

**ZONING BOARD OF APPEALS  
SPECIAL VIRTUAL MEETING  
Final Minutes  
April 13, 2021**

The meeting of April 13, 2021, was called to order at 7:01 p.m.

Present for the meeting were James Kading, Mark Mitsko, Raymond Dussault, Jeff Walker, Nat Trumbull, Diana Lurie Boersma and James Stanton. Zoning Enforcement Officer Candace Palmer was also present.

Seated for the meeting were James Kading, Mark Mitsko, Raymond Dussault, Jeff Walker and Nat Trumbull.

Commission members and applicants accessed the meeting remotely via WebEx by computer or phone.

New Business:

**ZBA #21-06 Manly & Sharon Church (Mark Comeau-Agent)** – Seeking a variance from ZR 5.1.1 to reduce Side Yard setback from 75' to 25' for construction of an attached garage. Property located on 69 Wamphassuc Rd., Stonington. Assessor's Map 126 Block 4 Lot 3; Zone RC-120.

The application was accepted and scheduled for public hearing May 11, 2021.

Public Hearing:

**ZBA #21-05 Jennifer & Daniel Wilson**– Seeking a variance from ZR 5.1.1 to reduce Side Yard setback from 10' to 1.5' to construct a pergola with privacy fence. Property located on 2 Plover Lane, Mystic. Assessor's Map 176 Block 2 Lot 7; Zone RA-20.

The application was opened and continued to May 11, 2021 with no discussion.

**ZBA #21-03 Tracy Molloy (Michael Roy-Agent)** – Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 30' to 26' to construct a second-floor addition. Property located on 152 Hewitt Road, Mystic. Assessor's Map 151 Block 3 Lot 19; Zone RA-20.

Tracy Molloy presented the application. Though the home is not in a flood zone, there is significant flooding in the area. She is requesting a variance for a second-floor addition to avoid first floor construction due to the flooding in the rear. There is no increase in the existing conditions with this variance request. There is also significant ledge in the rear of the property. Ms. Palmer shared the GIS map of the property. Mr. Walker asked if there was a change to the footprint of the building. The applicant responded there is not. Mr. Dussault asked if there was anything from the neighbors. There were no letters received. There will be dormers, but the roof peak will not be raised. Mr. Stanton asked the purpose of the variance, which Ms. Palmer explained it is needed due to the increase in gross floor area in the setback.

Public Comment: None.

Mr. Kading closed the public hearing.

Mr. Dussault moved to approve the application, seconded by Mr. Mitsko. The commission agreed that due to the footprint being unchanged and hardship stated they are in favor. The vote was taken, all in favor 5-0. Motion approved.

**ZBA #21-04 Howard L. & Gaye T. Reichart (Peter J. Springsteel Architect, LLC-Agent)** – Seeking a variance from ZR 5.1.1 to reduce Rear Yard setback from 40' to 35'5" to construct covered entry and steps. Property located on 6 Black Duck Road, Mystic. Assessor's Map 176 Block 7 Lot 11; Zone RA-20.

Peter Springsteel, project architect presented the application. The existing condition has an encroachment of 3 feet and the applicant is proposing a new entrance which would require a variance of 4'7". They will be removing an encroachment on another setback which will be removed in the process. The existing entrance stair does not meet code and is deteriorated. They were unable to move the stair to a conforming area due to the placement of the garage and the existing driveway. They are proposing to bring the stair along the house to create an up to code entrance with minimal encroachment. Mr. Springsteel reviewed the hardship for the reasons stated previously. Mr. Walker stated he visited the site and feels it is the clear placement for the entrance. Mr. Mitsko and Mr. Dussault agreed. The entrance is at a split-level landing and would be unable to be relocated over the garage. Three letters of support were received for the application from the neighbors.

Public Comment: None

Mr. Kading closed the public hearing.

Mr. Walker moved to approve the application, for the following reasons:

1. Lot is constrained by two [2] front yards.
2. Approval of this variance will result in the conformity of encroachments into the side and front yard setbacks.

Seconded by Mr. Dussault, all in favor 5-0. Motion approved.

Minutes:

Mr. Walker moved to approve the minutes of the February 9, 2021 meeting, seconded by Mr. Mitsko, all in favor 5-0. Motion approved.

Mr. Dussault moved to adjourn, seconded by Mr. Mitsko, all in favor 5-0. The meeting adjourned at 7:46 p.m.



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Nathaniel Trumbull, Secretary