

Board of Zoning Appeals – Hearing Room, Municipal Building 54 Hill Street, Shelton, CT.  
Tuesday, May 17, 2011 at 7:30pm

AGENDA:

- #511-1 Jay Correia at 582 Howe Avenue
- #511-2 Joseph LaRue at 224-226 Prospect Avenue
- #511-3 William Banfe at 25 Riverview Avenue
- #511-4 Jeff Twarog at 7 Fairlane Drive

DECISION ON:

- #411-3 Alfonso Minopoli at 2 Applewood

Mr. Glover: Good evening ladies and gentlemen and welcome to the May meeting of the Shelton Zoning Board of Appeals. If you cannot hear me, please move toward the front so that you can. These are hearings. When you speak in front of this board you are giving testimony. It is that testimony, the record of that testimony that will go to court if you don't agree or anybody else doesn't agree with the decisions that we make. So, because we record this, I would ask you that you put your cell phones on vibrate or turn them off. That you refrain from having discussions within the hall, that you take them outside the hall. Our regulations require that you have pictures of your property and that you have notified your abutting neighbors of tonight's hearing. Present tonight is Commissioner Ralph Matto, Commissioner Linda Adanti, Lori Michalak, I'm Gerry Glover. To my right is Jamie Jones and to his right is Ed Conklin and to his right is Phil Cavallaro. Jamie?

**#511-1 582 Howe Avenue**, Jay Correia of 582 Howe Avenue, Shelton, CT is seeking to waive Section 24, Schedule A, Use Line 36 and Section 36.4 by expanding a non-conforming use for a 40x40x28 ft. two story detached commercial building for an auto body repair shop and second floor office.

Mr. Glover: Mr. Correia, would you come forward please? Come on up and sit down. Have a seat.

Mr. Correia: I had my knee replaced

Mr. Glover: You did? Well then sit down, relax

Mr. Correia: This is the things you were asking for, the pictures and I have some blueprints or whatever they are, the surveys. Can you see that from there?

Mr. Glover: It's the same as we have here, isn't it?

Mr. Correia: Do you have this too?

Mr. Glover: No I don't have that

Mr. Correia: the actual building

Mr. Glover: I don't think I do

Mr. Correia: Would you rather see that then?

Mr. Glover: When it's appropriate

Mr. Correia: Okay

Mr. Glover: Can you give your name and address please?

Mr. Correia: My name is Jay Correia, I live at 12 Joseph Court, Shelton, CT

Mr. Glover: and can you tell us why you're here and why you can't conform to the zoning regulations?

Mr. Correia: Well, I bought the property 26 years ago and 15 years ago I purchased a piece, the old abandoned road that used to be there, the Wooster Street Road, and at that time when I bought it with all intentions of building, it was a CA-3 zoning. And when I just went to apply and I had a fire over the winter so I'm looking to rebuild and add on at this time, and I have just found out that I am now CB-2 zoning, to

unbeknownst to me. So I am claiming a hardship in the case that zoning has changed. My footage used to be 0 on the sides and 12 feet in the back and now it's gone to 12 feet on the sides and 20 in the back.

Mr. Glover: alright, so you're a pre-existing non-conformity right now

Mr. Correia: Correct

Mr. Glover: Okay, and you have a building there but you had a fire?

Mr. Correia: Yes

Mr. Glover: Are you taking that down?

Mr. Correia: No

Mr. Glover: or repairing that?

Mr. Correia: Repairing that also

Mr. Glover: Okay, and the building that you're going to put up here is the one that's in green on this map?

Mr. Correia: Yes

Mr. Matto: What is that infringing on?

Mr. Correia: It's infringing on the City's property to the right, the Library Hill

Mr. Matto: And that's the property they didn't sell, that's next to the what is it a road?

Mr. Correia: Uh, yeah exactly, yeah, the paper road that I bought

Mr. Matto: Alright

Mr. Glover: And you are here, so the Board knows, you are here because you are expanding a non-conforming use

Mr. Correia: Yes

Mr. Glover: It has nothing to do with setbacks, it's the use that we're, that we're waiving

Mr. Correia: Oh, I wasn't aware of that

Mr. Glover: according to this, that's all it is is a use variance so that you can build the building. The pictures that you have, there's an accumulation of storage

Mr. Correia: Yes

Mr. Glover: there's tents and there's trailers and there's storage containers there, are they all going?

