point where I can put a rebuttal to the other – to the people that are in conflict with my desire for the garage I would appreciate that – I could maybe settle some of the things people are – are um questioning
Commissioner Conklin	Well why don't you do that then we can discuss
John	We can discuss it as we go – ok

Dobkowski	
Commissioner Conklin	Yes
John Dobkowski	Alright – this is um this is a picture of the house across the street with a - with the garage. I just want to enter that into the thing and I also have – that’s the Saberio house – and here’s another – here’s another satellite view but I – but the big deal – that I would like to do here – is to go through Mr. Saberio’s list here and um – and I have a satellite view of his property – I have two of them – and you’ll notice that his property is 5000 square foot and he’s complaining about the property being over built – putting a garage that he can see and his property is going to be affected by the – my build. If you look at the satellite picture you’re going to see that he has a deck that covers the entire back yard and a pool one foot from the property line where he is – he has a non-conforming 10 foot high fence – he’s complaining about the height of my garage but he has a 10 foot high fence- I look at the field card – there’s nothing on there about the deck that he put on so he did not obtain zoning for that – if I do a satellite comparison with the field card against his house size and measure out with a ruler I come up with the fact that he has 734 square feet of his 5000 square foot with coverage which puts him at 34% lot coverage on his lot and he’s worried about me building over when I’m actually took out a swimming pool – part of my coverage – and putting in a smaller garage – so he’s worried also about the fact that this garage could at some time be some commercial operation – but he didn’t tell you that he runs a commercial operation out of his house – he’s a contractor – his truck doesn’t fit in his garage because he has contractor equipment inside it – in fact he also has contractor equipment outside – you can see that here – that’s on the side of the house – along the road he has scaffolding equipment – that’s been there for years – because it can’t – it was on the side but he got tired of looking at it so he put it on the side – so he’s accusing uh- my build of eventually being a commercial property when he is working it as a commercial property. He’s a home improvement contractor. He’s done lots of work in my house – very very good contractor – very very difficult to work with – my wife doesn’t want him to do the garage. When I told him that he wasn’t going to do the garage he then lobbied my wife to say that he could build the garage better, and cheaper than I can get anybody else to build the garage. He didn’t know that my wife was the one who didn’t want him to build the garage. So all of a sudden he’s opposed to the garage. So we feel that he doesn’t want – if he’s not going to build the garage, no one’s going to build the garage. So I think that’s his problem. Now let’s move over to the Conklin property.
Darlene Conklin	Uh one point Dave is
Commissioner Conklin	You can’t speak for Mr. Davis
Darlene Conklin	I know that is what I was going to say – Dave is not here to defend himself with any of this
Commissioner Conklin	But he was put on the record last month weren’t they
Darlene Conklin	Pardon
Commissioner Conklin	His facts were put into the record last month
Darlene Conklin	Not all – not everything that Jack just said – right now – Dave’s property was never brought up.
Commissioner Vasser	He was notified of the meeting – yes
Darlene Conklin	Yes
Commissioner Vasser	But he is not here in opposition
Commissioner Conklin	Yeah right
Darlene Conklin	Well he’s here by letter in opposition
Commissioner Vasser	I know but he had a chance to speak - he didn’t – you spoke – now Jack is speaking
Commissioner Conklin	Right
Commissioner Vasser	And I think we owe him the time
	Multiple voices
Darlene Conklin	No he can keep talking but
Commissioner Vasser	Then let’s do that
Darlene Conklin	But I was just trying to defend Dave here though
Commissioner Conklin	You can’t you cannot

