

ZONING BOARD OF APPEALS
REGULAR MONTHLY MEETING, MONDAY, February 14, 2011
ALDERMANIC CHAMBERS 7:00 PM

The Ansonia Zoning Board of Appeals held its regular monthly meeting on Monday, February 14, 2011. The meeting began at 7:08 p.m. and the following applications were acted upon.

Roll Call:

Peter Marcinko	Absent
Claudia Degnan	Present
Laura Gagnon	Present
Nicolas Gentile III	Present
Joe Jaumann	Present
John Sanza	Absent
John Erlingheuser	Absent

4 Present, 3 Absent

A quorum was present.

Also present: James Tanner, Zoning Enforcement Officer
Kevin Blake, Corporation Council

(Minutes based on secretary's hand written notes)

Ms. Degnan declared the meeting open at 7:08. The meeting began with the pledge of allegiance.

Ms. Degnan explained that since there is a four-member board, the applicants have to have four yes votes to approve a variance.

Mrs. Gagnon made a motion to approve both sets of the January minutes. The motion was seconded by Mr. Gentile. All were in favor of the motion. The motion was approved.

1. Pension Services LLC Trustee, P.O. Box 15, Easton, seeking relief from the Zoning Regulations, Section 315, Schedule C to divide a 10, 442 square foot parcel as follows: first piece AKA 10 North Street, a 5,643 square foot lot with an existing single family dwelling. Vary the lot width area requirement 1,857 plus or minus, Vary the lot width requirement 26 foot plus or minus in the front and 16 foot plus or minus in the rear, vary the east side yard requirement 6.6 feet plus or minus. Second piece corner of Eagle and North Streets, vary the lot area requirement 2,701 feet plus or minus to erect a single family home, vary the lot width requirement in the front 29 feet plus or minus and vary lot density requirement per section 316 to allow two (2) single family dwelling units where .92 are permitted.

Attny. John Sponzheimer stated that an issue arose at the last meeting regarding time limits and the applicants' prerogative to postpone the hearing until there is a five member board. He further stated that the mandate has been in place since the 1980's that the applicant can postpone the

hearing for their application until there is a five member board present. He further stated that case law had been set. Corporation Council Blake arrived at this time and the Vice-Chairman addressed him. She stated that Mr. Marcinko indicated that he had been informed that the State statute indicates that the board must move forward with hearing the application regardless if there is a five member quorum or not. The only way that the hearing would not be able to be heard is if there is not a quorum. Attny. Spondheimer requested that the board grant him a few moments to discuss this matter with Corporation council outside of the meeting. The Board granted him his request. The Board then moved on to discuss the next item on the agenda.

2. Ansonia M & L Properties, 1 Chestnut Street, Ansonia, for property located at 420 Main Street, Ansonia, seeking an appeal of the cease and desist order issued by the Zoning Enforcement Officer dated August 24, 2010.

Mr. Tanner indicated that the applicant has decided to withdraw the appeal.

There were no other applications to come before the board.

Mrs. Degnan asked Mr. Tanner what the status was regarding the person on Martin Terrace. She was informed that the party in question has not responded to his letters and he will go to the next step.

Mr. Tanner informed the board that there will be a Workshop held by the state for all of the ZBA members (that are not lawyers) and the secretary on March 12 at Wesleyan. The City is paying the fee for the members to attend. He stated that it would be very beneficial for the members to attend.

Attny. Spondheimer returned to the room and indicated that he was withdrawing the application and will be resubmitting it in the future.

Mr. Gentile made a motion to adjourn. The motion was seconded by Mr. Jaumann. All were in favor of the motion.

The meeting ended at 7:35.

Respectfully submitted,

Carol Sardinha
Secretary