

Approved
1/10/12

New Milford Zoning Board of Adjustment Work Session December 13, 2011

Chairman Schaffenberger called the Work Session of the New Milford Zoning Board of Adjustment to order at 7:34 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Appice		Absent
Mr. Binetti		Absent
Ms. DeBari		Absent
Mr. De Congelio		Present
Mr. Denis		Present
Mr. Grotsky	-Vice Chairman	Present
Fr. Hadodo		Present
Mr. Stokes		Absent
Mr. Schaffenberger-	Chairman	Present
Ms. Batistic-	Engineer	Present
Mr. Sproviero -	Attorney	Present

REVIEW OF MINUTES –July 12, 2011

The Board Members reviewed the minutes for the Work and Public session and there were no changes.

SCHEDULE OF MEETINGS 2012

The Board Member reviewed the Schedule of Meetings for 2012 and there were no changes.

The Chairman explained to the Board Members that they received an envelope with the RFQ's that needs to be reviewed by the January 10th meeting for the appointment of professionals

NEW BUSINESS

11-03 Petrazzuolo – 673 Mabie Street – Block 803 Lot 1 –Addition/deck/front porch

The Board Members reviewed the application and had no comments. The Board Attorney stated there were three variances – rear yard setback, side yard setback and building coverage.

The Chairman stated there were only five members present and there was a quorum but gave the applicant the option to carry to the January meeting. The architect felt comfortable with proceeding with the application.

Motion to close was made by Father Hadodo, seconded by Mr. De Congelio and carried by all.

**New Milford Zoning Board of Adjustment
Public Session
December 13, 2011**

Chairman Schaffenberger called the Public Session of the New Milford Zoning Board of Adjustment to order at 7:53 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Appice		Absent
Mr. Binetti		Present
Ms. DeBari		Absent
Mr. De Congelio		Present
Mr. Denis		Present
Mr. Grotsky	-Vice Chairman	Present
Fr. Hadodo		Present
Mr. Stokes		Absent
Mr. Schaffenberger-	Chairman	Present
Ms. Batistic-	Engineer	Present
Mr. Sproviero	- Attorney	Present

PLEDGE OF ALLEGIANCE

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OFFICIAL MINUTES OF THE WORK SESSION–July 12, 2011

Motion to accept the minutes were made by Mr. Grotsky, seconded by Mr. De Congelio and carried by all.

OFFICIAL MINUTES OF THE PUBLIC SESSION–July 12 2011

Motion to accept the minutes were made by Mr. De Congelio seconded by Fr. Hadodo and carried by all.

SCHEDULE OF MEETINGS FOR 2012

Motion to accept the Schedule of Meeting for 2012 was made by Father Hadodo, seconded by Mr. De Congelio.

The motion passed on a roll call vote as follows:

For the Motion: Members Hadodo, De Congelio, Binetti, Denis, Grotsky, Schaffenberger

Approved 6-0

NEW BUSINESS

11-03 Petrazzuolo – 673 Mabie Street – Block 803 Lot 1- Addition/deck/front porch

The Board Attorney swore in the applicant Vincent Petrazzuolo and Architect Diana Hoffman.

The Board Members accepted the qualifications for Diana Hoffman as a Professional Architect.

The Architect marked as Exhibit A the color version plan.

Exhibit B Proposed 1st floor

Exhibit C Proposed front elevations

Exhibit D Southern elevation

Exhibit E rear elevation

Exhibit F aerial view

The Chairman asked the applicant to explain the proposed addition.

The applicant stated they were requesting to increase their living space and garage space for an additional vehicle. He explained they had existing single car garage and needed additional storage space above the garage.

The Architect stated she was showing drawings, which were the same that was mailed to the board members but with color. The Architect stated there was almost no way to expand the building without needing a variance. Ms. Hoffman stated there was a hardship because New Milford's Ordinances reads there are two front yards and a rear yard where other towns have two front yards and two side yards for corner lots. The Architect stated there was very little property that was usable for building within that envelope. Ms. Hoffman stated they were trying to respect a prevailing setback in the back that was established by a deck that was approved a few years ago with a variance.

