

**ZONING BOARD OF APPEALS  
December 5, 2016 Meeting Minutes**

Board Members Present: Shane O'Connor, Howard Aspinwall, Daniel Flanagan,  
Douglas Glazier, Ronald King and Alternate Christopher Halpin

Town Staff Present: Jennifer Rodriguez, Town Planner

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The meeting was called to order at 7:00 pm

Board roll call was taken.

**MINUTES:**

**Chairman O'Connor referred to the November 7, 2016 meeting minutes and asked for any corrections or changes. There were none. Mr. King moved to approve the November 7, 2016 meeting minutes as published. Mr. Glazier seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**BILLS & CORRESPONDENCE:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**a. DMV Applications**

There were none.

**b. Public Hearings**

- 1. Public hearing on Application #FY16-17-02, Owner/Applicant: Joseph J. Tria, Jr. and Helen C Tria for a variance for the property located at 4 Ahern Avenue to reduce the front yard setback to within 22 feet of the street property line, where 32 feet is required for a veranda, in order to construct an 8 x 11 foot open porch with roof to replace the existing front stoop.**

The Board members seated for the public hearing were: Chairman O'Connor, Mr. Aspinwall, Mr. Flanagan, Mr. Glazier and Mr. King.

Angelo D'Aleo of 4 D'Aleo Drive addressed the Board on behalf of the applicant. He stated that the applicant was looking to construct an 8 foot deep by 11 foot wide front porch. He went on to say that it would not meet the 32 foot requirement; the 8 foot deep porch would reduce the front yard setback to 22 feet. He noted that many of the homes on the street had some type of front porch, some much larger than what the applicant was proposing. Mr. D'Aleo mentioned that the Tria's currently had no porch or overhang on their home.

Mr. D'Aleo stated that 10 Ahern Avenue had a front porch that was 20 foot wide by 8 foot deep. He then submitted a photograph of the home at 10 Ahern Avenue.

Chairman O'Connor asked the Board members for any questions. Mr. King referred to the two drawings that accompanied the application and noted that one drawing indicated 26 feet and the other indicated 22 feet. He then asked if the drawing showing 22 feet was the correct one. Mr. D'Aleo replied that that was correct.

Mr. Flanagan asked if all of the other homes on the street were about 22 feet from the road. Mr. D'Aleo replied that they were; they were all pretty much in a line. He went on to say that none of the other homes on the street were set any farther back from the road.

After reviewing the drawing, Mr. Flanagan asked where they were losing the other 2 feet. A brief discussion followed and Ms. Rodriguez clarified that the 32 feet referred to on the agenda was the required setback, not the actual current setback of the home.

Mr. D'Aleo mentioned that 12 Ahern Avenue had an addition bumping out in the front of the home. He noted that it was visible in the photograph of 10 Ahern Avenue that he had submitted.

Mr. Glazier stated that he had visited the property in question and that there was plenty of room in the front for the proposed porch. He went on to say that the proposed porch would conform similar to the other houses on the street. Mr. Glazier then noted that there were two nice trees in Mr. Tria's front yard, but that the proposed porch would not affect those trees.

Chairman O'Connor asked the Board members for any other questions. Mr. King asked about the hardship that was listed on the application (he could not read part of it). Ms. Rodriguez then read the hardship from the application as follows:

“Existing structure does not allow for the construction of a front porch under existing zoning of 40 feet.”

Mr. D'Aleo asked if it was 40 or 32 feet. Ms. Rodriguez replied that the front yard setback was 40 feet, but that a front porch could encroach 8 feet into that.

A brief discussion took place regarding when the homes on Ahern Avenue were built. It was believed that the home in question was built in the early 1950's. Ms. Rodriguez then note that the full set of zoning regulations were made effective in 1959.

Chairman O'Connor asked the Board members for any further questions. They had none.

Chairman O'Connor asked for any public input in favor of the application.

Doug Hamilton of 5 Ahern Avenue addressed the Board and stated that he lived directly across the street from the applicant. He went on to say that the homes on Ahern Avenue were built by Roncari just after the war in 1947, 1948 or 1949. He then pointed out that none of the homes on Ahern Avenue would meet today's required setback. Mr. Hamilton stated that, on behalf of Mr. Tria's neighbors, they had no problem with the proposed porch being constructed. He concluded by noting that Mr. Tria took immaculate care of his property.

Chairman O'Connor asked for any public input in opposition to the application. There was none.

**Chairman O'Connor asked for a motion regarding Application #FY16-17-02. Mr. Glazier moved to approve Application #FY16-17-02, Owner/Applicant: Joseph J. Tria, Jr. and Helen C. Tria for a variance for the property located at 4 Ahern Avenue to reduce the front yard setback to within 22 feet of the street property line, where 32 feet is required for a veranda, in order to construct an 8 x 11 foot open porch with roof to replace the existing front stoop. The granting of this variance is for the improvements proposed in this application only, permitting an exception to the requirements of the zoning regulations Section 403, front yard requirement. The hardship upon which this decision is based is that Mr. Tria would like a place to sit out and relax on a front porch and that the proposed porch would be conducive to that as well as allowing front door entrance to the home. Changes to this site plan may require a return to this Board. This is not a permit to build. Please see the Building and Land Use Office for permit requirements. Chairman O'Connor asked for any discussion. There was none. Mr. King seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**Mr. King moved to adjourn the meeting. Mr. Glazier seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:18 pm**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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THIS IS A DRAFT

Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.