

Middlefield Zoning Board of Appeals

October 15, 2019 Special Meeting

Minutes

(Not approved at time of filing)

1. Meeting called to order by Chris Champagne

2. Roll Call: Present were Chris Champagne-regular, Dave Glueck-regular, Joe Angello-regular, Michael Janis-regular, and Charles Augur-regular, and Michael Skelps-alternate.

3. Approval of Agenda

Motion to approve the agenda for a special meeting as published was made by Chris Champagne seconded by Michael Janis and approved by all.

4. Approval of Minutes

Motion to approve September 24 2019 minutes as published was made by Dave Glueck, seconded by Charles Augur and approved by all.

Motion to open the Public Hearing on 51 Derby Rd was made by Charles Augur, seconded by Mike Janis and approved by all.

Atty. Corona and Mr. and Mrs. Brayshaw of 51 Derby Rd. were present.

Per Regulations a notice and list of abutting neighbors was presented and marked exhibit A. Also, an assessor's map was presented and marked as exhibit B. A map which was included in the application also was discussed.

The proposed project and the amount of variance needed was explained. Atty. Corona discussed the property in regards to Historic value and aesthetics of houses from that era. He presented several examples of porticos, historic research materials, and a variance case from New Canaan which was similar to this project. They were marked exhibits C through F. He also noted for the record this house is specifically listed as a historic property in the Town's Plan of Conservation and Development, which Atty. Corona stated should be a factor in the board's hardship consideration. Other examples of hardship were discussed and presented in the application.

Dave Glueck asked about existing measurements from the road and how the new request will be measured. Joe Angello asked if there were any other Historical Home Boards that would need to give approval. Atty. Corona said we do not have a Historical District so no other approvals would be necessary.

Zoning Board of Appeals—October 15, 2019

Mr. Champagne asked if there was anyone present in the audience to speak about the project. William Jagoda, an abutting property owner, spoke in favor of the project. Mr. Kotlarz of 32 Maple St, also spoke in favor of the project.

Motion to close the Public Hearing for 51 Derby Rd was made by Joe Angello, seconded by Dave Glueck and approved by all.

6. Deliberations: 51 Derby Rd.

Mike Janis felt the applicants were not asking for too much more nonconformity. He noted it was not a room addition.

Chris Champagne reviewed and summarized Exhibit F which was a Superior Court decision involving the New Canaan ZBA that was presented by Atty Corona during the public hearing regarding variances for historically significant properties.

Measurements and amounts of variances needed were discussed. Wording for the motions was discussed.

Motion to approve a 5'6" variance from section 04.02.01 of the zoning regulations as measured from the edge of the existing nonconforming structure, which equates to 12'2" from the street line, to construct a historically correct portico on the 51 Derby Rd property, consistent with the application presented, subject to the following conditions:

1. Height shall not exceed 14 ft.
2. Width of street line variance shall not exceed 12 ft.

Motions was made by Chris Champagne, seconded by Joe Angello and approved by all.

6. New Business: 32 Maple St

Bryan Kutlarz was present to speak about his application. Mr. Champagne explained the preliminary process. A discussion regarding which regulations would be affected continued. For this application Regulations 8.16.01 and 8.16.02 will be needed. Discussion about "finished side" of fencing was reviewed.

Mr. Champagne reviewed the process and legal standards for the public hearing i.e.: harmony, hardship, esthetics, abutting neighbors, maps, etc. The October 22nd meeting will be cancelled due to this special meeting. Due to Legal Notices a Public Hearing will be set for November 26th.

7. Chairman's Report: Joe Angello submitted his Letter of Resignation in light of his upcoming move out of town. All members chimed in with regrets and best wishes.

10 Adjournment: Joe's final Motion to adjourn at 8:50 was seconded by Chris Champagne and all were in favor.