

Zoning Board of Appeals

**PUBLIC HEARING MINUTES
ANTHONY RUBANO, 202 COLD SPRING ROAD
FRONT YARD VARIANCE TO BUILD TWO FAMILY HOME
DECEMBER 10, 2009**

The Public Hearing was called to order at 7:09 p.m. by Commissioner Bousquet.

Present: Chairman D. Bousquet, Commissioners: W. Giglio, E. Grace, W. Mis, R. Uhl and Alternate – N. King.

Also Present: Atty. S. Byrne, J. Mylen, A. Rubano, Emmett O'Neill, Ellen MacDonald, Donald MacDonald and Katherine Hicks.

Chairman Bousquet, read the following Notice of Public Hearing:

Notice is hereby given that the Town of Beacon Falls, Zoning Board of Appeals will hold a Public Hearing on Thursday, December 10, 2009, at 7:00 p.m. at the Beacon Falls Town Hall, Assembly Room, 10 Maple Avenue, Beacon Falls, CT. The following application for variance will be heard:

Anthony Rubano, 202 Cold Spring Road, Beacon Falls, CT
Section 11 – Front yard variance to build two-family home with minimum width 110 foot frontage, requirement 200 foot frontage

At this hearing, interested persons may appear and/or written comments may be submitted. A copy of this application is on file with the Zoning Board of Appeals, 10 Maple Avenue, Beacon Falls, CT Maryann Kempa, Clerk - Republican American Thursday, November 26, 2009 and Thursday, December 3, 2009

Joe Mylen of Mycon Associates, 343 Lopus Road, Beacon Falls, CT represented the applicant. Mr. Mylen presented the site plan to the Commission. He stated that there is a 200 foot minimum requirement to build a two family home and they are seeking a variance as there is only 110 feet. Mr. Mylen stated that if this home is built on this property the applicant will not be able to build on any of the remaining acreage on the property as there would be no way to access the property. There will be a septic system. There will be 1,000 gallon pump chamber. There are two wells on the site, one will be abandoned. The home will be an over under design. The proposal shows the home moved to the south to use the conforming existing driveway. The previous home burned down. If a single family home is to be built a variance would also be needed. They could rebuild

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what was previously on the site. They are seeking a 90 foot variance for a two family home.

Chairman Bousquet asked three times if anybody would like to speak in favor of the application – there was no response.

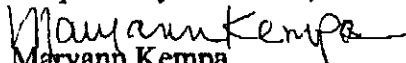
Chairman Bousquet asked if anybody would like to speak against the application.

Ellen MacDonald, 210 Cold Spring Road stated she did not feel there is any hardship to grant this variance. A single family home should be built not the proposed two family. Mrs. MacDonald read a letter stating her concerns to the Commission. She also presented numerous pictures of the property. A copy of the letter and the pictures are on file.

Katherine Hicks, 19 Bryson Avenue, Seymour, CT owner of property at 220 Cold Spring Road, stated her concerns and feels a one family home should be built no the proposed two family. Ms. Hicks presented read a letter stating her concerns to the Commission. A copy of the letter is on file. Ms. Hicks feels the Commission should reject the variance.

The Certified Return Receipts for abutting property owners were not received from the applicant. Therefore, the Public Hearing will be continued to January 14, 2010 at 7 p.m. The applicant granted the Commission a 35 day extension should the January meeting need to be cancelled.

Respectfully submitted,


Maryann Kempa
Clerk

DEC 23 2009