

PUBLIC HEARING (new):

12:09- Elizabeth Hurgin, 83 Grassy Plain Street Variance of Sec.3.3.A.2

No accessory building shall be used as a dwelling unit ;Sec . 3.3.C.1.d In a detached garage area above 1st fl. shall be storage only; Sec. 3.2.B.2 One two family building per lot for an apartment over an existing garage.

J. Hurgin read the Legal Notice.

Staff Memo by S. Palmer, Planning & Zoning Official dated August 21st, 2012, was entered into the record.

J. Hurgin recused himself and W. Foster was seated for Mr. Hurgin.

Michael Hurgin, the Applicant's son, was present for this application and presented certification of notification to adjoining property owners to the Board.

The applicant is requesting a variance to allow a creation of a 2nd dwelling unit on the second floor of a detached garage. The property contains a single dwelling with a one story detached garage. It is located in the Residential RR-10 Zone which allows for one and two family dwellings as permitted uses, however, the dwelling units must be located in the principal building.

The plan calls for raising the roof of the garage with the use of attractive dormers to reduce the effect of the increased height. It will contain a bedroom, bath and living/kitchen area.

Mr Hurgin stated that a hardship is caused due to the existing house floor plan, being over 120 years old and a salt box style so that it is not conducive to a conversion from a single to a two family dwelling. In addition, the salt box style of the house is very unique and could not accommodate an addition that wouldn't change the exterior's historic character. Lastly, even when looking at attaching the garage to the home to make it one principal building, there is too much distance and offset to provide a practical and attractive connection. Consequently, the proposed location is the only appropriate location for the addition.

Correspondence in favor of the Application by Clifford Hurgin, Jr., 81 Grassy Plain Street, was read into the record.

Those who spoke:

Elizabeth Hurgin, Owner 83 Grassy Plain Street

J. Streaman closed the Public hearing.

At this time J. Hurgin was seated and S. Catino was seated.

WORKSESSION:

12:08- Peter & Debbie Eckert, 16 Elgin Ave: Variance of Sec.3.4.C.1. f Rear yard setback from 5' required to 4' +/- proposed for mechanical equipment.

Motion by N. Santaniello, seconded by S. Catino to **GRANT a Variance of Sec.3.4.C.1. f Rear yard setback from 5' required to 4' +/- proposed for mechanical equipment.**

In making it's decision the Board determined that the previous Variance #02-03 in 2002 established a hardship.

Motion Passed unanimously.

At this time J. Hurgin recused himself.

B. Foster was seated for J. Hurgin .

12:09- Elizabeth Hurgin, 83 Grassy Plain Street 12:09- Elizabeth Hurgin, 83 Grassy Plain Street Variance of Sec.3.3.A.2 No accessory building shall be used as a dwelling unit ;Sec . 3.3.C.1.d In a detached garage area above 1st fl. shall be storage only; Sec. 3.2.B.2 One two family building per lot for an apartment over an existing garage.

Motion by M. Ryan, seconded by N. Santaniello to Approve a Variance of **Sec.3.3.A.2 No accessory building shall be used as a dwelling unit ;Sec . 3.3.C.1.d In a detached garage area above 1st fl. shall be storage only; Sec. 3.2.B,2 One two family building per lot for an apartment over an existing garage.**

In making their decision the Board determined that a hardship was caused by the difficulty of adding on to an historic home where the floor plan and location is not conducive for conversion to a two family dwelling in the principal building and/or would change the exterior's historic character.

Motion Passed unanimously.

MINUTES:

Motion by N. Santaniello, seconded by W. Foster to **APPROVE** the meeting Minutes of July 17th, 2012

Motion passed.

INVOICES:

Motion by N. Santaniello, seconded by M. Ryan to Approve payment to The Danbury News Times in the amount of \$1,266.22 for Legal Noticing.

Motion Passed Unanimously

NEW BUSINESS:

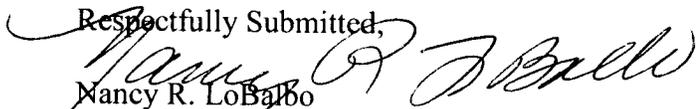
Motion by S. Santaniello, seconded by W. Foster to **ACCEPT Variance Application 12-10, TD&Sons, Knollwood&Granite Drive**, and set a Public Hearing date for September 18th, 2012
Motion Passed.

OTHER BUSINESS:

S. Palmer passed out copies of the Superior Court decision with regard to the "Motion for Order Post Judgement" in the case of Tandler, Marlene V. vs. Bethel Zoning Board.

Motion to Adjourn by N. Santaniello, seconded by J. Streaman at 7:35

Respectfully Submitted,


Nancy R. LoBarbo
Secretary, Planning & Zoning Department