Mr. Correia: All but one of the trailers is going. The tents are going. The big trailer's going most definitely.

Mr. Glover: and the cars that you're going to repair will they be inside, or will they be parked on the outside?

Mr. Correia: Well, I've been working 26 years working on three cars inside at a time and now I'm trying to go the right way and have 10 cars inside and five cars maybe outside.

Mr. Glover: but you're still going to have room for cars on the outside

Mr. Correia: I'll still fit 15 or 20 cars on the outside. That's not my intention. My intention is to get 12 cars a week, get them in and out.

Mr. Glover: right, so the area here that, this area that is in white is the existing building now?

Mr. Correia: Yes

Mr. Glover: that's the existing building now

Mr. Correia: Yes

Mr. Glover: And um, the, the storage containers now are over in this area

Mr. Correia: Well, they're there because of the fire

Mr. Glover: I understand but that's where they are right now?

Mr. Correia: Correct

Mr. Glover: Okay. Alright, and the second floor of this is going to be an office?

Mr. Correia: Offices

Mr. Glover: Can I see that? You have it there right?

Mr. Correia: Yes

Mr. Glover: The two garage doors, does that face the front?

Mr. Correia: No, they face the side. This is the side view. This is, where's the back door, this is the street side

Mr. Glover: That's the street side?

Mr. Correia: Yes

Mr. Glover: Okay

Mr. Correia: This is the street side. This is the back wall side because there's going to be a stairwell, you got double doors, the stairs will be enclosed to get upstairs.

Mr. Glover: I see

Mr. Correia: and the reason for the two doors on the right is because this is way here, I pull in and I pull straight. One is 12 feet wide and the other is 10 feet wide. And then I'll be able to pull the cars, two cars that way.

Mr. Glover; And the upstairs is all office, not living space right?

Mr. Correia: No

Mr. Glover: Alright so it's a pre-existing non-conforming use. You were conforming when you went in there, since then they've changed the zone and now you don't conform. And it's an existing business. When you do this you're going to put most of the stuff inside and the site will be cleaned up.

Mr. Correia: I have always cleaned the place up. I go to the dump every weekend.

Mr. Glover: Does the Board have any other questions? Alright, this is a use variance and we are required by the zoning regulations to submit all use variances to the Planning and Zoning Commission. And we did, and they've issued this report which I will have Jamie read into the record.

Mr. Jones read letter: "To Gerald Glover, Chairman, Board of Zoning Appeals. From: Richard D. Schultz, Planning and Zoning Administrator. Date: May 17, 2011. Re: ZBA Application #511-1. The Shelton Planning and Zoning Commission at their May 10, 2011 meeting received and discussed pending ZBA Application #511-1 for an expansion of a non-conforming use to allow for the construction of a new two story building for an auto body repair establishment located at 582 Howe Avenue. This review was made pursuant to Section 4.4.5 of the Zoning Regulations. After discussion and review of the application, the Commission noted the following: 1. The applicant has worked well with both the Downtown Subcommittee and the Planning and Zoning Commission to create an overall design which is acceptable. The new design will greatly clean up the site visually which is positive for downtown. 2. The proposal should not negatively impact the quality of the neighborhood and should not conflict with the general purpose and intent of the Zoning Regulations. The site currently contains an existing single story auto body repair establishment which has been in existence for decades and part of that immediate neighborhood. 3. If the use variance is granted, the approval should be subject to the submission and approval of a Site Plan Application by the Planning and Zoning Commission."

Mr. Glover: Thank you. Phil, when you're through with those pictures, could you pass them down please? Are there any other questions from the Board? (no) Is there anyone in this room in favor of this application, other than Mr. Correia? (no response) Is there anyone opposed to this application? (no response)

Mr. Conklin: Where is the existing, or the last container going to go? You said you were going to keep one

Mr. Correia: It's going to go to the right of the existing building, which would actually be alongside, yeah right in that area. And I may not. I'd really like to get ride of all of them. But when parts come in I need it, I need to put the parts. I've also been having a lot of problems with the neighborhood.

Mr. Glover: You mean theft of things?

Mr. Correia: they're taking batteries, they're taking gas

Mr. Glover: Another reason for having things inside

Mr. Correia: Yes

Mr. Glover: Will there be a lift in this building?

Mr. Correia: Yes

Mr. Matto: And also it was non-conforming when it was the smaller piece of land, you added to it.

