



**Town of Stonington**  
**Zoning Board of Appeals**  
 152 Elm Street, Stonington, CT 06378

**AGENDA**  
**Regular Meeting**  
**September 12, 2023 – 7:00 p.m.**  
 Stonington Police Station  
 Meeting Room  
 173 South Broad Street, Pawcatuck, CT 06379

**COMMISSIONERS**

**James Kading**  
 Chairman

**Jeff Walker**  
 Vice-Chairman

**Nat Trumbull**  
 Secretary

**Diana Lurie Boersma**  
 Member

**Raymond Dussault**  
 Member

**James Stanton**  
 Alternate

**Anthony Caporale**  
 Alternate

**Vacant**  
 Alternate

The Stonington Police Station Meeting Room is wheelchair accessible. If you plan to attend this public meeting and you have a disability that requires special arrangements, please call 860-535-5095 at least 24 hours in advance. Reasonable accommodations will be made to assist your needs.

While the Public Hearing is being recorded, the Board kindly asks that you refrain from making background noises that will make the tape inaudible. Please turn off all cell phones, pagers, and any other personal devices that may cause a disturbance. No new agenda item(s) shall commence after 10:30 p.m. All business shall end at 11:00 p.m.

1. Call to Order – 7:00 p.m.
2. Pledge of Allegiance.
3. Appoint Alternates:
  - James Stanton (seated 12/13/22)
  - Diana Lurie Boersma (seated 12/13/22)
  - Anthony Caporale (seated 9/13/22)
4. New Business:
  - a. **ZBA #23-08 Jeffrey Muir / William R. Sweeney, Esq.** – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 20% to 22.5% in order to construct a 484 SF 2nd floor addition and install a 10' x 10' utility shed. Property located on 7 Robin Street, Pawcatuck, CT 06379. Assessor's Map 36 Block 6 Lot 11; Zone RA-20 / RA-15 Applies.
  - b. **ZBA #23-09 Brian Stafford / William R. Sweeney, Esq.** – Seeking a variance from ZR 7.7.8.3.2 to lower the elevation of the bottom of the lowest horizontal member from 15ft to 14.4ft for a newly constructed single-family residence. Property located at 3 Roseleah Drive, Mystic, CT 06355. Assessor's Map 175 Block 1 Lot 1; Zone RC-120.
  - c. **ZBA #23-10 Josepine Mineo** – Seeking a variance from ZR 3.1.4.2 to reduce the non-infringement area from the required 100' to 18' in order to construct an in-ground swimming pool and patio. Property located at 42 Harborview Terrace, Stonington, CT 06378. Assessors Map 104 Block 5 Lot 5; Zone RM-20 / RC-120.
  - d. **ZBA #23-11 Berstev LLC** – Seeking a variance from ZR 5.1.1 to reduce the rear yard setback from 5' to 0' and increase the floor area ratio from 50% to 84% to construct a wood storage area and to cover existing smokers. Property located at 4 Roosevelt Avenue, Mystic, CT 06355. Assessors Map 174 Block 17 Lot 4; Zone LS-5.
5. Administrative Review:
6. Old Business:
7. Public Hearing: 7:00 p.m.
  - a. **ZBA #23-07/CAM Paul Dzurec & Ruth Peterle-Dzurec** – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 15% to 16%, reduce Front Yard setback from 30' to 11', and increase maximum building height from 30' to 38' and ZR 7.7.8.3.1 from 100' to 15.6'. Property located on 29 Lindberg Road, Stonington, CT 06378. Assessor's Map 129 Block 2 Lot 7; Zone RM-20 / RC-120.
8. Correspondence:

RECEIVED FOR RECORD  
 STONINGTON, CT.

23 SEP -8 AM 9:12

SALLY DUPLICE  
 TOWN CLERK

9. Discussion:

a. Approval of 2024 Meeting Calendar

10. Review of meeting minutes: 7/11/23

11. Adjournment:

James Kading, Chairman

**ZONING BOARD OF APPEALS**

**REGULAR MEETING**

**Draft Minutes**

**July 11, 2023**

Stonington Police Station, 173 South Broad St., Pawcatuck, CT

The meeting was called to order at 7:00 PM.

Seated for the meeting were Mark Mitsko, James Kading, Nat Trumbull, Raymond Dussault, and Jeff Walker. Alternate James Stanton and ZEO, Candace Palmer, were also present.

