

**CITY OF NEW HAVEN
BOARD OF ZONING APPEALS
MINUTES
May 14, 2024 6:30
Web-Based Meeting held on Zoom**

Start: 6:34pm End: 9:15pm

Attendance: Mildred Melendez, Al Paolillo (Joined at 6:39pm), Adam Waters, Chris Peralta, Errol Saunders

Staff Present: Laura Brown, Donnell Hilton, Roderick Williams

I. Call to Order

II. Continued Public Hearings

RE: 24-22-S. 149 Legion Avenue. Special Exception to allow 0 off-street parking spaces where 63 are required for a medical office building. Zone: BA/BD-2. Owner: LPRI MLK New Haven, LLC. Applicant: Emilia Perez.

ACTION: WITHDRAWN

III. New Public Hearings

RE: 24-20-V, 24-36- CAM. 314 Lenox Street. Variance to allow for 922sf of gross floor area per dwelling unit where 1,000sf is required. Coastal Site Plan review for an additional dwelling unit in an existing structure. Zone: RM-1. Owner/Applicant: Elien Olmos, ERO Enterprises.

ACTION: REFERRAL TO CITY PLAN COMMISSION: The applicant presented the application stated that they have been rehabbing the property with the intent to convert the third floor to a separate dwelling unit. The property can provide off-street parking. The relief is being asked for due to the structure lacking the necessary Gross Floor Area (GFA).

Letters: 0 in favor; one letter in opposition Letter of opposition showing illegal front yard parking. Applicant addressed this issue by telling tenants they cannot park in the front and the lease states where tenants are allowed to park.

Testimony: 0 members of the public spoke in favor and 0 in opposition:

RE: 24-38-V. 31 Sheldon Terrace. Variance to permit 1,960sf of lot area per dwelling unit where 2,000sf is required for the creation of 2 dwelling units within an existing 2-family structure. Zone: RM-2. Owner: Sheldon Terrace LLC. Applicant: Colin Ryan.

ACTION: APPROVED:

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item:

Testimony: 0 members of the public spoke in favor and 0 in opposition:

**Co-Chair Martinez moved to approve, Commissioner Waters second.
Vote: 5-0**

RE: 24-39-V. 113-115 Cedar Street. Variances to permit a side yard of 1ft where 8ft is required, a front yard of 1ft where 17ft are required and a building coverage of 50% where a maximum of 30% is permitted for building additions to an existing residential structure. Zone: RM-2 Owner: Holy Hill Church of GOD.

ACTION: APPROVED:

Letters: 0 in favor; 0 in opposition
Testimony: 0 of the public spoke in favor but two opposition of the item.

**Co-Chair Martinez moved to approve, Commissioner Waters second.
Vote: 5-0**

RE: 24-39-S. 670 Washington Avenue. Special Exception to permit a change of use from an existing use (barbershop) to another use (smoke shop/apparel) in a Residential Zone. Zone: RM-2. Owner: Mario Lara. Applicant: Willie Vasquez.

ACTION: REFERRAL TO CITY PLAN COMMISSION: Applicant stated they have a smoke shop at a different location and are seeking to bring this business to the area to increase vibrancy and the retail options within the neighborhood. The store will sell tobacco related products as well as back packs, clothing such as sweat suits, etc. Security cameras will be installed, and people will need to be buzzed in to enter the store.

Letters: 0 in favor; 0 in opposition
Testimony: One member of the public spoke in favor and 15 opposition of the item. (including Alders, Carmon Rodriguez and Evelyn Rodriguez and Sargent Jasmine Sanders).

RE: 24-40-S. 101 Farren Avenue. Special Exception to permit a Full Restaurant Liquor License. Zone: BA. Owner: Edward Angelo. Applicant: Jose Rodriguez.

ACTION: CONTINUE PUBLIC HEARING: Commissioners, City Staff, and the Applicant discussed conditions; however, the board voted on having the applicant present additional information regarding operation hours and entertainment during the next hearing. The applicant was asked to consider the surrounding area as a factor in determining hours of operation and entertainment type.

Letters: 0 in favor; 0 in opposition
Testimony: Two members spoke neither in support or opposition but thinks there should be a cap on the time it can be open until.

**Co-Chair Martinez moved to approve, Commissioner Saunders second.
Vote: 5-0**

RE: 24-41-V, 24-42-CAM. 30 Lenox Street. Use Variance and Coastal Site Plan Review to permit the use of a Flex/Shared Workshop Space within an existing structure located in an Industrial Zoning District. Zone: IH. Owner: Trelleborg Coated Systems. Applicant: Attorney Benjamin Trachten, Trachten Law Firm.

ACTION: **REFERRAL TO CITY PLAN COMMISSION:** The site has 900 linear feet of frontage along Lenox St, other industrial uses are located nearby along with residential uses as you move further away from the property. Multiple buildings on the parcel are within the CAM boundary with no coastal resources and no adverse impacts to coastal resources because of the proposal. Some of the existing buildings have been or will be demolished to be replaced with open space and off-street parking. The owner plans to create “maker space” interior space having no less than 100sf of net floor area to be leased or rented out to tenants to utilize for small trade or micro-manufacturing with no retail occurring on site. The use variance is for the entire site as to not limit the amount of Gross Floor Area (GFA) for the use as the intent is to also include the use of a self-storage facility with the workshop space to expand within the property over time. The building cannot be used for the permitted heavy commercial/industrial uses due to the floor load capacity being less than what is required. The applicant will need to apply for a Special Permit for the self-storage use and site plan approval via the City Plan Commission (CPC) is required. Allow for tenants to utilize the space as a workshop which is a service not usually included in multi-unit housing with no retail permitted on site. hours of operation 6am to 8pm this promotes arts and creativity while remaining consistent with the zone as the proposal is industrial in nature with affordable manufacturing spaces envisioned which is currently in high demand within the city.

