

Unified Planning/Zoning Board of Adjustments Meeting  
February 20, 2008

The meeting was called to order by chairman, Ken Cassidy, and the pledge of allegiance was recited.

Roll call was taken with the following members present: Mr. Buccellato, Mr. Cassidy, Ms. DeYoung, Mr. Dolan, Mr. Mendes, Mr. Montfort, Ms. Rinear, Mr. Saporito, and Mr. Shea. The alternates present were: Mr. Gallego.

Ms. Rinear made a motion to approve the minutes of the February 4, 2008 meeting and it was second by Mr. Montfort. The board voted with all in favor except for Mr. Mendes and Mr. Saporito who abstained.

Mr. Irene then swore in Mr. Saporito to the board and stated that Mr. Mendes was previously sworn in. He gave the new board members the requirements for certification and told them they had 18 months to complete it.

The first application was Eric Alvarez Block 102, Lot 6

This application is for a sub-division but did not have bulk variances. The applicant now has the proper variance form but did not meet the 10-day notice rule so therefore the board has to carry over the application.

Mr. Montfort made a motion to carry over until March 3, 2008 and Mr. Buccellato second. The board voted with all members in favor.

The second application was Susan Cole Block 66, Lot 6

The notices were approved. Mr. Iler is the attorney for the applicant. Ms. Cole was sworn in as well as Mr. Venezia, the board professional. The exhibits were marked. The class 1 & 3 members stepped down, as this is a D variance application. The attorney stated this is a mother/daughter dwelling. The applicant wants to expand the house for her elderly aunt to live with her and not for a rental purpose.

Board questions

Mr. Cassidy asked if the applicant would be opposed to a deed restriction on the property and the answer was no.

Mr. Gallego asked if there was any other way to do this and the attorney stated they would show all the options they entertained tonight.

Mr. Casazza is the engineer for the applicant. He stated that the dwelling is a ranch with a family room in the back and a wing to the side so there are no steps. This is not a 2-family but a deed restriction would be acceptable, and they are looking for a kitchen and bathroom for privacy and to add onto the existing bedrooms.

Board questions

Mr. Saporito asked what the square footage of the addition was and the answer is 1700' existing and 1700' additional.

Mr. Cassidy asked how many bathrooms and the answer was 2.

Mr. Montfort asked if the aunt's area would need about 1000' and the engineer said yes and the 2 new bedrooms would be 16' and 13'.

Mr. Shea asked if they met the front and side yard setbacks and the answer was yes, there is no bulk variance.

Mr. Saporito asked how the new and the existing would be connected and the engineer said from a side entrance and from the bedroom, but they are open to changing it if need be.

Mr. Irene asked if there was a locked/closed door from one side to the other because that would make it 2 dwellings. The engineer said that could be removed and only have an interconnecting hallway if the board so chose.

Mr. Venezia asked if the door that opens to the back would have a walkway and the answer was there would be no additional walkway because it goes to the patio.

Mr. Venezia asked about the plumbing connect and disconnect and the engineer said they would go through the crawl spaces and hook up to existing plumbing.

Public questions: none

The board discussed their concerns of not having a 2-family house here. Then Mr. Dolan made a motion to approve with deed restriction and the removal of 2 doors and Ms. Rinear second. The board voted with all 7 voting members in favor.

#### The third application was Tom Strano Block 16, Lot 1

Mr. Schwartz is the attorney. The notices were approved and the exhibits marked. The board professional was sworn in. There are 4 variances needed for the 2 additions that the applicant wants to do. One is to square off the corner of the house from 5'6" instead of 6", one is for the right side back line from 18' instead of 20', one is for the setback to go from 64' instead of 100', and the last is that the existing shed does not conform to the setback.

#### Board questions

Mr. Mendes asked if there is another house directly across from this one and the answer was that the house is a little bit up the street from this one.

Mr. Cassidy asked what the applicant was planning to do with the shed and the answer was to move it and build another one.

Mr. Montfort that said that the shed is in the front yard and the board discussed options from the shed. The board suggested to the applicant that he may want to leave it as a pre-existing non-conforming use or he would have to come back before the board for relief. The applicant then explained why he wanted 2 additions and that he has only lived in the house for 6 months.

Mr. Irene asked if the property is in a flood plane what would be required and the attorney said the property is well above that at 22'. Our engineer then stated that the flood elevation is 17-39' and 22' is the difference. He stated that we would need to know what the flood elevation actually is.

Mr. Cassidy asked if the board could give approval subject to that information and the engineer said yes. The applicant's attorney was agreeable.

Mr. Shea asked who provides that information and the board engineer said that FEMA does and then both engineers would agree on the result.

Mr. Cassidy said this could be put in the plan as a provision for compliance.

The applicant then went onto explain that he was leaving the same footprint on the property but just wanted to use the space more efficiently. He wants a kitchen and

bathroom and on the other side a 2-story addition to expand 2 bedrooms and he could also use some more living room space downstairs as well.

Mr. Mendes asked if there would be inside access and the applicant said yes.

Public questions: none

There was a 5-minute break and the board resumed with a roll call of all members returning.

Mr. Montfort made a motion to approve the application pending compliance with the engineer's letter and flood plane and Mr. Mendes second. The board voted with all members in favor.

Resolutions

Planning Board attorney resolution

Ms. Rinear made a motion to approve the resolution and Mr. Shea second. The roll call was as follows: Mr. Buccellato, Mr. Cassidy, Ms. DeYoung, Mr. Dolan, Mr. Mendes, Mr. Montfort, Ms. Rinear, Mr. Saporito, and Mr. Shea all voting yes.

Recording secretary resolution

Mr. Montfort made a motion to approve the resolution and Mr. Cassidy second. The roll call was as follows: Mr. Buccellato, Mr. Cassidy, Ms. DeYoung, Mr. Dolan, Mr. Mendes, Mr. Montfort, Ms. Rinear, and Mr. Shea all voting yes. Mr. Saporito abstained.

Other business:

Mr. Cassidy discussed with the board town construction hours and guidelines. He stated there were complaints in town about early morning and late evening construction. The board stated that construction is not allowed between 9pm and 7am. It is little later on a Sunday morning.

Mr. Buccellato asked if the board could make a recommendation to the council and Mr. Irene said it should be set forth in the Health and Safety ordinance.

Mr. Shea asked if the board members could go to the redevelopment meeting that was being held and if there was a fee. Mr. Cassidy said he would find out and get back to him. Mr. Montfort also stated it may be on the website.

Ms. Rinear made a motion to adjourn and Mr. Mendes second. The board voted with all in favor.

The meeting was adjourned at 9:15pm.

Respectfully submitted,

Diane Cannon  
Recording Secretary