



City of Ansonia

253 Main Street
Ansonia, Connecticut 06401

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ZONING BOARD OF APPEALS
REGULAR MONTHLY MEETING, MONDAY, November 14, 2016
ALDERMANIC CHAMBERS, 7:00 PM

The Ansonia Zoning Board of Appeals held its regular monthly meeting on Monday, November 14, 2016. The meeting began at 7:02 p.m.

Roll Call:

| | |
|------------------|---------|
| Claudia Degnan | Present |
| Jeff Gould | Absent |
| Robert Brown | Absent |
| Diana Maurice | Present |
| Elizabeth Gaudet | Present |
| David Williams | Present |
| Ken Moffat | Absent |

4 Present, 3 Absent

Also present: Corporation Council John Marini
City Planner David Elder
ZEO David Blackwell
Alderman Randy Carroll
Alderman Phil Tripp

A quorum was present.

Mrs. Degnan declared the meeting open at 7:02. The meeting began with the pledge of allegiance to the flag.

Mrs. Degnan stated that she would like to hear from Mr. Ron Saracino, President of Road Ready Used Cars. She explained that he is just looking for an approval of location at this time and needs a signature from her.

Mr. Saracino was present. Mrs. Degnan stated that there is a problem with the sign. She indicated that she spoke to Mr. Blackwell and the sign is in violation. The sign said "Healey" and it now says "Used Cars". She further stated that it's much too big. She stated that he had told Mr. Blackwell that he had some pictures and she would like Mr. Saracino to submit them to the zoning office and to the board as well by the December meeting. Mrs. Degnan then indicated that he was supposed to have an A2 survey of the property. Mr. Saracino stated that they are in the process of having that made. He stated that they were unaware that they needed to have one for this project. He stated that the A2 will be completed by weeks end as well as the "as built". He then stated that the structure of the building was not touched at all. There were some alterations that had been made to the building. Mrs. Degnan then signed the form. Mr. Elder told Mr. Saracino that he would make a copy of the form and give him back the original.

Mrs. Degnan stated that the board did not get the minutes for the September meeting. Mrs. Sardinha stated

that the minutes were posted on September 16 and had been scanned into the city web site. She further explained that Ms. Porrini is responsible to put the packets together and mail them to the members. Mrs. Sardinha then added that Ms. Porrini indicated in her agenda notes which are a matter of public record and need to be filed with the agenda with the town clerk's office, that she requests "that once the recording secretary files the minutes with the Town Clerk that a copy be submitted to the Land Use Office so that they can be sent out with the packets." Mrs. Sardinha stated that she submits the minutes once they are completed to the Town Clerk's Office. Once the minutes are submitted to them, they are scanned into the city web site within a few days. If anyone were to need a copy of the minutes, they can be viewed on the city web site. Ms. Porrini can just as easily obtain the minutes in the same manner. If she needed to obtain a hard copy of the minutes, they are filed in the Town Clerks office one floor above her office.

Mrs. Maurice made a motion to approve the October minutes. The motion was seconded by Mr. Williams. All were in favor of the motion.

1. AAF Developers, LLC, for property located at 49 Myrtle Avenue, Ansonia, seeking relief from the Zoning Regulations Section 315 Schedule C to create two building lots with a "reduction of 24feet from the frontage. Request each lot to be 51 feet from the required 75 feet."

Mr. Albin Pepa representing AAF Developers is present. Mrs. Degnan asked the applicant what his hardship is. He stated that they purchased this property so that the area would look better than it currently is. He further stated that this would be better for the city. He then indicated that the lot is currently in total disrepair. He then stated that there are other properties in the area that are very congested as well. He is aware that the existing building is in disrepair. They are planning on putting the houses in the rear of the property. Ms. Maurice asked how many family units would be on each parcel. He stated that there would be 2 two family dwellings on the two lots once the lot is split. She then asked where the tenants would park. He informed her that there would be two parking spaces for each house.