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item.

RE: **24-43-S. 146 Greenwich Avenue.** Special Exception to permit 0 off-street parking spaces where 1 is required to allow for an additional dwelling unit within an existing 2-family structure. Zone: RM-1. Owner: LBSE Holdings LLC. Applicant: Attorney Benjamin Trachten, Trachten Law Firm.

ACTION: **REFERRAL TO CITY PLAN COMMISSION:** Attorney Benjamin Trachten stated that this project is a 2 to 3 family conversion, the site cannot accommodate the additional required off-street parking space, but the additional dwelling unit is permitted as-of-right. It abuts a State-owned parcel which prevents access from the rear of the property. No adverse impact is anticipated with respect to traffic and on-street parking (which is available) because of adding one additional unit.

Letters: 0 in favor; 0 in opposition

Testimony: One member of the public spoke in favor and 0 in opposition. Alder Carmen Rodriguez stated that the street is a dead end with little to no on-street parking.

Items 3.8, 3.9, 3.10, and 3.11 were read and introduced together with the applicant presenting all 4 items within a single presentation with the public portion part of the hearing being opened for all 4 items following the presentation. The items were then voted on separately following the public hearing being closed.

RE: **24-44-V. 86-88 Hazel Street.** Variance to permit a maximum building coverage at 39.2% of lot area where a maximum of 30% is required. Zone: RM-2. Owner: Neighborhood Housing Services of New Haven. Applicant: Anika Singh Lemar

ACTION: APPROVED

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item.

Co-Chair Martinez moved to approve, Commissioner Paolillo second.

Vote: 5-0

RE: 24-45-V. 90-92 Hazel Street. Variance to permit a maximum building coverage at 39.3% of lot area where a maximum of 30% is required. Zone: RM-2. Owner: Neighborhood Housing Services of New Haven. Applicant: Anika Singh Lemar

ACTION: APPROVED

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item.

Co-Chair Martinez moved to approve, Commissioner Peralta second.

Vote: 5-0

RE: 24-46-V. 94-96 Hazel Street. Variance to permit a maximum building coverage at 39.4% of lot area where a maximum of 30% is required. Zone: RM-2. Owner: Neighborhood Housing Services of New Haven. Applicant: Anika Singh Lemar

ACTION: APPROVED

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item.

Co-Chair Martinez moved to approve, Commissioner Waters second.

Vote: 5-0

RE: 24-47-V. 98-100 Hazel Street. Variance to permit a maximum building coverage at 40.2% of lot area where a maximum of 30% is required. Zone: RM-2. Owner: Neighborhood Housing Services of New Haven. Applicant: Anika Singh Lemar

ACTION: APPROVED:

Letters: 0 in favor; 0 in opposition

Testimony: No members of the public spoke in favor or opposition of the item.

Co-Chair Martinez moved to approve, Commissioner Paolillo second.

Vote: 5-0

III. Deliberations.

Referral Reports from City Plan Commission

RE: 24-26-V, 24-37-CAM. 12 Ferry Street. Variance to allow for a building wall height of 27ft 7in where a maximum of 16ft (west) and 20ft(east) is permitted. Coastal Site Plan review for the construction of a structure consisting of 7 dwelling units. Zone: RM-2. Owner: East Ferry Street, LLC. Applicant: Benjamin Trachten.

ACTION: APPROVED
Co-Chair Martinez moved to approve, Commissioner Paolillo second.
Vote: 4-0, 1 (Commissioner Martinez abstained)

RE: 24-28-S, 24-29-CAM. 51 Maltby Place. Special Exception to permit 0 off-street parking spaces where 1 is required. Coastal Site Plan review for the creation of an additional dwelling unit in an existing 2-family structure. Zone: RM-2. Owner: Ramon Gonzalez. Applicant: Benjamin Trachten.

ACTION: APPROVED
Co-Chair Martinez moved to approve, Commissioner Waters second.
Vote: 4-0, 1 (Commissioner Martinez abstained)

RE: 24-30-V, 24-31-S, 24-32-CAM. 63 Hamilton Street. Use Variance to permit residential use in the Light Industrial zone. Special Exception to allow 0 loading spaces where 1 is required. Coastal Site Plan review for the construction of a structure consisting of up to 64 residential dwelling units. Zone: IL. Owner: Wooster Lofts LLC. Applicant: Benjamin Trachten.

ACTION: WITHDRAWN

RE: 24-33-S. 100 Atwater Street. Special Exception to permit 0 off-street parking spaces where 1 is required to allow for an additional dwelling unit within an existing 2-family structure. Zone: RM-2. Owner: DVASH CT LLC. Applicant: Benjamin Trachten.

ACTION: APPROVED
Co-Chair Martinez moved to Approve, Commissioner Sanders second.
Vote: 4-0, 1 (Commissioner Martinez abstained)

Item 4. New Business

4.1 Approval of Meeting Minutes – April 9, 2024

ACTION: APPROVED: Co-Chair Martinez moved to approve, Commissioner Waters second.
Vote: 4-0, 1 (Commissioner Martinez abstained)