

**CITY OF NEWHAVEN BOARD OF ZONING APPEALS
MINUTES**

**New Haven Board of Zoning Appeals
September 19, 2023 6:30PM
Web-Based Meeting held on Zoom**

Start: 6:35PM. End: 7:13PM

Attendance:

Commissioners: Mildred Melendez (Chair), Michael Martinez, Errol Saunders, Al Paolillo, and Adam Waters

Absent:

Staff Present: Laura Brown, Donnell T. Hilton, Rod Williams

Meeting recording: Follow this link: https://newhavenct.zoom.us/rec/share/-yUWeD9CMb8YO_uCWCA_ZKjzR7WngLt5eNGfrPey14HgJphoEdBAjwYfi8btEnui.8g2XqSQN5Gq0IINR

Passcode: o2ur%N%5

I. Call to Order

II. DELIBERATIONS

RE: 45 Haven Street. Variance to permit 888sf of gross floor area per dwelling unit where 1,000sf is required. Coastal Site Plan review to allow for an additional dwelling unit within an existing two-family structure. Zone: RM-2. Owner: CT 45 Haven LLC. Applicant: Benjamin Trachten.

REPORT: 23-53-V, 23-54-CAM

ACTION: APPROVED: Chair Melendez moved to approve, Saunders Second; 5-0 in favor.

RE: 29 Nicoll Street. Variance to permit 895.57sf of gross floor area per dwelling unit where 1,000sf is required. Special Exception to allow 0 off-street parking spaces where 1 is required to allow for an additional dwelling unit within an existing three-family structure. Zone: RM-2. Owner: Taraz, Manouchehr Graham & Sean. Applicant: Benjamin Trachten

REPORT: 23-55-V, 23-56-S.

ACTION: APPROVED: 23-55-V. Chair Melendez moved to approve, Commissioner Paolillo Second; 5-0 in favor.

APPROVED: 23-56-S. Chair Melendez moved to approve, Martinez Second; 5-0 in favor.

RE: 69 Grand Avenue, 19 Clinton Avenue & MBLU 160/0761/02101 (Perkins Street). Variances to permit a building façade on Perkins Street to be within 20 feet of property line for approximately 70% of the property line and within 30 feet of the property line for approximately 80% of the property where 10 feet is required for 75% of property line; and to allow the building façade along Clinton Avenue to be within 20 feet of property line for 45% of property and within 30 of property for 75% of property where 10 feet is required for 75% of property line. Special Exceptions to permit parking for 19 off-street parking spaces where 59 are required and one loading space where three are required and Coastal Site Plan Review. Zone: BA-1. Owner: City of New Haven. Applicant: Pennrose, LLC.

REPORT: 23-57-V, 23-58-S, 23-71-CAM.

ACTION: **APPROVED: 23-57-V. Chair Melendez moved to approve, Martinez Second; 5-0 in favor.**
APPROVED: 23-58-S. Chair Melendez moved to approve, Sanders Second; 5-0 in favor.
APPROVED: 23-71-CAM. Chair Melendez moved to approve, Martinez; 5-0 in favor. Chair Melendez reported that this is the Strong School plan that was presented in the past and the transportation report came back with no problems.

RE: **203 Alden Avenue and 197 Alden Avenue (Rear).** Variances to allow for a lot coverage of 35.8 percent where 30 percent is permitted, a building wall height of 32 feet Page 2 of 2 where 10 feet is permitted; and a side yard setback of 5.9 feet where 8 feet is required. Special Exception to allow for a neighborhood convenience use (bakery and prepared foods) within a residential zone. Zone: RM1. Owner: 203 Alden, LLC. Applicant: Benjamin Trachten.

REPORT: **23-61-V, 23-62-S**

ACTION: **APPROVED WITH CONDITIONS:**

- Melendez and Laura reported that City Council indicated that the law does not allow BZA to reopen the hearing.
- Adam requested clarity on whether the applicant intends to sell prepared food and specialty items or prepared food and specialty food items.
- Laura reported that no additional clarification was received since last public hearing.
- Errol mentioned that his understanding from public hearing was that the applicant intended to sell food items. He concluded by mentioning that this was the case because some individuals were concerned about competition due to applicant selling similar food in the area.
- Chair Malendez and Michael responded with their interpretations were that the applicant's intent was to be a bakery and prepared foods.
- Laura reported that Rod Williams would have to share his opinion on the matter and that he will join the meeting soon.
- Chair Malendez asked everyone if this application can be on hold so the other applicants can be reviewed until Rod returns to assist with this application.
- Attorney Rod Williams suggested that the item to not be restricted and the condition include sale of food, drink, and specialty food items.
- Errol: It seemed to be a drafting error.
- The board agreed to approve with condition.

Chair Melendez moved to approve, Commissioner Paolillo Second; 5-0 in favor with conditions (Sale of food, drink, and specialty food items).

RE: **521 Columbus Avenue.** Variance to allow for 836 square feet of gross floor area per dwelling unit where 1000 square feet is required. Special Exception to allow for 0 off-street parking spaces where 1 is required for an additional dwelling unit in an existing structure³². Zone: RM-2. Owner: James Stephens. Applicant: Benjamin Trachten.

REPORT: **23-64-V, 23-65-S**

ACTION: **APPROVED: Chair Melendez moved to approve, Commissioner Paolillo Second; 5-0 in favor.**

ACTION: **APPROVED: Chair Melendez made a motion to adjourn meeting at 7:09PM, Commissioner Paolillo Second the motion and the motion carried unanimously; 5-0 in favor.**