

**Beacon Falls Zoning Board of Appeals  
10 Maple Avenue  
Beacon Falls, CT 06403**



**BEACON FALLS ZONING BOARD OF APPEALS  
Public Hearing**

**June 7, 2018**

**MINUTES  
(Subject to Revision)**

**1. Call to Order/Pledge of Alliance**

Present: Bill Mis, Benjamin Smith, Brian Horgan, Tony Smith, Bob Doiron, and Alternate Nancy King

Not Present: Alternate Eva Newell and Alternate Doug Bousquet

Others Present: Manny Silva and Michael Mormile, ZEO

Chairman B. Miscalled the Public Hearing to order at 7:02 P.M.

**2. Application from Taveira Properties, property owner, 144 Blackberry Hill Road, Beacon Falls, CT**

B. Mis asked the clerk to read the call for tonight's Public Hearing. M. Scirporead the call as follows:

A Public Hearing will be conducted by the Zoning Board of Appeals for the Town of Beacon Falls, CT on Thursday, June 7, 2018 at 7:00 P.M. in the Selectmen's Conference Room at Beacon Falls Town Hall, 10 Maple Avenue, Beacon Falls, CT. The following application will be heard:

Taveira Properties LLC, property owners of 144 Blackberry Hill Road, Beacon Falls, CT: Appealing the decision of the Zoning Enforcement Officer dated December 8, 2017 and seeking a variance to Article 1 Section 11 requesting that the minimum square footage of a lot be changed from 45,000 sq.ft. to 32,613 sq.ft. on an existing non-conforming lot in an R1 zone in order to build a single-family dwelling.

At this hearing, parties in interest and citizens may appear and be heard and written communications received. Copies of said applications are on file with the Zoning Board of Appeals, Beacon Falls Town Hall, 10 Maple Avenue, Beacon Falls, CT.

Dated this 20<sup>th</sup> day of May 2018.

The Public Hearing was posted to be held in the Selectmen's Conference Room, but the Selectmen's meeting was still behind closed doors and the Public Hearing was held in the Town Hall Assembly Room.

Manny Silva, a licensed engineer, was present at tonight's Public Hearing and is a representative for the Taveira Properties in regard to 144 Blackberry Hill Road, Beacon Falls, CT. M. Silva indicated that the original house was built in the 1940's and was destroyed by a fire. The house was a total loss and the insurance company at the time demolished the house and foundation. Since the foundation was removed, the lot needs to be approved as a legal conforming lot. M. Silva noted that the driveway will remain the same and Taveira Properties received approval from the Naugatuck Health Dept. as well as from Inland Wetlands.

M. Silva noted that the proposed house will be replacing the previous house and the hardship is that the lot size is historically smaller than the Zoning Regulations. B. Doiron asked if the proposed dwelling the same size as the previous dwelling. M. Silva indicated that the previous house was a cape and the footprint is a little different. T. Smith asked how much bigger will the new house be and M. Silva indicated that they are adding a little in the back and a 2-car garage instead of a single car garage. M. Silva also noted that the proposed house will be more square, rather the rectangular. The proposed house will be approximately 2,000 sq. ft. and the previous house was approximately 1,600 sq. ft.

B. Doiron noted that if the foundation was still in existence, then the footprint would have limited the proposed house. B. Doiron also noted that since the proposed dwelling is larger than the previous one, a different set of circumstances is opened for discussion. M. Silva indicated that the hardship is that the lot was created prior to zoning and does not meet today's regulations. B. Doiron indicated that the proposed house is larger and is expanding an existing non-conforming use. B. Doiron noted that if the proposed house was to the same footprint, he would not have a problem.

T. Smith asked about the setbacks for the wetlands. M. Silva indicated that they had a hearing with the Wetlands Commission. M. Silva noted that they did get a little bit closer to the wetlands and added storm water controls, where there were not prior, the proposal was approved. T. Smith asked that the only addition to the original house is a 2-car garage rather than a 1-car garage. M. Silva agreed and added that they are trying to put an addition on an existing house that was there, but they are rebuilding it from the ground up. Also, the lot needs to be legalized since it does not meet the Zoning requirements now.

B. Mis noted that the issue is the lot size and if this Board will grant a variance to the 32,613 sq. ft. lot size versus a 45,000 sq. ft. lot size. B. Mis noted that one of adjacent property owners notifications was returned undeliverable and the official notices were not supplied at tonight's Public Hearing.

B. Mis asked if there was anyone present to speak in favor of the application. B. Mis asked three times and there was no one at this time.

B. Mis asked if there was anyone present to speak against the application. B. Mis asked three times and there was no one at this time.

B. Mis asked if any of the Members had any questions for M. Silva and there were none at this time.

**3. Adjournment**

Motion to close tonight's Public Hearing: Doiron/Horgan; no discussion; all ayes.

B. Mis closed the Public Hearing at 7:27 PM.

Respectfully submitted,

Marla Scirpo  
Clerk, Zoning Board of Appeals

DRAFT