Mr. Correia: Correct, I actually doubled the size

Mr. Matto: Yes

Mr. Glover: Alright, any final questions? (no) I'll declare the hearing closed.

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

**#511-1** "In the application of Jay Correia of 582 Howe Avenue, Shelton, CT for a certificate of approval for a 40x40x28 ft. two story detached commercial building to be located on the property of the applicant at 582 Howe Avenue, CA-3/CBD zone, and which requires a variance for an expansion of a non-conforming use,

The application for a variance is approved.

Inasmuch as the use of this property is a pre-existing non-conforming use due to a zoning change that went into effect after the business was established, and

Inasmuch as the owner has doubled the size of the parcel by purchasing an adjoining parcel of property, and

Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance to expand a non-conforming use at the above is granted (Section 24, Schedule A, Use Line 36 and Section 36.4) in this instance.

**This certificate of approval is contingent on the applicant submitting and obtaining approval of a Site Plan Application by the Planning and Zoning Commission.**

This certificate of approval shall take effect on the date following the publication of the statutory notice in a newspaper having circulation in the City of Shelton, provided.”

**#511-2 224-226 Prospect Avenue**, Joseph LaRue of 224-226 Prospect Avenue, Shelton, CT is seeking to waive Section 24.4, Line 7 and 8 and Section 24.12.1 by varying the setbacks from the street line from 25 ft. to 0 ft., and from the rear property line from 25 ft. to 16.7 ft. and an increase in maximum height on slab to peak from 20 ft. to 24 ft., overall average with basement will be 28 ft., for a 20'x25' two car garage.

Mr. Glover: Mr. LaRue? Good evening.

Mr. LaRue: Hi, how are you?

Mr. Glover: Good, have a seat. Would you give your name and address for the record please?

Mr. LaRue: Joseph LaRue, 226 Prospect Avenue, Shelton, CT.

Mr. Glover: You can move your chair forward, it's going to be easier for you. Do you have some pictures for me sir?

Mr. LaRue: Yes,

Mr. Glover: And did you have some receipts?

Mr. LaRue: They're in here

Mr. Glover: OH, they're in here? These are all your neighbors?

Mr. LaRue: Yeah

Mr. Glover: Alright, and you want to put a garage in, is that correct?

Mr. LaRue: Uh huh.

Mr. Glover: right now there's a four car garage there?

Mr. LaRue: correct

Mr. Glover: And it looks like from your drawing that you're going to add two more garages right with those?

Mr. LaRue: Right on top

Mr. Glover: On top of them

Mr. LaRue: Uh, huh

Mr. Glover: so you're going to go up the driveway to the side

Mr. LaRue: right

Mr. Glover: Is that, is the grade of that driveway acceptable to the City Engineer?

Mr. LaRue: I'm going to have to speak to him, I'm not sure.

Mr. Glover: Okay. Is the garage any good to you if the driveway's not good for you?

Mr. LaRue: Well, I can try to re-grade it.

Mr. Glover: Alright, so you're adding two more garages to the four that are there. What are you going to use the garages for?

Mr. LaRue: Just for additional vehicles to get a couple more cars off the street.

Mr. Glover: Is this a two story, a two family house?

Mr. LaRue: It's a loft, it's a three family house

Mr. Glover: it's a three family house. So right now, who parks in the four car garage?

Mr. LaRue: right now there's a couple cars that need work in there and I've got my car and my brother's got his car, he lives on the third floor.

Mr. Glover: So, do you live in the house?

Mr. LaRue: Yes, first floor

Mr. Glover: So you have cars in there and you live on the first floor

Mr. LaRue: Correct

Mr. Glover: and your brother, who lives on the top floor

Mr. LaRue: Yes

Mr. Glover: Who lives on the, not the name, but is there somebody living on the second

Mr. LaRue: Yes, I have a tenant there

Mr. Glover: Do they have one vehicle, two vehicles?

Mr. LaRue: they have one vehicle

Mr. Glover: will they be using the garage?

Mr. LaRue: Um, I plan to make it available, you know, a bay if they're interested

Mr. Glover: And if not you're just going to put more of your cars in it

Mr. LaRue: Yes, I have a few cars

Mr. Glover: Are any of these going to be used for commercial purposes?

Mr. LaRue: No

Mr. Glover: And you're looking for 25 to 0 which makes it conform with the existing garage

Mr. LaRue: Correct

Mr. Glover: And you're looking for the height from 20 to 24, is that because you're putting it on top of the building?

