1. **ROLL CALL:**
   Chair Aubrey English called the meeting to order at 7:00 p.m., noting the following individuals were present in addition to himself: Ron Dew, John Pollack, Ellie Gunn, and Paul Mitchell. Also present alternate member Ryan Horvay and absent excused is alternate member Todd Skutnik.

2. **EXPLANATION OF PROCEDURE:**
   Mr. English explained that approvals from this Board require four affirmative votes from five seated members. Mr. English outlined the process of the meeting including the opportunity for the applicant to present their proposal, a chance for the Board to ask questions followed by the same opportunity for any member of the public that might be present wishing to do so.

3. **PUBLIC HEARINGS - VARIANCE APPLICATIONS & DECISIONS; APPEALS.**

   A. **ZBAE # 24-4 Location: 149 Shore Drive Owner: Pat Marafiote Applicant/Representative: Andrew Ferentinos and his colleague**
   Proposal: Applicant is seeking to build a music studio to an existing dwelling with a 29’ side yard setback and a 21.3’ rear yard setback and reduction of impervious coverage from 21.5% existing to a 18.5% proposed for a 3.5% special exception to the impervious coverage requirement. Special Exception.
   Representative Ferentinos and his colleague appeared before the Commission with their plans. The owner was not present. Mr. Ferentinos stated that the existing house is a “L” shaped house. There is a fence on the north side of the property abutting the neighbor and is quite private between the two properties. The neighbor to the east expressed his support with the proposed addition. In terms of the elevation of the building, it’s keeping in character with the existing house. In addition, it has a sloped roof. It is a very small addition. Mr. Ferentinos stated that he has realized that pervious and impervious coverage in this area is very important. They modified the design to lower it but are lowering the impervious area from existing, which is 21.5% to 18.5%. They will be removing the impervious sidewalk/walkway from the driveway up to the house as well as the parking area, which is concrete. That will be torn up. The addition will also connect to an existing entryway. The circulation from the existing house into the new wing will flow nicely and will not require cutting a new opening in the existing house. The neighbor to the north has also expressed support for this new addition. The addition works well with the character of the house and with the character of the neighborhood. The overall height will be 18’, which is slightly less than the top of the chimney. So, the highest point of the addition will be lower than the existing house. Mr. Ferentinos is very cognizant of ice buildup and water flow. The owner will also beautify the landscape. The applicant has lived at the property for three years. Mr. English opened it to the public. Michael Farrell, 147 Shore Drive, spoke of his support of the addition. Mr. English closed the Public Hearing.
   **MOTION:** Motion made by Mr. English to approve a special permit for the application #24-4. Applicant is seeking to build a music studio to an existing dwelling with a 29’ side yard...
setback and a 21.3’ rear yard setback and reduction of impervious coverage from 21.5% to existing 18.5% proposed for a 3.5% special exception to the impervious coverage requirement as per the drawing submitted for the property located at 149 Shore Drive; seconded by Mr. Dew.
Carried.