Administrative Review: None

New Business: None

Old Business: None

Public Hearing: 7:01 PM

**a. ZBA #23-05 Brian Wood** - Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 30' to 11.8', South Side Yard setback from 10' to 6.5', and North Side Yard setback from 10' to 6' to construct a single-family residence, detached garage, gravel driveway, and associated improvements. Property located on the corner of Pawcatuck Avenue and Buckingham Street. Assessor's Map 13 Block 10 Lot 8; Zone RA-15. **Continued from June 13th, 2023**

Mr. Wood discussed his reasoning for seeking a variance, as well as the hardship due to the shape of the lot. The home will be a two-story colonial with a detached garage. No letters were returned from neighbors. Per Mr. Wood, one neighbor will be in touch in the near future regarding the potential sale of a piece of his lot to Mr. Wood.

Comments in Favor:

Sharon Ficarra, 73 Pawcatuck Ave, states her support for this application.

Comments Against:

Nicole Menzano, 21 Buckingham St, opposed the requested variances. Ms. Menzano discussed the effect on the wetlands. The Commission commented that Wetland approvals have already been granted.

General Comment:

Ben Tamsky, 5 Edgemont St, made two comments: 1. It was not long ago that this Board did not grant variances for garages and, 2. The garage is very large.

Rebuttal:

The applicant stated he can be flexible with the size of the garage, including windows, planting trees, etc.

The Commission discussed including a window and tree stipulation.

The Public Hearing was closed at 7:29 PM.

Mr. Mitsko made a motion to approve the application, with the discussed stipulation that two windows are to be installed on either side of the garage, as well as evergreens to be planted. This was seconded by Mr. Walker; the vote was taken as 4-1 in favor. Roll Call: Mitsko - Approve, Kading - Approve, Dussault - Approve, Walker - Approve, Trumbull - Deny.

**ZONING BOARD OF APPEALS  
REGULAR MEETING  
Draft Minutes  
July 11, 2023**

Stonington Police Station, 173 South Broad St., Pawcatuck, CT

**b. ZBA #23-06 Geraldine Myers** - Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 20' to 17'6" to construct a covered porch. Property located on 24 Joy Ave., Stonington. Assessor's Map 127 Block 8 Lot 9; Zone RM-20 (RH-10 applies).

Mrs. Myers discussed her reasoning for seeking this variance. It is not safe to enter or exit the property when conditions are poor such as ice, snow, etc. The Commission discussed the relevant hardship of the home preexisting zoning. This project would not extend closer to the road than what is currently there.

No Comments in Favor, Against, or General Comments

This Public Hearing closed at 7:46 PM.

Mr. Dussault made a motion to approve the application, seconded by Mr. Mitsko, all were in favor, 5-0.

Review of Meeting Minutes: 6/13/23

Mr. Mitsko made a motion to approve the minutes of 6/13/23 as written, seconded by Mr. Walker, all were in favor, 5-0.

Mr. Dussault made a motion to adjourn the meeting, seconded by Mr. Mitsko, all were in favor, 5-0. The meeting was adjourned at 7:48 PM.

James Kading, Chairman

**TOWN OF STONINGTON  
ZONING BOARD OF APPEALS**

**Meeting Dates & Submission Deadlines**

**CALENDAR 2024**

On October 13, 2009, at the Regular Meeting of the ZBA, the Board voted to adopt an administrative policy for application submittal that closely aligns with Connecticut General Statutes Section 8-7d. This means that new applications will be officially received as "New Submittals" at the next regularly scheduled ZBA meeting and typically will be scheduled for Public Hearing within sixty-five (65) days of official receipt.

Please note that all regular meetings are scheduled to be held at the Stonington Police Station Meeting Room, 173 South Broad Street, Pawcatuck, Connecticut and to start at 7:00 p.m.

<u>MEETING DATE</u>	<u>SUBMISSION DEADLINE</u>
January 10, 2024	December 30, 2023
February 14, 2024	February 3, 2024
March 14, 2024	March 3, 2024
April 11, 2024	March 31, 2024
May 9, 2024	April 28, 2024
June 13, 2024	June 2, 2024
July 11, 2024	June 30, 2024
August 8, 2024	July 28, 2024
September 12, 2024	September 1, 2024
October 10, 2024	September 29, 2024
November 14, 2024	November 3, 2024
December 12, 2024	December 1, 2024