

**ZONING BOARD OF APPEALS
MINUTES
OCTOBER 17, 2018**

The West Haven Zoning Board of Appeals held a Public Hearing and Regular Meeting on Wednesday October 17, 2018 in the Harriet North Room, Second Floor, City Hall, 355 Main Street, West Haven, CT at 7:15 P.M.

PRESENT: Commissioners DeLeo, Porto, Coscia, Lewis (arrived 7:45), and Assistant City Planner Killeen. Absent were Commissioners Clifford, Wise and Leper.

PLEDGE OF ALLEGIANCE

Commissioner Coscia made a motion to appoint Commissioner Porto as acting chairman for tonight's meeting, seconded by Commissioner DeLeo and passed. Commissioner DeLeo agreed to serve as Secretary. Meeting was called to order at 7:47 PM.

APPROVAL OF MINUTES: Commissioner Coscia made a motion to approve the meeting minutes of September 19, 2018, seconded by Commissioner DeLeo and passed.

New:

107 Meloy Road: A request from the applicant for an accessory apartment with handicap accessibility. The owner is aware that *This Special Use Exception use shall not run with the land, but shall be personal to the current owner, shall expire upon the transfer of title or possession of the property, and shall continue to exist only so long as the Grantee utilizes the property in the manner and under the conditions as contained in this Grant of Special Use Exception*

The **Zoning Board of Appeals** may only grant **special use exceptions** for **uses** listed. The property is in an R-2 (Single Family Detached Residence) district which is allowed for a special use exception, under section 91 and 92 of the City of West Haven Zoning Regulations. Owner/Applicant: Mary Jane Roy; File # 037-18 SU

Regina Geysa, daughter of applicant, stated the proposed accessory apartment will have two accesses. The house is a split level and the goal is to make a half bath, kitchenette and to have one level living for her parents. Mr. Killeen read into the record comments from the building official, requiring the Building Department's review of the design of the handicap kitchen and bathroom facilities.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application. There was no one present to speak for or against this application.

Acting Chairman Porto closed the public hearing on this application.

175 First Avenue: The applicant request a front yard variance of 21' where 25' is required and 4' will exist to build a 20'x 22' garage on a corner lot, In an R3 (One-Two-Three Family Residence) district, under Section 12, table 12.1 of the City of West Haven Zoning regulations. Owner/Applicant: Brenda Anziano and Jacob Bogner; File # 038-18 V.

Applicants have requested a continuance to next month's meeting. Commissioner Coscia made a motion to continue File # 038-18 V, seconded by Commissioner DeLeo and passed. Roll call was called and the

request for continuation was approved 4 – 0. This item will be continued to the next regular ZBA meeting, scheduled for Wednesday, November 21, 2018 at 7:15 PM in the Harriet North Room, City Hall. Since some neighbors were present at this hearing, members of the public were encouraged to contact the Planning and Zoning office closer to that date since there was a good likelihood that meeting will be rescheduled since it is the night before Thanksgiving.

965-967 First Avenue: A variance of section 60.26.1 where a bypass lane is required for a drive thru facility. The Planning and Zoning Commission is requiring the applicant to remove a portion of the drive thru because it is encroaching on City property. In an RCPD (Planned Residential Commercial) district, also under section 90 and 92 Of the City of West Haven Zoning Regulations, Owner: Pacheco, LLC; Applicant: Brian Evanich; File # 039-18 V

Brian Evanich and Peter Pacheco stated the City of West Haven has requested they remove about 22” inches of encroachment (driveway/curbs, catch basins, fencing, etc.) from the city property. The previously approval required two lanes, a drive thru and a bypass lane. The entire drive thru is a separate lane today and the bypass lane is not needed. This variance is being requested because a bypass lane is required by the city regulations.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application. There was no one present to speak for or against this application.

Acting Chairman Porto closed the public hearing on this application.

70 Hawthorne Street: The applicant requests several variances for a 14’ x 16’ one story addition, placed in the rear of the pre-existing non-conforming lot.

1. A Westerly variance of 9.8 where 15’ is required and 5.2’ will exist.
2. An Easterly variance of 5.3’ where 15’ is required and 9.7’ will exist.
3. An open space variance of 4.8% where 65 % is required and 60.2% will exist.
4. And lot coverage of 5.9 % where 35% is allowed and 29.1% will exist

The property is located in an R2 (Single Family Detached Resident) district, under Section 11 table 11.1, 90 and 92 of the City of West Haven Zoning Regulations. Owner/Applicant: Sharon McCreven; File # 040-18 V

Ron Durrello, architect, stated this application is for a proposed family room. The addition will be located where there is an existing wood deck, which will be removed. On the west side, the room will be set back 2 ft. due to a walkway that exists and on the east side the wall will be lined up with the existing house. The hardship is due to the narrow lot.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Doug McRae, 72 Hawthorne St., spoke in favor of this application.

Acting Chairman Porto closed the public hearing on this application.

261 Platt Avenue: A variance waiver of section 50.3 to give relief to the Applicant, so no sidewalks need to be constructed. In the NB (Neighborhood Business) district Under Article 4 Section 50.5, 90 and 92 of the City of West Haven Zoning Regulation. Owner/Applicant United Petroleum, LLC; File #041-18 V

Mark Smith, CNG Environmental has requested that File #041-18 V be continued. Commissioner Coscia made a motion to continue File #041-18 V, seconded by Commissioner DeLeo and passed 4 – 0.

This item will be continued to the next regular ZBA meeting, scheduled for Wednesday, November 21, 2018 at 7:15 PM in the Harriet North Room, City Hall. (Members of the public are encouraged to contact the Planning and Zoning office closer to that date since there was a good likelihood that meeting will be rescheduled since it is the night before Thanksgiving.)

Regular Meeting

107 Meloy Road: A request from the applicant for a special use exception to locate an accessory apartment with handicap accessibility in the R2 District, under section 91 and 92 of the City of West Haven Zoning Regulations. Owner / Applicant Mary Jane Roy: File # 037-18 SU

Commissioner Coscia made a motion to approve File #037-18 SU with the condition that this special use does not run with the land and only applies to the current owner, seconded by Commissioner DeLeo. Roll call was called. File #037-18 SU passed 4 – 0.

965-967 First Avenue: A variance of section 60.26.1 where a bypass lane is required for a drive thru facility. The Planning and Zoning Commission is requiring the applicant to remove a portion of the drive thru because it is encroaching on City property. In an RCPD (Planned Residential Commercial) district, also under section 90 and 92 Of the City of west Haven Zoning Regulations, Owner: Pacheco, LLC / Applicant: Brian Evanich File # 039-18 V

Commissioner Coscia made a motion to approve File #039-18 V, seconded by Commissioner DeLeo. Roll call was called. File #039-18 V passed 4 – 0.

70 Hawthorne Street: The applicant requests multiple variances for a 14' x 16' one story addition, placed in the rear of a pre-existing non-conforming lot in an R2 (Single Family Detached Resident) district, under Section 11 table 11.1, 90 and 92 of the City of West Haven Zoning Regulations. Owner/ Applicant: Sharon McCreven: File # 040-18 V

Commissioner Coscia made a motion to approve File #040-18 V, seconded by Commissioner DeLeo. Roll call was called. File #040-18 V passed 4 – 0.

ADJOURNMENT: 8:15 p.m.

Commissioner Coscia made a motion to adjourn, seconded by Commissioner Lewis and passed.