



ZONING BOARD OF APPEALS

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

ZONING BOARD OF APPEALS MEETING MINUTES AUGUST 19TH, 2014 – BETHEL MUNICIPAL CENTER 7:00 P.M. – MEETING ROOM D

COMMISSION MEMBERS PRESENT : J. Hurgin; J. Streaman; N. Santaniello

R. Lawlor; M. Ryan; W. Foster; S. Palmer, Planning & Zoning Director.

J. Hurgin called the meeting to order

, at 7:00 and read the Legal

Notice into the record.

PUBLIC HEARING :

14-08: Mark D. Anderson, 224 Greenwood Ave., A variance of Sec. 4.3.I.1 Residential density and Sec. 5.5.E.8 minimum floor area for a detached building for dwelling unit

Chairman Hurgin read the Staff Report dated 8/19/14 by S. Palmer, Planning & Zoning Director, into the record.

Mark Anderson, 141 Dodgintown Road, owner of the property, was there to represent this application. Mr. Anderson provided copies of floor plans and a parking plan to the Board.

The applicant requested a variance to permit the conversion of a detached garage to a dwelling unit. The property is located in the commercial VC Zone and is .375 acres in size. The property contains three buildings. The main, front building contains retail space and four (4) dwelling units. The building situated in the middle of the property contains one dwelling unit and the rear building is a two-car garage. Existing uses on the site require 8 parking spaces for the apartments and three for the commercial space. The additional dwelling unit will require a total of 13 parking spaces. The site/parking plan submitted by Mr. Anderson shows that 13 spaces can be accommodated on the site.

The garage will be converted to a 700 sf. one bedroom apartment with a partially finished second level. The front façade will be modified by removing the garage doors and adding windows, and a covered roof projection. Otherwise there are no changes to the building size or shape. The plan is in keeping with Bethel's Plan of Conservation & Development. Mr. Anderson explained the hardship was the limited use of this building on the lot.

Those who spoke:

Diana Ludovic

29 Elizabeth Street

RECEIVED

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TOWN OF BETHEL
TOWN CLERK

Chairman Hurgin closed the Public Hearing.

14-09: Shastina Animal LLC, 25A Turkey Plain Road, A variance of Sec. 6.3.F.8.d maximum sign size and Sec. 6.3.F.8.e maximum sign height for a sign.

Chairman Hurgin opened the public hearing. At this time the hearing is continued to September 16th, 2014.

WORKSESSION:

J. Streaman recused himself.

W. Foster was seated for J. Streaman

14-08: Mark D. Anderson, 224 Greenwood Ave., A variance of Sec. 4.3.I.1 Residential density and Sec. 5.5.E.8 minimum floor area for a detached building for dwelling unit.

The Board discussed the merits of the application.

Motion by N. Santaniello, seconded by R. Lawlor to **approve** a variance of **Sec. 4.3.I.1** Residential density and **Sec. 5.5.E.8** minimum floor area for a detached building for dwelling unit at 224 Greenwood Avenue for a dwelling unit. The Board recognized that a hardship was caused by the limited use of the building on this lot
Approved unanimously.

Chairman Hurgin entered into the record a letter from Justin E. Hurgin, Bethel Zoning Board of Appeals to Ms. Pat Rist, Chairman, Planning & Zoning Commission, "Re: Request that Planning and Zoning Commission Adopt Zoning Amendments Regulating Medical Marijuana Facilities" dated August 19th, 2014.

INVOICES:

Motion by N. Santaniello, seconded by W. Foster to approve payment to the Danbury News Times in the amount of \$195.25 for Legal Noticing.
Motion passed.

MINUTES:

R. Lawlor noted correction to Special Meeting Minutes dated 7/17/14 . Minutes to now read:

“Chairman Hurgin polled the Board members with regard to the issue of aggrievement. Board Members polled 2 no; Santaniello, Streaman, party is not aggrieved -3 yes; Hurgin, Lawlor, Ryan party is aggrieved”

Motion by J. Streaman, seconded by R. Lawlor to Accept the meeting minutes, with corrections, for: June 17th, 2014 Meeting; July 15, 2014 Special Meeting; July 15th, 2014 Meeting; July 15th, 2014 Special Meeting. Motion Approved Unanimously.

NEW BUSINESS:

Motion by N. Santaniello, seconded by W. Foster to accept Application(s):

14-10: Eckert, 16 Elgin Ave. and set a hearing date of 9/16/14,

14-11: Devlin, 3 Taylor Rd. and set a hearing sate of 9/16/14

14-12: O'Neil, 15 Bethpage Dr. and set a hearing date of 9/16/14

14-13: Danbury Hospital, 20 Stony Hill Road and set a hearing date of 10/21/14

Motion passed unanimously

OTHER BUSINESS:

S. Palmer, Planning & Zoning Director, provided the Board with copies of "Nicholas P. Kurjiaka, Tyler M. Kurjiaka, Rob W. Schweitzer, and Bryan D. Haeffele VS. Zoning Board of Appeals of the Town of Bethel, Sturges Brothers Inc., and John Verdi" dated 8/6/14 for their review. There was no discussion at this time.

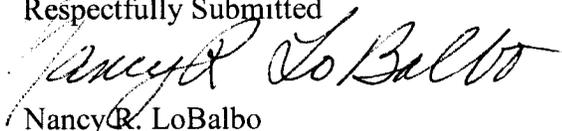
S. Palmer presented a letter to the Board from Michael & Jennifer Dankowski, 126 Plumtree Rd., Bethel, CT dated 7/22/14 with attachments. The Dankowski's are requesting a correction of Variance Application #86-34 of Sec. 118-24-A-1 granted 7/15/86 for an in-law apartment at 126 Plumtrees Road. S. Palmer discussed the language of the variance and the Dankowski's request. The Board came to a unanimous consensus to request Staff to draft a motion removing the language and draft a resolution to be presented to the Board on 9/16/14.

PUBLIC COMMENT:

Ken Frye 16 Maple Row.

Motion to adjourn at 7:30 by N. Santaniello, seconded by W. Foster
Motion passed

Respectfully Submitted



Nancy R. LoBalbo
Recording Secretary