Mr. LaRue: It's going to have a loft on the second floor, like storage and a work out room

Mr. Glover: Alright, so you're, you're going to have a, do you have a picture of the garage?

Mr. LaRue: Here's a sample one, I'm not sure if it's going to be that one or if it's just going to be a regular peak, gambrel, or

Mr. Glover: And that's going to go up on top?

Mr. LaRue: Correct

Mr. Glover: Okay, and when that goes on top you'll be 28 feet from the street level to the top?

Mr. LaRue: I'm not sure of the exact number, Mr. Dingle helped me figure it out when we filled out the paperwork. He averaged some height thing because of the grade. That's why he gave you a number from the slab up

Mr. Glover: You're considering the rear on this to be, the front to be Prospect Avenue

Mr. LaRue: correct

Mr. Glover: and the side to be High Street

Mr. LaRue: yes

Mr. Glover: and opposite Prospect Avenue to be the rear

Mr. LaRue: correct

Mr. Glover: So the front of the garage, the encroachment is on High Street

Mr. LaRue: Right

Mr. Glover: Alright, does the Board have any questions for the applicant? I'll send that notebook down to you in a minute when you guys are through with it.

Mr. Conklin: What's the fourth meter on the house, this is only a three family house?

Mr. LaRue: yes

Mr. Conklin: there's four meters

Mr. LaRue: One's just a house meter to run porch lights and what not

Mr. Conklin: Will this remove all the cars of your tenants off the street?

Mr. LaRue: No

Mr. Conklin: You'll have six bays of garage

Mr. LaRue: I've got three cars myself, and my brother's got two, but hopefully there'll be one for the second floor tenant

Mr. Conklin: what you do you mean one hopefully? You mean, so this isn't for your tenants, this is strictly for your use

Mr. LaRue: right now it is, yeah. I've got like a car for repair that I've got to get done and get out of there

Mr. Glover: Are all the cars registered?

Mr. LaRue: not the one that needs work in the garage, no

Mr. Glover: While they're looking at the pictures, is there anyone in this room who is in favor of this application? (no response) Is there anyone in the room who is opposed to this application? Any opposition? (no response)

Mr. Conklin: When you sent that letter out to your neighbors, did you explain to them this wasn't for tenant use, this was strictly for your own personal use?

Mr. LaRue: Yeah, uh huh, I have signed letters from both neighbors

Mr. Conklin: yeah, they said they didn't object to the garage, it didn't say it wouldn't help the neighborhood by getting cars off the street

Mr. LaRue: No, they were only worried about making sure it wasn't going to have any tenants in the loft area

Mr. Glover: What will you use the loft area for?

Mr. LaRue: It's just going to be a storage and work out area. That's an old map 1928, there used to be a building in that same area

Mr. Glover: That picture Ralph of the gambrel roof there?

Mr. Matto: Yeah?

Mr. Glover: That structure is proposed to go on top of the

Mr. Matto: existing

Mr. Glover: existing garage, there's a picture of the existing garage there some place, there's a four bay garage on High Street. There it is there, Linda. It looks like it has a concrete roof on it, and he's contemplating putting that Gambrel type of roof structure on top of that

Mr. Matto: And I missed it, how do the cars get in there? Is it an elevator or

Mr. LaRue: from the, right there there's a

Mr. Glover: he has a

Mr. LaRue: there's a gravel driveway there

Mr. Glover: He has a ramp at the end of it, I think it's, does it say 16 foot 7 on the top of that

Mr. Matto: Okay

Mr. Glover: that's a ramp in that area that comes and goes up the side of the wall and

Mr. Matto: Okay, and the reason it's 0 frontage is because

Mr. Glover: it's going to conform with the garage that's there



Mr. Matto: yeah, okay

Mr. Glover: Do you know, do you know if that the structure will hold?

Mr. LaRue: Yeah, I already had, there's a letter in there too, I had an engineering firm do that, I paid them to check it

Mr. Glover: you did, (unclear) carry

Mr. LaRue: Yeah

Mr. Conklin: Is there going to be water to this structure?

Mr. LaRue: Excuse me?

Mr. Conklin: Is there going to be water in this structure?