Commissioner Vasser	But is Dave wanted to defend himself he could be here
Commissioner Conklin	Right
Commissioner Vasser	He was notified of the hearing
Darlene Conklin	He had issues while he couldn't be here
Richard Conklin	He had some health issues
Commissioner Vasser	Ok well I – I
John Dobkowski	Ok continuing on ok – I've made a little series of pictures here to show exactly what happened to the property. You'll see that this is a view from the Saberio property across the street – into the property – there is a little ladder assembly there – this is a picture of the ladder assembly
Commissioner Adanti	This is your property sir
John Dobkowski	The ladder is 8 foot tall
Commissioner Adanti	This is your property
John Dobkowski	This is my property yes. This is a picture of this ladder – in the same spot as that - now I went out to the road on Dave's avenue and took a picture across the Conklin property
Commissioner Vasser	How tall is this ladder again.
John Dobkowski	8 foot – there's a picture – now the ladder is there but it is very difficult to see – so I put an arrow on the – on the picture – indicating where the ladder is. Now here's a little closer picture and this taken right directly across the front of the house with a telephoto lens and that gives you a little better indication of where the ladder is. Now you'll notice that there is – there's trees there- there's a couple of fruit trees – on the Conklin side of the ladder – and there's no question that if I put a garage there – I mean it's a structure you'll see eventually and of course in the winter time they'll be more – there'll be more view because the leaves will be off of the trees.
Commissioner Vasser	This is the Conklin property here – and you're on the outside
John Dobkowski	Yes I'm looking directly across the front yard
Commissioner Vasser	Ok
Commissioner Conklin	There's the question we asked earlier about the trees – because when I drove there the trees were growing up and you couldn't – I could barely see his house.
Richard Conklin	How about the other six months of the year
John Dobkowski	Ok
	Voices too far from the microphone
John Dobkowski	What I've done here is I've turned slightly- I've gone to the front of the house and I've taken a picture towards the Conklin house and it shows that there is a uh- there's a garden there – and it runs along the – runs along the ladder – or along my property. Here's a little closer view of what's going on in the back – so we're going to see here that they put up a temporary car port which is approximately – which is actually a little bit bigger than what my garage is going to be. Or would be. So it's there. And it they're talking about
Commissioner Conklin	When did that go up.
John Dobkowski	Uh I don't know maybe 10 years ago- 15 years ago
Commissioner Conklin	Oh it's been there
John Dobkowski	It's something – it's been there – it's been there for awhile
Commissioner Conklin	Oh ok
John Dobkowski	Ok - there's no question about that. Now I also there concerned about their view from their front yard. When they walk out their door – and you can see that it's pretty well hidden by shrubs – at least 6-7-8-10 months of the year. The shrubs that are there – the arborvitae – there always green. And they're very full. But you know we've tried to work with the Conklin's – over time – when they moved in – um Dick approached my wife – they're friends from many many years – 55-60 years - I think they even dated but
Richard	You're not supposed to know that

