



ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS MEETING MINUTES May 20th, 2014 – BETHEL MUNICIPAL CENTER 7:00 P.M. – DENIS J. RIORDAN ROOM

COMMISSION MEMBERS PRESENT : J. Hurgin; J. Streaman; N. Santaniello
R. Lawlor; S. Dolan; W. Foster; S. Palmer, P&Z Director.

J. Hurgin called the meeting to order at 7:02

PUBLIC HEARING(S):

Chairman Hurgin opened the Public Hearing and read the legal notice.

14-05: Chester & Nancy Janutolo, 22 Stony Hill Road, A Certificate of Location for a gas station.

Dianus Virbickas, Artel Engineering, Brookfield, CT presnted the application to the Board and provided certification of notification to abutting property owners. Mr. Virbickas gave a brief history of the proposed activity and permitted uses in the zone.

Chairman Hurgin read the Memo dated May 20th, 2014 by S. Plamer, P&Z Director into the record.

No one spoke.

Chairman Hurgin closed the Public Hearing.

14-06: John Verdi, 77 & 81 South Street, A variance of **Sec. 4.3.I.1** Density in a VC Zone **Sec. 5.6.C** Permitted uses in the RMO zone, **Sec. 6.1.G.1** Interior islands for parking, **Sec. 6.2.C1.b.i** Minimum parking, **Sec. 6.2.C.1.c.iv** Minimum visitor parking.

Chairman Hurgin opened the hearing and read the Memo dated 5/20/14 from S. Palmer, Planning & Zoning Director. Chairman Hurgin stated that the record of the previous application for this property, **14-01: John Verdi, 77 South Street** shall be incorporated into application **14-06: John Verdi, 77 South Street**. Included for the record was "Preserve Housing Diversity" (p.79) from Bethel 2007 Plan of Conservation & Development and Memo from S.Palmer, Planning & Zoning Director, dated 2/18/14.

RECEIVED

2014 MAY 21 P 3: 39

TOWN OF BETHEL
TOWN CLERK

Corrospondance in opposition to this application:

Rob Schweitzer 88 South Street
Marni Spain
Dan Bennett 112 South Street

Attorney Robert Jewell and Architect Doug MacMillan presented the application to the Board. Attorney Jewel submitted certification of notification to abutting property owners and requested that the record of application **14:01 John Verdi, 77 & 81** South Street be incorporated into the record.

The applicant is proposing to change the use of an existing two story commercial building from industrial use to a 16 unit residential building of 8 units per floor. A large dilapidated portion of the building will be removed and a smaller 2 story addition will be added as part of the project. In addition, a two-family structure on an adjacent parcel to the west will be razed to provide area for a 26 space parking lot that will serve the new development. Attorney Jewell stated that it is the intention of the applicant to merge the two parcels and conduct the proposed activities on one single parcel, thus making the parking lot a residential use in a residential zone.

In referencing the hardship for the proposal, Attorney Jewell stated that the historical nature of the building and subsequent enactment of zoning regulations constitute a hardship in adapting this property to modern usage. He presented copies of **Peter Sydoriak V Zoning Bd. Of Appeals of the Town of Prospect et al.** and **Kurlak et al V Zoning Board of Appeals of the City of Stamford** citing subsequent enactment of zoning regulations into the record.

Attorney Jewell also requested that the application reference **Sec. 4.3.I.1** of the zoning regulations with regard to density and floor area. The Appliant's representatives responded to questions from the Board.

Those who spoke in opposition:

Rob Schweitzer 88 South Street
Tyler Kerjiaka 83 South Street

Speaking in favor of the application:

Don Sturges, Applicant Sturges Brothers, Ridgefield, CT

Attorney Jewell and Architect for the project Doug MacMillan responded to questions raised by Mr. Schweitzer and Mr. Kerijaka

Chairman Hurgin continues the public hearing to June 17th, 2014

WORKSESSION:

W. Foster was seated for M. Ryan

14-05: Chester & Nancy Janutolo, 22 Stony Hill Road, A Certificate of Location for a gas station.

The Board discussed the merits of the application.

Motion by N. Santaniello seconded by J. Streaman to Approve **14-05: Chester & Nancy Janutolo, 22 Stony Hill Road,** for a Certificate of Location for a gas station.

Approved Unanimously.

MINUTES :

Motion by N. Santaniello, seconded by R. Lawlor to Accept the Minutes of ZBA meeting for April 15th, 2014.

W. Foster abstained

Motion passed.

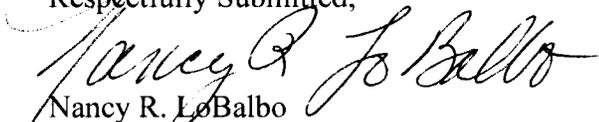
INVOICES:

Motion by J. Streaman, seconded by N. Santaniello to pay the amount of \$591.22 to Connecticut Media Group for invoices related to Legal Noticing in the Danbury News-Times.

Motion Passed

Motion to Adjourn at 8:45 by J. Streaman, seconded by N. Santaniello

Respectfully Submitted,


Nancy R. LoBalbo
Recording Secretary