Mr. LaRue: probably just cold water to wash the vehicles. There's already water in the below basement and just pop the hole straight up

Mr. Matto: and that street is parallel with Long Hill Avenue, the bottom

Mr. Glover: yes

Mr. Matto: coming off Center

Mr. Glover: High Street

Mr. Matto: Okay, yeah, I know the building now

Mr. Glover: It's right on the corner of High and Prospect

Mr. Matto: yeah

Mr. Cavallaro: There's no existing bathroom in that lower garage?

Mr. LaRue: No

Mr. Cavallaro: and there's not one proposed upstairs either right?

Mr. LaRue: No

Mr. Matto: I was born, I was born on the other street next to it, and that was there when I was there so I'm pretty sure it's non-conforming.

Mr. Glover: Alright, any final questions from the Board?

Mr. Matto: None, for me

Mr. Glover: You guys all right? (yes) Alright, then I declare the hearing closed, thank you very much.

**#511-2** Later that evening during the work session, the Board upon motion by Commissioner Conklin and seconded by Commissioner Cavallaro, unanimously voted to deny the application for variances to allow a 20x25 ft. two car garage in an R-5 zone, since no hardship within the purpose and intent of the zoning regulations was demonstrated and it is not in harmony with the rest of the neighborhood.

**#511-3 25 Riverview Avenue**, William Banfe of 25 Riverview Avenue, Shelton, CT is seeking to waive Section 24.12.4 by varying the setback from the street line from 60 ft. to 15 ft. for an 8'x8'x8' shed.

Mr. Glover: Mr. Banfe?

Mr. Banfe: Good evening

Mr. Glover: Bill, how are you?

Mr. Banfe: Fine, how are you?

Mr. Glover: Good, would you give your name and address for the record please?

Mr. Banfe: William Banfe, 25 Riverview Avenue, Shelton, CT

Mr. Glover: And may I have some, your pictures and your receipts?

Mr. Banfe: Yeah, those are, the I have the two receipts, I have two adjoining neighbors that I sent letters to and I have a copy of the letter that I sent to each. One of the receipts came back, the next door neighbor was out of the country, he just got back late Sunday night. I went over and spoke to her and she had the pink slip from the post office to go down and sign for it, a return, but she did not return the green card to me as of today.

Mr. Glover: She does not have to. All you have to do is show us these that you sent it.

Mr. Banfe: Okay

Mr. Glover: and she doesn't have to respond otherwise

Mr. Banfe: Do you need a copy of the letter?

Mr. Glover: No

Mr. Banfe: Okay

Mr. Glover: They know what you're doing

Mr. Banfe: and both adjoining neighbors I took out there more than once to visually explain to them exactly what my intentions were

Mr. Glover: What are you trying to do Bill?

Mr. Banfe: Well I, as you can see from the pictures, some years back, I have, if somebody needs to see this, I enlarged this only because my vision is not what it used to be, so I doubled the size of the, of the plot plan. But I have, here's my house, there's Riverview Avenue, my driveway is a descending driveway with a two car garage underneath the house. This, well, this is probably positioned properly, my, the rest of my drawing probably isn't, but up on the corner of my driveway some years back I built a flat parking area so that during extreme weather I could, I could put one or two cars up on top and at least be able to get out in case of an emergency. And what I'm asking to do is to extend that out 10 feet by 9 feet by 10 feet and put an 8 foot by 8 foot shed on there. Over the last 5 or 6 years if you look at the pictures, the topography of my property has been very difficult for me to work with. And my intention with this 8 foot shed is to just incorporate some, some trash receptacles, recycling bins, my snow blower and some assorted hand tools and that's about it. Just so that I could, during the wintertime, take care of my sidewalks or whatever without having to ascend or descend my driveway. Especially this past winter it became very possibly disastrous to me a couple of times. So that's why I'm asking to add the shed on at that upper level. I did have, I did ask the building inspector to come out and take a look at it so I had his thoughts before I went through this process of applying to the zoning board of appeals. So, he gave me some ideas as to what to do when, if and when it gets to him for a building permit, he gave me some suggestions as to, as to how to do this.

Mr. Glover: So you park up on this flat area in the winter time.