Conklin	
John Dobkowski	But um – so when they moved in – they wanted to place on their shed close to the property line and we didn't – you know we wanted to be good neighbors so we let them – put it in next to – even though my shed is significantly – it's done to the code – it's 5 feet to the property line. So eventually they put in another building there and they also came to us for setback changes. So we signed on being good neighbors for a setback change for them to put a porch on the front. Figuring that sometime in the future we may need some assistance so they'd cut us a little slack and we know how that worked out.
	Unclear voice
John Dobkowski	Ok so now we're talking about views – this is the view from my back porch – and you can see the sheds and the buildings – they have four accessory buildings on their property – if I add up all the – I estimated from the field – using field card data – and uh satellite pictures, and my own relationship to the fences, that they have 1747 square foot of coverage on their property and they have a 6000 square property – so that gives them just slightly north of 30% - coverage – so they're worried about me covering and I'm actually reducing the coverage on my property going from 8 foot in the ground to 12 or 14 feet in the air. That is a true statement. I'll grant you that but I think that is a fair use of my property and I believe that I mean can put arborvitae there – I put the arborvitae on the other side of the property too – in fact – if there was some way that I could cancel out their property – views from my back porch – I would do it – but I can't because I'd have to put a 15 foot tall fence there – and that's not allowed either. So they're complaining about their view when they don't care about mine. We have this temporary garage there – they –they'd been so adamant about this – my wife and I are going to say that garage has got to go – because it's a non-conforming – they never got a permit for it – it's been there now 20 months – 21 months – way past what a temporary garage is for
Commissioner Vasser	Which –which structure are we talking about
John Dobkowski	The plastic one – it's an eye sore – that's all we see when we come outside. They're complaining about the – uh uh permanent garage if that was a permanent garage I would entertain it – to take all those buildings out – you'll also notice from the front there – there is another accessory building on the front – that's on the septic system – way out yeah – that's probably a violation of the health code.
Richard Conklin	That has nothing to do with it
John Dobkowski	But they don't bother with that – I mean that's – that's for people – other people in the neighborhood – just makes me aggravated to sit here and listen to people who disregard zoning laws complain about me trying to get fair use of my property. Just aggravates me to no end. They complain about possibility of – that somebody's going to come there and going have a commercial operation – well I only have one picture here sorry – but they have a sign out front – they have a commercial operation too -
Richard Conklin	That's getting really petty now
Darlene Conklin	Yeah really petty
Commissioner Conklin	You have a maple syrup sign if I'm not mistaken
John Dobkowski	I'm sorry
Richard Conklin	Yeah that's a maple syrup sign
John Dobkowski	Yes
Darlene Conklin	Yep
Richard Conklin	My son
John Dobkowski	Maple syrup sold here – that's a commercial operation as far as I'm concerned.
Richard Conklin	It is if you sell any
John Dobkowski	They don't have a permit for that I would imagine also
	Voice to far from microphone
John Dobkowski	So that's my story – I think that I would like to have the garage – it's fair use of the property – it's a very, very important thing to me – I'm retired – that's for a retirement passion that I have with motorcycles – I've had it since I was a kid – I was the kid in the neighborhood with the clothespin in the – and the baseball card – on their bicycle – so uh- here I am now uh retired and doing a lot for a motorcycles – the trailer is to haul my bike to the events on the weekends so that's what I'm after.
Richard Conklin	So it's come a long ways from what was going to be a motorhome garage
Commissioner Conklin	You can rebuttal but you can have discussion on only on anything that is new. That's been discussed – not rehashing anything that is old.

Darlene Conklin	So the information that Jack just supplied to you
Commissioner Conkin	Yes
Darlene Conklin	Ok um- the variance on the front porch – that was a one foot variance – it’s a one story tall porch – he can’t even see it – so I’m not sure why that point was brought up
Commissioner Conklin	Is that because the trees that you have on your property block it
Darlene Conklin	No it’s only one foot up – I mean one story up - I’m mean it’s
Richard Conklin	I think when the assessor came around or whoever it was – he said this is all you want – is that small porch – I said yes – just enough to put
Commissioner Vasser	How high is the porch
Darlene Conklin	Whatever one story is – do you have a picture of that
Richard Conklin	When you’re standing on the deck
Commissioner Vasser	Well typically stories are 10 feet
Richard Conklin	Oh no it’s not that
Darlene Conklin	No no and we do have a roof on it – that’s tilted down – I – I don’t know – I don’t know dimension – I’m sorry that is not my forte in life
Richard Conklin	We got a permit for that
Darlene Conklin	Yeah we got a permit – we just needed to get one extra foot out to make a very small porch – you cannot see it from Jack’s – the only way you can see that is if you went in Jack’s driveway and stood on your tippy toes and looked over our way.
Commissioner Vasser	And all of the other structures in the back yard are
Darlene Conklin	He never had a problem with anything we’ve done until this point
Commissioner Vasser	Well I’m just curious as to whether or not those were permitted or - or not or approved by Jack or in terms of the view that he sees from his porch – I feel that’s a relevant question
Darlene Conklin	We did not know he had any problems with the view from his back porch until this minute
Richard Conklin	No one ever said a word
Darlene Conklin	Did I ask him – no. Did he come over and say you know that’s ugly – no. We – even though he implied that my husband and his wife had been friends for 55 -60 years, they know each other – that’s it.
Commissioner Adanti	Mr. Chairman – I think it’s time that kind of just wrap this up because this back and forth
Commissioner Conklin	Yeah – I agree
Commissioner Adanti	Ok – I’m done.
Commissioner Conklin	As far as the personal issues go, that’s not a
Darlene Conklin	Well that’s Jack
Commissioner Conklin	Not relevant to
Darlene Conklin	Brought up a lot of personal issues that have nothing to do with the construction of his garage. In his own defense to get the garage in. – It’s ridiculous – we do not have a commercial operation in our house – we have 12 bottles – pint sized bottles of maple syrup that we offer to sell for our son. We have not sold any in the last year and a half because everybody it’s like just an antique little thing that’s hanging out there for fun.
Richard Conklin	They think we’re sign collectors
Darlene Conklin	Yeah
Commissioner Conklin	Alright – uh – the main issue to that he is showing in this picture is what I saw is you lose your whole view that you’re saying is so important – uh – six to seven, eight months out of the year.
Richard Conklin	Well during the growing season
Commissioner	That’s your biggest contention is that you’re going to lose your view of the ballfield and you have a tree

