

SEYMOUR ZONING BOARD OF APPEALS

Public Hearing Minutes
May 5, 2011

Norma Drummer Room, Town Hall

COPY RECEIVED
DATE: 5/9/11
TIME: 11:40 AM
TOWN CLERK'S OFFICE

Members Present: David Coe, John Uhelsky, Nicolette O'Toole,
Melissa Smith-Poynton

Members Absent: Robert Ricciutti, Ted Holly, Theresa Conroy

Others Present: Bob Looker, Town Planner

1. An application for a side yard and rear yard variance for the purpose of constructing an 8 ft. by 21 ft. addition to the existing garage at 40-42 Meadow Street. Addition to be about 1.69 ft. from the side lot line and about 28 ft. from the rear lot line.

Michael Jones, 40-42 Meadow Street stated that his property is very narrow only 40' wide. He has no storage space and he stated that he can barely fit a car in the present garage. He will use the addition to the garage as storage space and possibly a rec room. It is going forward toward the house. Mrs. O'Toole asked if it would be difficult to get a car into the second bay and Mr. Jones stated that it should not be a problem. Mrs. O'Toole asked if he had obtained the necessary permits for the work that he is doing to the garage. He stated that he has the proper permits for adding a second floor and to open up the roof area. He stated that most of the work was done several months ago and he is not working on the garage at this time. Mrs. O'Toole asked if the permit is for a new roof or change to the structure. Mr. Jones stated that he explained his project when applying for the permit and has permits for all the work being done. Mrs. O'Toole stated that it appears that there is a second floor and now it will be extended further. Mr. Looker stated that the file indicates that he has gotten various permits. Mrs. O'Toole asked if it was his intent to make it into an apartment and Mr. Jones stated that it will only be for storage and a rec room. Mr. Uhelsky asked if the property was tied into the sewer and Mr. Jones stated that it was and that has been inspected and approved.

There was no public comment on the application.

MOTION: O'Toole/Uhelsky to close the public hearing.
Motion Carried 4-0.

2. An application for a lot area, lot frontage, lot width and lot square variance for the purpose of establishing 16 Emma Street as a separate lot. Lot area to be 11,173 sq. ft. Lot frontage, lot width and lot square to be 75 feet.

3. An application for a lot area, lot frontage, lot width, lot square and side yard variance for the purpose of establishing 14 Emma Street as a separate lot and constructing a single family dwelling. Lot area to be 8,600 sq. ft. Lot frontage, lot width and lot square to be 57.87 ft. Side yard to be 10 ft.

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Kathy Kennen and Terry Kennen 16 Emma Street were present. Mrs. Kennen stated that when they purchased the property in 1997 they thought that it was two lots and it is taxes separately as two lots. They want to split the lot into two and be able to construct a house on 14 Emma Street. She stated that the frontage on 16 Emma Street would be 75' and on 14 Emma Street 57.8 ft. Mr. Looker stated that the property is zoned R-18 and 120 ft. is the required frontage. The lot area required is 18,000 sq.ft. Mrs. Kennen stated that there are several lots on Emma Street that are smaller than the zoning requirement.

Mr. Coe read a letter dated 3/28/11 from neighbors at 15 Emma Street and 18 Emma Street in support of the applications.

Ms. Smith-Poynton asked what the hardship is and Mrs. Kennen stated that they always felt that they would be able to use the lot for building purposes. It is taxed separately and when purchased they thought it was two separate lots.

Mr. Coe read a letter from John A. Fannotto, Jr. who owns property adjoining these lots. The letter stated that he is opposed to the requested variances and stated that there is no zoning hardship and the property has clearly merged.

Mrs. O'Toole stated that Mr. Fannotto brought up some valid points in his letter and she asked about hardship. Mrs. Kennen stated that when they purchased the property they thought it was a separate lot and always felt that some day they could sell it as a building lot.

Mrs. O'Toole asked about the shed on 14 Emma Street and Mr. Kennen stated that it is not a permanent structure.

There was no public comment on the application.

MOTION: O'Toole/Smith-Poynton to close the public hearing.
Motion Carried 4-0.

4. An application for a side yard and rear yard variance for the purpose of building a 10 ft. by 15 ft. shed on the property at 69 New Street. Shed to be about 2 ft. from the side lot line and about 3 ft. from the rear lot line.

Jan Parlak, 69 New Street was present and stated that the shed is already built. It is located at the lowest part of his property and he will be using it to store his gardening equipment and plants. The property slopes down and he has a large garden. This is the best location for the shed since it is close to the garden and at the rear of his property. He stated that he will be adding a railing.

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Regular Meeting Minutes
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Norma Drummer Room, Town Hall

Members Present: David Coe, John Uhelsky, Nicolette O'Toole,
Melissa Smith-Poynton

Members Absent: Robert Ricciutti, Ted Holly, Theresa Conroy

Others Present: Bob Looker, Town Planner

The meeting was called to order at 8:20 p.m. by Vice Chairman, David Coe.

1. An application for a side yard and rear yard variance for the purpose of constructing an 8 ft. by 21 ft. addition to the existing garage at 40-42 Meadow Street. Addition to be about 1.69 ft. from the side lot line and about 28 ft. from the rear lot line.

Mrs. O'Toole stated that she was very concerned that it is going to become an apartment. He already has permits to do a lot of work and now wants to extend the garage further. Mr. Coe stated that the Commission could restrict the use. Mrs. O'Toole stated that it is not much different from what is there now and she felt she would rather have it be a pitched roof and a restriction that it could never be used as an apartment. Mr. Uhelsky and Mrs. Smith-Poynton agreed.

MOTION: O'Toole/Smith-Poynton, to approve the application for 40-42 Meadow Street with the restriction that it will a one story addition with pitched roof and it will remain as an area for storage and a rec room and will not become a dwelling
Motion Carried 4-0.

2. An application for a lot area, lot frontage, lot width and lot square variance for the purpose of establishing 16 Emma Street as a separate lot. Lot area to be 11,173 sq. ft. Lot frontage, lot width and lot square to be 75 feet.

The members discussed the application and felt that the lot size was insufficient and there was no apparent hardship.

MOTION: Smith-Poynton/O'Toole, to deny the application for 16 Emma Street based on the lack of a hardship and lot size.
Motion Carried 4-0.

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3. An application for a lot area, lot frontage, lot width, lot square and side yard variance for the purpose of establishing 14 Emma Street as a separate lot and constructing a single family dwelling. Lot area to be 8,600 sq. ft. Lot frontage, lot width and lot square to be 57.87 ft. Side yard to be 10 ft.

Mrs. Smith-Poynton stated that she felt that the lot would be too small to make into a building lot and they did not show any hardship. The other members agreed.

MOTION: Smith-Poynton/O'Toole, to deny the application for 14 Emma Street based on the lack of a hardship and lot size.
Motion Carried 4-0.

4. An application for a side yard and rear yard variance for the purpose of building a 10 ft. by 15 ft. shed on the property at 69 New Street. Shed to be about 2 ft. from the side lot line and about 3 ft. from the rear lot line.

Mrs. O'Toole stated that this is the best location for the shed and it is well constructed.

MOTION: O'Toole/Smith-Poynton, to approve the application for 69 New Street.
Motion Carried 4-0.

2. Minutes, Regular Meeting 03/03/11

MOTION: Smith-Poynton/Uhelsky to approve the minutes of the March 3, 2011 Regular Meeting.
Motion Carried 4-0.

MOTION: Smith-Poynton-O'Toole, to adjourn the meeting.
Motion Carried 4-0.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Maryanne DeTullio, Recording Secretary