Mr. Banfe: Yes, I'm able to get two vehicles up there

Mr. Glover: And, and we're going to add onto it and put the shed beyond where you park so you'll still

Mr. Banfe: Beyond

Mr. Glover: be parking

Mr. Banfe: further into my property, but it's not, doesn't meet the requirements for the setback from the street line

Mr. Glover: yeah, because you have to be 60 feet

Mr. Banfe: Now, the wall, the wall as you can see from this, is only 4 feet off the sideline, but the shed will be, will meet the required 5 foot setback because I need to anchor the shed into the ground and I need a foot all the way around in order to do that. And it will be a, well the shed out in back of the house I built myself, but this one I can't it's going to be a typical Walsh shed from up in Oxford or a Home Depot shed, something of that type. It'll conform with the rest of my house and the shed in back. I'm not buying one made out of particle board, I'm buying one made out of pine so that when all is said and done, and the neighbors know this, it'll blend in very well with the rest of the buildings on my property.

Mr. Glover: So you can't put it anywhere else because of the topography

Mr. Banfe: Topography, anybody that's gone by my house knows that where I park up here in the winter time is about the only flat piece that I have to my property. I've tried to look at other, the other side of the house and nothing else works. This is really the only place that I could extend it and get it to work for me.

Mr. Glover: Does the Board have any other questions for the applicant?

Mr. Conklin: How come such a large structure?

Mr. Banfe: eight by eight? You know what, I learned over the years that the larger the shed that I build, the more that I put into it, so

Mr. Conklin: I'm just saying compared to everything else in front of us

Mr. Banfe: I know, I'm listening to, you know, other commercial buildings or whatever and this is a very tiny thing

Mr. Glover: Any questions from the Board? (no ) Anyone in the room

Ms. Adanti: I just wanted to know is this what we're talking about for the place you're putting it?

Mr. Banfe: Yes on here, the uh, this picture, alright this shows it from the side, looking at it right from this direction.

Ms. Adanti: Alright

Mr. Banfe: Here's the, the (unclear) line is this wall that I have here already. I'm going to be adding onto, excuse me for one second, I'm actually going to be adding it on to coming in your direction. Here's my side property.

Mr. Glover: Are you satisfied (unclear)

Ms. Adanti: Yes, I am

Mr. Glover: Any more questions from the Board? (no) Did I do in favor

Clerk: No, you didn't

Mr. Glover: Anybody in favor? (no response) Is there anyone opposed? (no response) Final questions? (no) I declare the hearing closed, thank you.

Mr. Banfe: Thank you very much.

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

**#511-3** "In the application of William Banfe of 25 Riverview Avenue, Shelton, CT for a certificate of approval for an 8 ft. x 8 ft. x 8 ft. shed to be located on the property of the applicant at 25 Riverview Avenue, R-4 zone, and which requires a variance in the minimum setback from the street line,

The application for a variance is approved.

Inasmuch as it the only place on the property the shed can be placed due to the steep topography of the parcel,

Therefore, with due consideration for the public health, safety, welfare and property values, the approval of a variance in the minimum setback from the street line from 60 ft. to 15 ft. at the above is granted (Section 24.12.4) in this instance.

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

**#511-4 7 Fairlane Drive**, Jeff Twarog of 7 Fairlane Drive is seeking to waive Section 24.12.1 by varying the maximum ground floor area from 750 sq. ft. to 1440 sq. ft. and the maximum height from 20 ft. to 25 ft; and Section 24, Schedule B, Standard 8 by varying the setback from the rear property line from 30 ft. to 9 ft. for a 36'x40' detached garage addition.

Mr. Glover: Would you please give your name and address for the record?

Mr. Twarog: Jeff Twarog, 7 Fairlane Drive, Shelton, CT

Mr. Glover: And Mr. Twarog, do you have some pictures and receipts for me?

Mr. Twarog: Yes, I do, four photos, here's a duplicate copy of the four

Mr. Glover: Alright, this barn type structure is the existing garage?

Mr. Twarog: It's the existing garage. In addition to that I revised that to include the names of the adjoining abutting properties

Mr. Glover: Alright, do you have some receipts for them?

Mr. Twarog: Here's the six that went out and here's the five that came back. I've spoken with five of the neighbors and they have no problem, no complaints with the structure

Mr. Glover: Tell me what you're trying to do here.

Mr. Twarog: Well, the main reason for the application is I own 7 cars. I have one garage under the house so this application is to house 6, six vehicles. In addition to that, I also drew up in figuring out the size, a floor

layout of what's going to go in there. A couple of copies to pass around. I have 6 cars. I burn coal for heat so at any given time I have 6 pallets of coal, a forklift to move the coal over to the house, and a tractor, lawn vacuum, yard equipment, yard tools. Right now I can fit three vehicles in the existing garage. I'm looking for space to park three more along with the work bench, tool box and various, you know, air compressor and a couple storage shelves.

