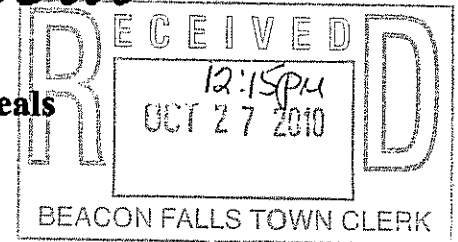


TOWN of BEACON FALLS
Connecticut

Zoning Board of Appeals

REGULAR MEETING MINUTES
OCTOBER 14, 2010



The Regular Meeting was called to order at 7:35 p.m. by Chairman Bousquet.

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

Absent: W. Giglio

Pledge of Allegiance recited

Reading of Minutes

Motion was made by Commissioner Mis and seconded by Commissioner Uhl to accept the September minutes as submitted.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Setting of Hearing Dates – none

Chairman Bousquet noted that the applicant on 190 Cook Lane wanted to make the addition larger – cannot without another hearing.

Unfinished Business – none

New Business

Chairman Bousquet noted the Proposed Amendment – Section 10 of the Zoning Regulations approved June 28, 2010: 10.5.1 – The use, building or other structures shall conform to all other requirements of these regulations; **except that residential uses or structures located in any zone may be expanded or enlarged provided any building expansion complies with all requirement of the R-1 Zone and the number of dwelling units does not increase.**

10.5.3 A building or structure containing a residential use and located in any zone may be maintained or repaired including the making of structural alterations. Such buildings or structures may be demolished and replaced by a new building or structure provided any expansion of said building or structure does not violate any requirements of the R-1 Zone and if such building or structure is located on the site, it shall conform to all requirements of the R-1 Zone.

Bold text indicates the changes made to the Zoning Regulations.

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A copy of the Section 10 of the Zoning Regulations is on file.

Commissioner Mis questioned any R1 Zone who presented and why, what is the reasoning? Chairman Bousquet stated that the next Planning and Zoning meeting is on October 21st and he will attend and ask for an explanation. Why was the regulation not received when it was passed on June 28, 2010 and it was received on October 14, 2010?

Melanie Miranda, 20 Beacon Street

Chairman Bousquet read the Zoning Regulation Section 10.3.1 stated that the structure shall not be enlarged or extended unless the use therein is changed to a conforming use. Section 10.3.2 – such non conforming structure shall not be structurally altered or reconstructed unless such alterations are required by law provided however that such maintenance and repair work as is required to keep a non conforming structure in sound condition shall be permitted. Section 7.5 Building and Bulk coverage – the total new floor area of all buildings and other structures on any lot, excluding basements, shall not exceed the percentage of lot area as specified in the district, and the aggregate ground coverage of all buildings and other structures on any lot shall not exceed the percentage of lot area as specified in the district. Section 11 – Height, area and yard requirements R-3 does not meet any criteria.

Chairman Bousquet feels is to grant to fix what is bad, the building walls and what is there now. Not to go any higher or any bigger. The roof would have to be put back the way it is. It is currently an 860 square foot building. Commissioner Grace stated it is a good reason but does not meet the requirements needed for a hardship. Commissioner Mis feels stated that 14 Beacon Street is a livable house and it is 567 square feet. This house is a couple of hundred square feet larger. It is a livable house at 860 square feet. Financial is not a hardship. It was suggested to make it work change the inside of the house as long as the footprint is not changed. Chairman Bousquet as if there were any more questions.

Motion was made by Commissioner Mis and seconded by Commissioner Uhl to vote on the application and that we do not allow the variance based on Section 10 non conforming, Section 7.5 bulk coverage and Section 11 lot size and there is nothing in the hardship that gives any reason to any variances to these three sections.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Motion was made by Chairman Bousquet and seconded by Commissioner Mis to grant Section 10.3.2 of the Zoning Regulations. To fix outside walls, building the way it is, not to go higher, not to change the roof pitch as required by the regulations. To fix the house so it is structurally sound and safe.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Correspondence – None

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**Payment of Bills
M. Kempa**

Motion was made by Commissioner Mis and seconded by Commissioner Uhl to pay the bill as submitted.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Motion was made by Commissioner Uhl and seconded by Commissioner Mis to adjourn the meeting at 8:05 p.m.

Respectfully submitted,


Maryann Kempa, Clerk

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