



ZONING BOARD OF APPEALS

Clifford J. Hurgin Municipal Center
1 School Street, Bethel, Connecticut 06801 *(203) 794-8578

ZONING BOARD OF APPEALS MEETING MINUTES April 16th, 2013 – BETHEL MUNICIPAL CENTER 7:00 P.M. – DENIS J. RIORDAN ROOM

COMMISSION MEMBERS PRESENT : P. Verderosa, Chairman, N. Santaniello; Hurgin
J. Streaman; S. Catino; S. Dolan; S. Palmer, Planning & Zoning Official.

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TOWN OF BETHEL
TOWN CLERK

Chairman Verderosa called the meeting to order at 7:03 and read the Legal Notice for the Record. Memo dated April 16th, 2013 by S. Palmer, Planning & Zoning Official read for the Record.

PUBLIC HEARING:

13-01: John Lennon & Nick Ellis, 54 Weed Rd.: Variance of Sec. 3.2.C.2 to permit a rear lot in an R-20 Zone

John Lennon & Nick Ellis, owners of 54 Weed Road represented the Application and provided Certification of Notification to Property Owners.

The applicant provided some history of the property and passed out a packet of property information to Board members. He requested a variance to permit the creation of a 1.311 acre or 51,824 sf. rear lot in the residential R-20 Zone (20,000 sf.) where rear lots are not permitted. The property is oversized and currently exists as a 2.69 acre parcel containing a single family dwelling with a detached and unoccupied corrage. Public sewer and water are available to the site and there are no wetlands which affect a potential subdivision.

In the R-20 Zone, 100 feet of frontage per lot is required for 3 lots which would otherwise meet the subdivision and zoning regulations considering the property's size, topography, and available sewer and water. The Zoning regulations permit rear lots but only in the R-40(1 acre) or R-80(2 acre) zones. The requirements for rear lots include that it have twice the acreage requirements for the zone, that it be allowed a 25 ft. frontage but still maintain the width requirements, that a continuous accessway of 25 feet to the lot be provided, and that such accessway be paved and that it not exceed 12% grade. Mr. Lennon pointed out that the proposed rear lot meets each of those requirements. The only request is that the rear lot be allowed in the R-20 Zone:

The Applicant indicated that he had reviewed the possibility of constructing a cul de sac road and creating (4) building lots and that due to the size of the property it is possible to construct a conforming (4) lot subdivision with a 50ft. width road, but that the property would be more densely developed and a town road and drainage must be constructed and subsequently

maintained by the Town in perpetuity. In the interest of a more 'responsible development', the applicant preferred to request a variance for a three lot subdivision with a rear lot. The stated hardship in this case is the narrow shape of the lot which prohibits a three lot subdivision solely because of it's configuration.

Those who spoke:

Nick Ellis	13 Fawn Road
Paul Varney	11 Autumn drive
Cathy Cox	11 Autumn Drive
Greg McKenzie	3 Devine Terrace

Peter Verderosa closed the Public Hearing.

J. Streaman recused himself.

Sue Catino was seated

Sue Dolan was seated

WORKSESSION:

13-01: John Lennon & Nick Ellis, 54 Weed Rd.: Variance of Sec. 3.2.C.2 to permit a rear lot in an R-20 Zone

The Board discussed the merits of the application. . .

Motion by N. Santaniello, seconded by J. Hurgin to **Approve a Variance of Sec. 3.2.C.2** to permit a rear lot in an R-20 Zone.

The Board stated that a hardship was proven due to the configuration of the lot.

Motion passed unanimously.

MINUTES:

Motion by N. Santaniello, seconded by J. Hurgin to ACCEPT the Minutes of the March 19th, 2013 meeting.

5 In Favor

S. Dolan abstained.

Motion to Adjourn at 7:50 by N. Santaniello, seconded by J. Streaman

Respectfully Submitted,



Nancy R. LoBalbo, Secretary, Planning & Zoning Department