Mr. Glover: And how big is the structure you're adding?

Mr. Twarog: The added structure is 36 x 40 feet, that's outside dimensions.

Mr. Glover: So does the 1440 include just the new structure?

Mr. Twarog: 1440 is the new floor, the new floor added, the 36 times 40 will come out to the 1440

Mr. Glover: And how big is the original?

Mr. Twarog: the original is 30 wide across the doors and 32 deep on outside dimensions.

Mr. Glover: So about another 1000 square feet

Mr. Twarog: yeah, about, yeah

Mr. Glover: So when you're through, you're going to have about a 2400 square foot garage

Mr. Twarog: Yeah, pretty much

Mr. Glover: How big is the house?

Mr. Twarog: Uh, I could have plotted the square footage, but it's, it's a finished upstairs and downstairs, it's about

Mr. Glover: How about the footprint

Mr. Twarog: 2800 of up and down, so it's probably about

Mr. Glover: About 1400 feet on the first floor?

Mr. Twarog: Yeah, it's got three additions so it's probably about 1800 upstairs and 1000 downstairs.

Mr. Glover: So on the footprint of the house, you've got about 1800 and a footprint of the garage you've got about 2400

Mr. Twarog: Yep

Mr. Glover: Is there a second floor to the garage?

Mr. Twarog: For storage only. I imagine it's going to be a gambrel roof style to match what I have. I've got a isometric sketch to scale of the existing with the addition proposed. The entrance to it's going to be facing the middle of the yard so that I would actually have to drive around the existing garage to get to the rear one. I'm proposing three, three garage doors on the end of that building

Mr. Glover: How big are the garage doors?

Mr. Twarog: right now I have them as 9 foot wide and then the standard I think is, I don't know if it's 7 ½ foot tall, somewhere around 8 foot max. I don't even think that it'll be 8 feet tall. I want the, it's actually a, the addition's actually a lower version of a gambrel roof. It is a truncated version to try to keep the height down. If I did a true gambrel roof I think it would be about 4 feet taller and I don't want it that tall. So it's more of a squat version of a gambrel roof.

Mr. Conklin: How close is your neighbor's house to the back of this, from there side property line, which would be?

Mr. Twarog: Um, which the rear in the center?

Mr. Conklin: well, either Dagostino or Fortier

Mr. Twarog: Fortier, where the house is actually located?

Mr. Conklin: Yes

Mr. Twarog: It's got to be at least 75 feet plus, it's wooded. The back of their lot is wooded. Behind my yard there's a line of, you can see in the pictures there's a line of like pine tree, pine type trees. There's a stonewall behind that and then their yard is all wooded behind that. If you want to see an overhead I can show you an overhead, a Google Earth picture. You can see, the box is what I'm proposing. Their house is, this would be the three houses here that in the rear abut, the center one having the most footage. The other two have a very short footage, but they do abut. Then there's the lower neighbor and then this is, these are the other two houses in question. Yeah this is Fairlane

**\*\*Several talking at once while looking at picture\*\***

Mr. Twarog: right, that's right on the corner, we're the second house, so these two abut us, this one's not really, this one's not involved and then there's the three in the back. And it's all wooded. From the street line you'd be hard pressed to see that. You might see the peak sticking over the existing garage from the street line, and the house blocks it as you're driving down the street

Mr. Glover: From the street the topography rises toward the back

Mr. Twarog: Correct, it rises. So if you're standing on the street, which the first picture was standing right on the street, and you look at the roof, the projected height of the, of the projection of the front of the existing garage is actually going to be about where the addition would be.

Mr. Glover: How long has the existing garage been there?

Mr. Twarog: Our best estimate is '95. We've lived there only for 4 years. The previous owner built it I believe in about '95

Mr. Glover: Is there a concrete floor in it?

Mr. Twarog: yes

Mr. Glover: Other than the fact that you have a lot of cars, what other reason do you have for building the garage?

Mr. Twarog: Um, to get them all off the driveway. The main reason is, is the cars to house everything, house all the, you know, I mean tool box, tools, equipment and have some left over space in there to be able to service those cars.

Mr. Glover: Is that your pool?