The architect stated the rear yard required was 20 feet and existing was 11 feet to the existing deck and proposed 12 feet. There was an existing two-car driveway and they were proposing to push out the garage to fit two cars. Ms. Hoffman stated the deck was being relocated and they were flipping the dining room and kitchen and pushing the kitchen out in the rear. Ms. Hoffman stated this small addition shields the activities on the deck from the neighbors. The architect also discussed the addition for the mudroom and portico.

Mr. Grotsky asked what the dimensions were of the existing garage and the proposed garage and the difference in square footage. The architect stated the existing setback was 14 ft and they were proposing 5 feet. The depth of the garage was 25'. Mr. Grotsky stated the proposed addition was 385 sq ft and 250 sq ft of it was for the garage. The architect agreed.

The Architect stated the addition was not casting any shadows on any other properties because of the orientation of the house and so they felt there was no detriment to the public good because they were not blocking any light.

Ms. Hoffman described the proposed rear elevation. The Chairman asked if the second floor over the garage was usable space. The Architect answered if it was used it would be for storage. The Chairman asked where the access was for that space. Ms. Hoffman answered there would be a drop down stair. The Chairman questioned if that was the only access and if there was an access from the house. Ms. Hoffman stated there was a window that existed on the side of the house that was in the closet of a bedroom.

The Architect stated they reviewed the Engineering Report, which recommended a seepage pit be installed. She stated there were three gravel pits already on the property but the applicant would submit plans for a seepage pit.

The Chairman asked the Architect if they were submitting this application in its entirety or were they planning to bifurcate the variance requests. The Architect answered there would be no reason to bifurcate unless they felt there was opposition. Mr. Grotzky stated if they did not alter the garage two variances would be eliminated. Mr. Grotzky explained he had a problem with the side yard setback for the garage. He stated all the houses on Mabie Street had one-car garages. The Architect stated the garage would have to be rebuilt because the garage did not have a footing and was unstable. She stated it would be closer to the property line but the other house had their garage and driveway there and they felt it would not intrude on the neighbor's enjoyment of their property. Father Hadodo agreed with Mr. Grotzky and felt the garage could be made smaller.

The Board Attorney asked if they had three cars. The architect answered yes. The Architect asked if all the board members had concerns with the side yard variance. Mr. De Congelio and the Chairman also had an issue with the side yard variance. The Board Attorney stated they could bifurcate the vote and vote on each variance individually or take a moment to speak to the applicant. The Architect requested to speak to her client.

The Architect stated they would like to suggest and discuss a 1-1/2 car garage and take off three feet and have a setback of 8 feet. Mr. De Congelio asked what they would gain. Ms. Hoffman stated it would be a more comfortable garage and there would be room for lawn equipment. The Chairman questioned if they were going to have a 1-1/2 garage why not have the required 10' setback. The Chairman commented on how great a two-car garage would be but the Board had certain constraints. The Architect understood and wanted to cooperate and have a positive vote. The Chairman asked how wide the garage would be with a 10' side yard setback. There was discussion of the center section of the house being wider and the 16' garage would have a 9'3" side yard setback. Mr. Grotzky stated if they took off 100 sq ft, the total building coverage would be 1796 sq. ft. or 22.4% lot coverage. Ms. Batistic stated the Board should be voting on the 9'3" setback not the width of the garage.

Motion to open to the public was made by Mr. Grotzky, seconded by Mr. De Congelio. No one wished to comment in the audience.

Motion to close to the public was made by Mr. De Congelio, seconded by Mr. Grotzky.

The Board Attorney stated a condition would be a 9'3" side yard setback and the seepage pit as per the engineer's report.

Motion to approve the application was made by Father Hadodo with the conditions for a 9'3" side yard setback, building coverage would be 22.4%, rear yard setback not to exceed 12' and required seepage pit, seconded by Mr. Binetti

The **motion** passed on a roll call vote as follows

For the Motion: Members Hadodo, Binetti, Denis, Grotsky, De Congelio, Schaffenberger

Approved 6-0

As there was no further business to discuss, a **motion** to close was made by Vice Chairman Grotsky, seconded by Mr. Binetti and carried by all.

Respectfully submitted,
Maureen Oppelaar