1. CALL TO ORDER

2. ROLL CALL

Present: Linda Reil, Gary Middleton, Judy Pehota, Kevin Brignole, Nick Ficaro
Absent: Jonathan Pulino, Dina Ford, Brandon Chafee
Staff: Mark Devoe, Middletown City Planner

3. APPROVAL OF MINUTES - April 4, 2019 Regular Meeting Minutes

Motion to approve was moved by Judy Pehota and seconded by Nick Ficaro. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

4. OLD BUSINESS
None

5. NEW BUSINESS
None

6. PUBLIC HEARING

1. Proposed variance with regard to Section 21.02 to reduce rear yard from 30’ to 8’ for an existing 3-car garage in the M Zone at 472 Newfield Street.
   Applicant/gent Newfield Street of Middletown, LLC ZBA2018-9

Glen Russo of 288 Margarite Road spoke on behalf of the application. He explains that he has already received permits for multi-family dwellings. He stated that he owns both properties. One that the variance if for and the other is the one that it would affect. He bought additional property and now has the ability to relocate the entry area that the City prefers for emergency vehicles. This variance will only affect himself as he owns all the properties.

Eugene Zaklukiewicz owns the 2-family house at 460 Newfield Street and 440 Newfield Street. He has a right-of-way going through 472 Newfield Street to get to his property in the rear. He is curious when they are planning to build the apartments. Chairman Middleton explained that this public hearing is for the variance only and not the apartments. Glenn explained that this variance does not affect his right-of-way. This is outside of the variance and his issue is a civil matter. Judy Pehota questioned the applicant if this was strictly a financial hardship of which
they are not allowed to grant. Glenn answered that have an apartment building without a garage is a hardship.

Kevin Brignole moves to close the public hearing. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

Kevin Brignole states that he believes there is a hardship. Nick Ficaro agrees with Kevin. Judy Pehota thinks this is self-imposed and there is a desire to make a change of use which she feels is financial. Linda Reil asked why the line was changed. The Chair said that it was for emergency vehicle access to the upcoming apartments. Kevin said that the line was not self-imposed. It was the City that had requested the line change.

Linda Reil moves for approval for a proposed variance with regard to Section 21.02 to reduce rear yard from 30’ to 8’ for an existing 3-car garage in the M Zone at 472 Newfield Street. Nick Ficaro seconds the motion. The chair calls for the vote. It is 4 aye votes by Linda Reil, Gary Middleton, Kevin Brignole, Nick Ficaro; 1 nay votes by Judy Pehota. The Chair states the matter carried with 4 affirmative votes, 1 in opposition.

2. **Proposed variance with regard to Section 21.02 to reduce side yard from 10’ to 5’ for a two-car garage in the R-15 Zone at 279 Ballfall Road.**

   Applicant/agent Chris Crescimano  ZBA2019-4

   Chris Crescimano spoke on behalf of the application. He wasn’t able to make copies of his plans so he walked up to the Commission and explained that the grading on his property does not allow him to place the garage anywhere else.

   Kevin Brignole moves to close the public hearing. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

   Judy Pehota moves for approval for a proposed variance with regard to Section 21.02 to reduce side yard from 10’ to 5’ for a two-car garage in the R-15 Zone at 279 Ballfall Road. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

3. **Proposed variance with regard to Sections 13.04.04 & 21.02 to place a 6’ fence along north-side front of property and 10’ in from Saybrook Road.**

   Applicant/agent Susan Meehl/Robert Treloar  ZBA2019-5

   Robert Treloar represented the application. He submitted handouts to the Agency. He explained that the hardship is the blight imposed on them from the business across the street. He is concerned as an employee of the business is now serving time for shooting 5 bullets into the Treloar house. It is also a privacy and safety issue. This is an ongoing problem and the police have been involved. In the summer the large machines kick up dust and debris which is constant.

   Nick Ficaro moves to close the public hearing. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

A discussion by the Agency continued.
Kevin Brignole moves for approval for a proposed variance with regard to Sections 13.04.04 & 21.02 to place a 6’ fence along north-side front of property and 10’ in from Saybrook Road. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

4. Proposed variance with regard to Section 48.03.03b for height restriction from 10’ to 15’ for sign at 749 Saybrook Road. Applicant/agent Tradewinds Shopping Center/Al Danessfar ZBA2019-6

Al Danessfar, owner of the Tradewinds Shopping Center represented the application. He has 20 tenants to display and keeping it at 10 feet, the sign would be too low and the snow would cover a good portion so he would like to raise the legs of the sign to another 5 feet.

Judy Pehota moves to close the public hearing. Linda Reil seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

Nick Ficaro moves for approval for a proposed variance with regard to Section 48.03.03b for height restriction from 10’ to 15’ for sign at 749 Saybrook Road. Judy Pehota seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 5 affirmative votes.

7. ADJOURNMENT

Meeting adjourned at 6:26 PM

Respectfully Submitted,

Ron Baia
Wetlands and Zoning Enforcement Officer