Mr. Twarog: Yes. And some room to service the cars, not having to be out in the rain on the ground, or moving cars in and out to do that. Lawn equipment, snow removal

Mr. Glover: These are all your own cars, you're not going to do commercial

Mr. Twarog: They're mine, yeah I own all those. Yeah, there's nothing commercial, there's no water out there and there's electrical service in the existing garage.

Mr. Glover: It's own service?

Mr. Twarog: No, um, from the house, it's underground from the house

Mr. Glover: But there's not heat in there?

Mr. Twarog: There's no heat, no there's no heat

Mr. Conklin: Any reason why you slid the garage back and didn't add it in front of it to lessen the impact on the side yard?

Mr. Twarog: Right, um I pushed it back in order to um, keep as much yard available and stay as far away from our septic which runs right between the pool. I have a, if you, I have a sketch of the septic layout for additional space. I can replace the entire septic field in the back corner of the property. The existing is right here. I'm trying to keep it as far back.

Mr. Conklin: right, so that answers why

Mr. Twarog: There's also on that side, you might be able to see it in one of the pictures, there's a door, it's like a, a set of doors where the tractor and lawn equipment is set in there, so that would remain. So it's just put back a little bit.

Mr. Matto: Is it possible you don't see the addition from the street? I'm just trying to visualize

Mr. Twarog: You might see the top of it or the front corner of it. The rest of it is hidden, you won't see it. Also, in the second picture of the pictures there's some piles of, stacks of 5 gallon buckets with white labels, that's the corner of the proposed building. I forgot to mention that earlier. So the buckets indicate where the corners of it would be. The previous owner actually used that space for masonry storage. He was a mason and put leftover blocks and stuff back there.

Mr. Conklin: (unclear) the pictures

Mr. Glover: were they the same pictures

Mr. Twarog: identical, four identical pictures, two sets

Mr. Glover: Do you want to see their pictures?

Mr. Conklin: No, I just wanted to make sure they got to see them.

Mr. Glover: (unclear)

Mr. Conklin: I didn't want to hog all the pictures.

Mr. Twarog: I'm attempting to make it a reasonable looking structure that matches what I already have and get everything indoors so there'll be nothing, nothing out in the yard.

Mr. Glover: How will you get to the second floor of the new structure?

Mr. Twarog: Um, it's going to be an interior staircase which I haven't laid out yet, I haven't gotten anywhere near the building department yet, so, it will be an interior staircase.

Mr. Glover: And what will you put upstairs?

Mr. Twarog: It's going to be a truss design. I'm hoping to have a middle section open because I know there's going to be knee walls and such for the gambrel roof. I've mostly got patio furniture. A few patio tables, a dozen patio chairs, some pool supplies, vacuum equipment and such.

Mr. Glover: Any other questions from the Board?

Mr. Conklin: No water?

Mr. Twarog: No water, there is no water and there won't be any water, no bathroom, no heat

Mr. Glover: Is there anyone in this room in favor of this application? (no response) Anyone in favor? (no response) Anyone opposed? (no response) Final questions? (no) Then I'll declare the hearing closed. Thank you.

**#511-4** Later that evening during the work session, the Board upon motion by Commissioner Matto to grant and seconded by Commission Conklin for discussion, voted one to four (Mr. Matto voted in favor of the motion to grant; Mr. Glover, Mr. Jones, Mr. Conklin, Mr. Cavallaro and Ms. Adanti voted against the motion to grant) and therefore the motion did not pass; and the Board denied the application for variances to allow a 20x25 ft. two car garage in an R-5 zone, since no hardship within the purpose and intent of the zoning regulations was demonstrated and it is not in harmony with the rest of the neighborhood.

**#411-3 2 Applewood Drive**, Mr. & Mrs. Alfonso Minopoli of 2 Applewood Drive, Shelton, CT are seeking to waive Section 24.12.1 by varying the maximum square footage from 750 sq. ft. to 1344 sq. ft. and the maximum height from 20 ft. to 22 ft., and Section 24, Schedule B, Standard 8 by varying the rear property line from 30 ft. to 19 ft. for a 32' wide by 24' deep by 22' detached garage.

During the work session the Board, upon motion by Commissioner Conklin and seconded by Commissioner Jones, unanimously voted to deny the application for variances to allow a 32' wide by 24' deep by 22' detached garage in an R-1 zone, since no hardship within the purpose and intent of the zoning regulations was demonstrated and it is not in harmony with the rest of the neighborhood.

Respectfully submitted,  
Loreen Michalak, Clerk