Conklin	planted there as it stands right now that blocks that view – correct
Darlene Conklin	It doesn't block the view – no.
Commissioner Conklin	Well I've got a picture here – and I drove past the neighborhood – I couldn't see – I could barely see through his – that tree – that's his property
Darlene Conklin	If you're on the road
Commissioner Conklin	So that's your biggest contention
Darlene Conklin	If you're on the road it looks much more – a lot more foliage that when you're in our driveway. We'd like to sit in front of our porch – our garage – every day – every afternoon – every evening
Commissioner Conklin	This is the tree that I saw right there that I can't – I could not see through – and I drove around the property
Darlene Conklin	That little one – oh yeah that's a little apple tree – that doesn't even look like that now.
Richard Conklin	Unclear – apple tree
Darlene Conklin	Yeah and the thing with the eight foot tall ladder – I mean come on – the building – people who construct those huge towers here they put up a little balloon in the forest of trees and they say well no body could see the balloon so we could build this massive piece of building – structure – it's the same thing with the ladder
Commissioner Conklin	Ok
Darlene Conklin	So these are Jack's so I guess they go to you
Commissioner Conklin	So we're all set – alright – any other questions from the board – ok then I declare this hearing closed.

Later that evening during the working session the Board, upon a Motion made by Commissioner Jones and seconded by Commissioner Orazetti, to grant the application **#815-1 (11 Golec Avenue, Shelton, CT)**. Motion passed by 5-0 vote with stipulation.

Later in the evening during the working sessions the Board, upon a Motion made by Commissioner Orazetti, and seconded by Commissioner Jones to grant the application **#815-2 (Pochong Trail, Lot 1, Gary Todice, 115 Yukata Trail, Shelton, CT)**. Motion passed by a 5-0 vote.

Later in the evening during the working sessions the Board, upon a Motion made by Commissioner Orazetti, and seconded by Commissioner Jones to grant the application **#815-3 (6 Pochong Trail, Gary Todice, 115 Yukata Trail, Shelton, CT)**. Motion passed by a 5-0 vote.

Later in the evening during the working sessions the Board, upon a Motion made by Commissioner Vasser, and seconded by Commissioner Jones to grant the application **#715-2 (61 Indian Well Road, Michael Walker, 55 Sintsink Drive, Port Washington, NY)**. Motion passed by a 5-0 vote with stipulation.

Later in the evening during the working sessions the Board, upon a Motion made by Commissioner Vasser, and seconded by Commissioner Jones to grant the application **#715-3 (John Dobkowski, 31 Wakeley Street, Shelton, CT)**. Motion passed by a 5-0 vote with stipulation.

Approval of Minutes

Motion made by Commissioner Orazetti to accept the minutes of the August 18, 2015 hearings as submitted by the clerk. Motion was seconded by Commissioner Vasser and passed by unanimous vote.

Meeting adjourned at approximately 9:30 PM

Respectfully Submitted,

Susan M. Pulos
Clerk