B. ZABE #24-1 Location: 211 West Wakefield Blvd. Owner: Steven Heffer & Heena Sultan, Trustee of the Steven Heffer Revocable Trust. Applicant/Representative: Philip Pires.
Proposal: Applicant is seeking a 14.7% increase in the maximum impervious surface coverage (15% permitted in the Highland Lake Zoning District - proposed 29.7% total impervious surface coverage); development on slopes greater than 25% in accordance with the submitted plans and requesting a 0.2’ variance for building height (30’ permitted - proposed 30.2’ as new building height.) Special Exception.
Representative Attorney Pires, a Land Use Coordinator with Cohen and Wolf in Bridgeport, and Jim McTigue, Professional Land Surveyor with Arthur and Howland & Associates, P.C. appeared before the Commission with their presentation. They are seeking a special exception for the decks, patios, terraces, and stairs, a variance for building height, a variance for development on steep slopes and a variance for a minor increase in coverage. There is a miscalculation for impervious coverage credit. Mr. McTigue originally included the removal of the western driveway, but since revised his calculations. They are going from 34.2% of existing pervious coverage to 36.3% which is a 936.3 square foot increase or 2.1% increase in coverage. They are providing 100% of water quality, which currently doesn’t exist for the residence. They will be capturing all the water on site, filtering, and putting it back into the ground per Highland Lake standards. In regard to the building height, as explained previously, Mr. McTigue explained that they went through the pre-existing grades around the residence and used the same pre-existing grades around the residence proposed. When they ran through the numbers, they ended up at 30.7’ and when they ran through the number on the proposal they ended up at 30.2’ hence a 0.5’ reduction in building height bringing the structure more into conformance with the regulations. The original house was built in 1923 and remodeled/expanded in 1999. The entire property is 25% sloped and developed prior to the regulations. In regard to the special exception, Mr. McTigue has run through all the existing decks, patios, terraces and steps. The total is 1,402.8 square feet. The proposed decks, patios, terraces and steps is 3,848.6 square feet, which is a 2,445.8 square foot increase in decks as noted in the regulations. Mr. McTigue has included every deck, patio, terrace existing and proposed. Not much is changing on the north side. A new stair tower will be added to the front of the residence. From West Shore Road and from the lake, the house will look the same height. A new driveway is being brought in, which is 10.9%. The max is 15%. They will be eliminating the western driveway on the side. The proposed drainage system consists of 20 CULTEC rechargers, 330XLHDS, which are 30 ½” and are designed to collect all the water that hits the roof and all the hard surfaces. The system has a hi-level overflow with a catch basin. It will capture 100% of the water that hits the site, renovating it and cleaning it and putting it back into the ground. This has been designed for a 100-year storm. The state standard is for a 25-year storm. There will also be a swale to feed it, which will be another opportunity for a treatment train. The footing drains don’t need to be treated. Mr. English opened the public portion of the hearing. No response. Mr. English closed the public portion. This is an application for a special exception for the decks to go from 1,402.8 square feet to 3,848.6 square feet. This represents a 2,445.8 square foot increase in decks. Mr. McTigue is asking for a height variance from 30.7 to 30.2 bringing the
site more into conformance with the regulations with a limit of 30’. The site is already developed on 25% slope, so it was developed before the regulations existed. They are also asking for a minor 2.1% increase in coverage, which will bring the site 100% in conformance with the Highland Lake district’s water quality standards.

Mr. English stated that there are two separate motions on this property, and they were bundled into the one presentation. Mr. English closed the hearing and stated that they would do both motions separately. Before a motion can be made, the calculation for impervious needs to be edited. Net increase of 936.3 square feet or 2.1% over what’s existing, which includes everything from existing and proposed.

MOTION: Motion made by Mr. English for applicant is seeking a 16,349.7 square foot increase in the maximum impervious surface coverage; 15% permitted in the Highland Lake Zoning District proposed 26.1% increase impervious coverage from existing conditions; development on slopes greater than 25% in accordance with the submitted plans and requesting a 0.2’ variance for building height 30’ permitted proposed 30.2’ as new building as per drawing submitted for property located at 211 West Wakefield Blvd; seconded by Mr. Mitchell. Mr. English initialed the revision. No discussion

Unanimous

C. ZABE #24-5 Location: 211 West Wakefield Blvd. Owner: Steven Heffer & Heena Sultan, Trustee of the Steven Heffer Revocable Trust. Applicant/Representative: Philip Pires. Proposal: Applicant is seeking a Special Exception to build decking over the allowable amount of 400 square feet. Presentation and discussion in ZBAE #24-1.

MOTION: Motion made by Mr. English to grant a special exception to build decking over the allowable amount of 400 square feet as per drawings submitted for property located at 211 West Wakefield Blvd.; seconded by Ms. Gunn. Mr. Pollock expressed concern. There was discussion as to whether the language was correct regarding whether the proposed new garage roof was part of the structure and not considered a deck. No further discussion.

4:1 Mr. Pollock opposed.

4. APPROVAL OF PREVIOUS SPECIAL MEETING MINUTES:
   April 2, 2024.

   There were a few spelling errors noted. No discussion

   MOTION: Motion made by Ms. Gunn; seconded by Mr. Dew

   Unanimous

5. NEW BUSINESS:

   None.

6. CORRESPONDENCE:

   The new updated What’s Legally Required was handed out.

   Next training date is May 20, 2024, from 6 p.m. to 8 p.m. Director of Land Use/Town Planner Lance Hansen will send the registration link again.

   There was some discussion regarding decks, patios and porches. Decks and patios are not part of the impervious surface coverage because they drain into the ground. They also have a different setback. There needs to be clarification on the 400 square feet. The language is vague and should be re-evaluated.

7. ADJOURNMENT:
The meeting adjourned at 8:26 p.m. Mr. Dew; seconded by Ms. Gunn
Unanimous

Respectfully submitted,
Vanessa Fiorito