

**ZONING BOARD OF APPEALS
REGULAR MEETING
Draft Minutes
July 12, 2016**

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STONINGTON, CT

Present for the meeting were Matthew Berger, Virginia McCormack, Alternate James Kading, Bill Lyman, Russ McDonough, and Mark Mitsko. Zoning Enforcement Officer Candace Palmer was also present.

Seated for the meeting were Matthew Berger, Bill Lyman, Virginia McCormack, Russell McDonough and Mark Mitsko.

Chairman Matthew Berger read the call to order at 7:00pm.

Public Hearings

Chairman Matthew Berger recused himself and Mr. Kading was seated. Mr. Lyman served as acting chairman.

ZBA #16-08 Town of Stonington-West Vine Street School-(Milone & MacBroom, Inc.-Agent) - Seeking a variance to reduce the required non-infringement buffer from 100 ft. to 5 ft. for construction of an emergency access driveway. Property located on 17 W. Vine Street, Pawcatuck. Assessor's Map 2 Block 1 Lot 3; Zone GB-130, RH-10.

Ms. Palmer summarized the application. The applicant has claimed their hardship is that the current building does not have emergency access to the rear of the building and the recreational facilities. Ryan Chimelewski of Milone and MacBroom presented the site plan. The building will be renovated but the footprint of the building on this side will not be altered. The emergency access would be used to access the recreational field and playground in case of emergency. The fire marshal has reported that this access is necessary for the department. With new best practices following school incidents, it is important to access all sides of the building. The non-infringement area was instituted after the construction of the building. Rob Marseglia, chairman of the K-12 building committee spoke regarding the school addition.

No Public Comment in Favor or Against

General Public Comment

Kristy Head, a neighbor raised concern with the variance affecting nearby homes in the future beyond the scope of the proposed project.

Ms. Palmer explained that the variance would only apply to the non-infringement area, not the bulk setbacks.

Mr. Lyman closed the public hearing.

Mr. McDonough moved to approve the application, seconded by Ms. McCormack, all in favor 5-0, motion approved.

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Chairman Berger was reseated at 7:25pm.

ZBA & CAM #16-09 John & Patricia Brudz (Theodore Ladwig-Agent) - Seeking a variance from ZR 7.7.8.3.1 to reduce the coastal jurisdiction line from 100' to 18.5' for demolition and reconstruction of a single family residence. Property located on 47 Lindberg Rd., Stonington. Assessor's Map 129 Block 1 Lot 7; Zone RM-20 (RH-10 applies).

Ms. Palmer summarized the application. The applicant is proposing the demolition and rebuild of an existing home to current flood zone standards. Ms. Palmer presented comments made by CTDEEP and the staff's response to the comments. Approval of this variance would also eliminate existing non-conformities.

Attorney Theodore Ladwig presented on behalf of the applicant. Mr. Ladwig presented additional documents named exhibit 2 in the file. Due to the degradation of the building and foundation, the building would need to be demolished and rebuilt triggering the substantial improvement clause and be built to current flood standards. The applicant is not looking to encroach on the Coastal Jurisdiction Line greater than it currently does.

Mr. Brudz, the applicant, explained that they have attempted to ask for the least disturbance from what currently exists on the property.

No Public Comment in Favor, Against or General Public Comment

Mr. Berger closed the public hearing.

Mr. Lyman moved to approve the application, seconded by Mr. McDonough, the board stated that the reduction of the non-conformities is positive for the property. The vote was taken all in favor 5-0, motion approved.

Minutes

Mr. Kading moved to table the minutes, seconded by Ms. McCormack, all in favor 5-0, motion approved.

Ms. McCormack moved to adjourn, seconded by Mr. McDonough, all in favor 5-0, the meeting adjourned at 7:45pm.