



ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS MINUTES APRIL 20TH, 2010 – BETHEL MUNICIPAL CENTER 7:00 P.M. – DENIS J. RIORDAN ROOM

COMMISSION MEMBERS PRESENT – Chairman, P. Verderosa; N. Santaniello;
J. Streaman; W. Foster, J. Hawkins, K. Watson Staff: S. Palmer, Planning & Zoning Official.

Chairman Verderosa called the meeting to order at 7:00 p.m.

PUBLIC HEARINGS.:

10-03: Wooster Street Corp., 93 Wooster St.; Variance of Art. 2.2 Minimum square definition- to permit the minimum square to be located within the required front setback.

Chairman Verderosa read the Memo by S. Palmer, Planning & Zoning Official, dated April 20th, 2010, into the record. Attorney James Driscoll, III and Benjamin Doto, P.E. presented the application to the Board.

The Applicant requested a variance of Article 2.2 of the Zoning Regulations to the requirement in the definition that the minimum square be located outside (not within) the required front setback. The property is located in the R-10 Zone.

On December 8th, 2009, a zone change of the property was approved by the Planning & Zoning Commission from Industrial "I" to Residential R-10. The Commission determined that the change was appropriate since the usable area of the land was adjacent to and only accessible from a single family residential neighborhood.

The Application in front of the Zoning Board tonight only seeks to allow the 70 ft. minimum square to be located within the required 20 ft. setback on proposed Lot 3. All other requirements for creating a lot meet the zoning regulations. Attorney Driscoll indicated on the survey map that 3.4 of 4.3 acres of the total parcel are comprised of wetlands, limiting the buildable area to the northern part of the land which narrows to a point. Furthermore, in configuring potential development, a right of way must be included, which needs to be extended to the next property further limiting potential lot locations and shape. Mr. Doto entered conceptual plans into the record, showing a number of development plans which had been explored, and discussed the means by which the Applicant had arrived at the approach to development of the property.

No one spoke.

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TOWN CLERK

Chairman Verderosa closed the Public Hearing.

WORKSESSION:

At this time K. Watson was seated.

10-03: Wooster Street Corp., 93 Wooster St.; Variance of Art. 2.2 Minimum square definition- to permit the minimum square to be located within the required front setback.

Motion by K. Watson, seconded by J. Streaman to **APPROVE** a Variance of Art. 2.2 of the Zoning Regulations to allow the minimum square to be located outside the required front setback.

Approved unanimously.

In granting this variance the Zoning Board of Appeals stated that the triangular shape of the lot presents a hardship to location of the minimum square.

MINUTES:

Motion by K. Watson, seconded by J. Streaman to **APPROVE** the Minutes of the Meeting of February 16th, 2010

Motion approved unanimously

INVOICES:

Motion by K. Watson, seconded by J. Streaman to **APPROVE** payment in the amount of \$356.54 to Danbury News-Times for invoices related to Legal Noticing.

Motion approved unanimously.

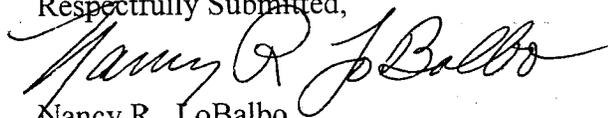
NEW BUSINESS:

Motion by K. Watson, seconded by J. Streaman to **ACCEPT** Application # 10-04, 77 Stony Hill Road and set a Public Hearing Date for May, 18th, 2010.

Motion approved unanimously.

Motion to Ajourn at 7:35 p.m. by K. Watson, seconded by N. Santaniello.

Respectfully Submitted,



Nancy R. LoBalbo,
Secretary, Planning & Zoning Department