Mrs. Degnan then asked the applicant what is the hardship. She explained that the hardship deals with the land. It does not deal with financial gain or anything like that. She further explained that if he were to sell the property, the variance stays with the property. It does not change just because the applicant is no longer the owner of the property. The way she understands his situation, there is no legal hardship other than the fact that he cannot place two buildings on the lot. She explained that a true hardship would be something like there is something wrong with the property such as if there was a huge rock and there was only a small area where they could build the house. Separating the lot is not a hardship. If the board was to allow him to separate the lot, and two buildings are placed there, he would still have to be in compliance with all of the regulations. Mrs. Degnan asked once again what is the hardship that makes them have to divide the property. She then stated that the board would make the property more non-compliant if they were to allow the lot to be split. Mr. Elder explained that if the board were to grant this application, the applicant would only be able to build a home that was 20' in size. He added that he would have to come back to this board to get all of the required variances and he would not be able to build two buildings on the two lots. Ms. Gaudette then asked if the applicants were planning on moving from Stamford and living in the buildings. She was told that they were going to be renting them out.

Ms. Maurice stated that she cannot see where there is a hardship. Without a hardship, the board is unable to do anything for this applicant.

Mrs. Degnan asked three times if there was anyone that wished to speak in favor of the application. There was none. Mrs. Degnan then asked if there was anyone that wished to speak against the application.

Alderman Randy Carroll, 40 Fourth Street, stated that he is 1st ward Alderman. He stated that there is no hardship on this property at all. They want to change the lot size into two building lots reducing it from 75' to 51' a difference of 24'. The maximum density would have to be changed as well. It's an extremely congested neighborhood. There would only be 6 parking spots which would mean that there would be on street parking. Where would any visitors park? Where are the blueprints, architectural design, and the engineer? Mrs. Degnan stated that they are just looking to split the lot at this point in time.

Mrs. Degnan then asked a second time if there was anyone else that wished to speak against the application.

Alderman Phil Tripp, 57 Eagle Street stated that he lives a block away from this property. He stated that there was a situation similar to this about 6 years ago on the corner of Eagle and North Street. A developer purchased that property on foreclosure. The neighbors were totally against that property. He was able to put together a petition of over 80 signatures. We are not looking to increase the density in the neighborhoods. This project is not conducive to the nature of the neighborhood. There are parking issues. I don't see the neighborhood as being in favor of this as I am not.

Mrs. Degnan asked for a third time if there was anyone that wished to speak against the application. Now one else wished to speak against the application. Mrs. Degnan closed the meeting to the public.

Ms. Maurice made a motion to deny the application. Mr. Williams seconded the motion. All were in favor of denying the application. The application was denied.

Mrs. Degnan informed the applicant that they would receive a letter from the Land Use Office with the board's denial of the application to divide the lot.

Mr. Elder then addressed the board regarding the draft copy of the calendar that Ms. Porrini submitted to the board for their approval. He stated that a calendar had already been approved in October. There are differences in the closing dates. The dates change beginning February until September for the closing dates and another date change was the first publication date in August for the September meeting to a date earlier than what was proposed. The meeting dates which are the only dates that are relevant to the members are the meeting dates themselves. Mrs. Sardinha stated that in her meeting schedule, the dates are consistent. The meetings are always held on the second Monday of the Month (with the exception of the October meeting as the second Monday is a federal holiday.) The closing dates, first publication and second publication dates are consistently Thursdays.

In the draft that was provided to the members for the November meeting, the days switch from Wednesdays to Thursdays in both the closing dates and in one case the first publication date. Mrs. Sardinha feels that the dates should be consistent for the sake of the applicants. The reason that Thursdays had been chosen for the closing date for applications was due to the fact that City Hall closes later and would give applicants more time to get their applications in. Mr. Elder stated that he would send

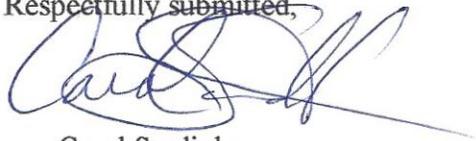
Ms. Porrini an email to see if there was any reason that the dates were changed. As the meeting dates are not affected, the board will not need to reapprove the meeting schedule.

Mr. Blackwell stated that he would like the board's guidance. He stated that the board voted to deny Mr. Motto's application for 300 Wakelee Avenue with the carport. Nothing has been done to remove the structure at this point in time. He informed the Board that he was told by Corporation Council Marini that Mr. Morro would be issued a misdemeanor and have to appear in housing court regarding this issue.

There was no other business to come before the board. Mrs. Degnan asked for motions to adjourn. Ms. Maurice made a motion to adjourn. Ms. Gaudet seconded the motion. All were in favor of the motion.

The meeting ended at 7:54.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Carol Sardinha', written over the text 'Respectfully submitted,'.

Carol Sardinha
Secretary