



ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS MEETING MINUTES
June 18th, , 2013 – BETHEL MUNICIPAL CENTER
7:00 P.M. – DENIS J. RIORDAN ROOM

RECEIVED

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TOWN OF BETHEL
TOWN CLERK

COMMISSION MEMBERS PRESENT : P. Verderosa, Chairman, N. Santaniello; J. Hurgin, M. Ryan; W. Foster, S. Catino, S. Palmer, P&Z Official.

Chairman Verderosa called the meeting to order at 7:05 and read the Legal Notice.

PUBLIC HEARING:

13-02: Timothy Draper, 47 Shelley Road: Variance of **Sec. 3.4.A.1.6** to reduce minimum lot frontage from 160 ft. to 80 ft. on Lots 3A & 3B and **Sec. 3.4.A.1.C** to reduce minimum lot width from 140 ft. to 80 ft. on Lot 3A & from 140 ft. to 102 ft. on Lot 3B.

Read into the Record: Memo dated 6/18/13 by S. Palmer, P&Z Official
Correspondence dated 6/16/13 by Carol J. Lawlor, 40 Shelley Rd., Bethel
Incorporated into the Record: Witton-Subdivision-45 Shelley Road 2005

Ben Doto, P.E., 248 Main St., Danbury and Timothy Draper, Property Owner presented the application to the Board. Mr. Doto provided the Board with a map of the subject property and photographs of the driveway on the abutting Weston property. He reviewed the proposed map, addressed the questions raised in the correspondence of C. Lawlor and responded to the Memo of S. Palmer, P&Z Official.

The Applicant requested a variance of the minimum lot frontage and minimum lot width requirements to permit the division of a 7.686 acre parcel of land into two building lots which will be 4.24 acres and 3.44 acres respectively. The property is located in the residential R-80 Zone and contains wetlands and steep slopes. It would be served by private well and septic system. The property was part of a subdivision of a 12.8 acre parcel of land, approved by the Planning and Zoning Commission in 2005 and is currently a conforming lot containing the required 160 feet of lot frontage and 140 feet lot width. (Witton Subdivision, 45 Shelley Road)

The Applicant requested to reduce the frontage in half from 160 feet to 80 feet for proposed Lot 3A and 3B. The lot width will be reduced from 142 feet to 80 feet for Lot 3A and 102 feet for

Lot 3B. The Applicant also proposes to provide emergency access from the proposed common drive for the two lots proposed to the property to the south.. This emergency access will also be provided to the Weston property (37 Shelley Road) which is the abutting property to the south. The Applicant stated that the hardship is that the lot is an irregular, oversized lot without adequate road frontage. The Applicant further noted that part of the hardship is that there will be emergency access to the Weston property (37 Shelley Road), which currently does not exist.

Those who spoke:	Kelley Stewart	53 Shelley Road
	Brendan O'Mara	43 Shelley Road (opposed)
	John & Rebecca Rostkowski	51 Shelley Road

Chairman Verderosa closed the Public Hearing

W. Foster was seated for J. Streaman

WORKSESSION:

13-02: Timothy Draper, 47 Shelley Road: Variance of **Sec. 3.4.A.1.6** to reduce minimum lot frontage from 160 ft. to 80 ft. on Lots 3A & 3B and **Sec. 3.4.A.1.C** to reduce minimum lot width from 140 ft. to 80 ft. on Lot 3A & from 140 ft. to 102 ft. on Lot 3B.

Motion by W. Foster to Grant a Variance of **Sec. 3.4.A.1.6** to reduce minimum lot frontage from 160 ft. to 80 ft. on Lots 3A & 3B and **Sec. 3.4.A.1.C** to reduce minimum lot width from 140 ft. to 80 ft. on Lot 3A & from 140 ft. to 102 ft. on Lot 3B.

Motion to Grant: M. Ryan, J. Hurgin, P. Verderosa
Opposed: N. Santaniello, W. Foster

The application was **NOT APPROVED** because four(4) votes in favor were required and there were only three(3) votes in favor and two(2) votes against , consequently the motion **FAILED**.

MINUTES:

Motion by N. Santaniello, seconded by J. Hurgin to APPROVE the Minutes of the meeting of May 21st, 2013.
Motion Passed.

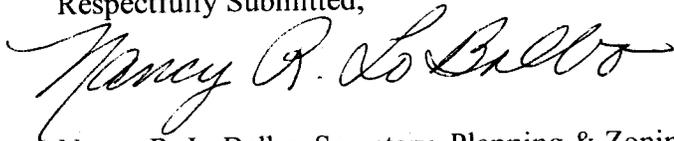
NEW BUSINESS:

Motion by N. Santaniello, seconded by J. Hurgin to Accept the Variance Application for Seventy Five Greenwood Avenue Realty Corp, 75 Greenwood Ave. and set a Public Hearing date for July 16th, 2013.

Motion Passed.

Motion to Adjourn at 8:40 p.m. by W. Foster, seconded by J. Hurgin.
Motion Passed.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nancy R. LoBalbo". The signature is written in black ink and is positioned above the typed name.

Nancy R. LoBalbo, Secretary, Planning & Zoning Department