

ZONING BOARD OF APPEALS
REGULAR MEETING
Final Minutes
June 8, 2021

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

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

The meeting was called to order at 7:00 p.m. on June 8, 2021.

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

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. *Continued from May 11, 2021.*

Attorney Mark Branse, representing the Georgiadis’, neighbors to the applicant responded to the photos that the applicant presented at the last hearing. Mr. Branse passed out photos and maps (Exhibit #2) for the commission. Mr. Branse presented a map from the last meeting and commented on the difference in elevation that was stated as being a significant change which he refuted. He also presented photos of the current site and commented on the heights of the decks and land in the area. Mr. Branse then reviewed the landscape photos of what was removed and stated that they did not remove two of the pine trees due to it not being on their property. Mr. Branse commented on the site plan and the fact they do intend to move forward with the approve plantings on their site plan as approved by the town. Currently the retaining wall is bare concrete, but they plan to façade it with the same stone as their home but have been unable to secure enough stone to do the entire wall because of availability. There is a backup of 10 months, which delays their ability to do the plantings. They have decided to complete the façade facing their neighbor, and then complete the arborvitae plantings until they can get the rest of the stone in. Mr. Branse passed out photos that show the current status of the retaining wall façade (Exhibit #3). Mr. Branse stated that his client also plans to install a 12-camera security system, not 36 as stated previously by the applicant (Exhibit #4). No cameras will be angled at neighboring properties. Mr. Branse stated that his clients will not be negatively impacted by the pergola, but are currently struggling with the property case lawsuit. The neighbors withdrew their opposition to the variance, support the passage of the variance and withdrew their right to appeal the variance should it be granted. They felt they needed to set the record straight but would like to move on from this dispute. as they do not see that it has any negative impact to their property. Mr. Mitsko stated his concern with their previous arguments against the deck in the previous meeting.

Rebuttal:

Attorney Greg Piecuch for the applicant asked that the board grant the variance based on the hardship based on geography.

No Public Comment.

Mr. Kading closed the public hearing.

Mr. Walker moved to approve the application, seconded by Mr. Mitsko, the vote was taken all in favor 5-0. Motion approved.

Mr. Stanton was unseated.

Ms. Boersma was seated for Raymond Dussault.

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. *Continued from May 11, 2021.*

Mark Comeau, project architect, presented the application. Mr. Comeau spoke about the property's unique shape and size of the lot that affect the building envelope for the property. The property is also in the flood zone so there is no basement on site, and the owners do not have storage on site otherwise. Due to the location of the well and septic, they are additionally limited. They are seeking to reduce the side yard setback to 25' which is a side yard setback common in most other zones. Mr. Kading asked about the size of the current structure. The house is two story only on a portion of the home. The side of the home faces the railroad tracks, no neighbors, and the garage would additionally help to buffer the noise from the train. Mr. Trumbull asked about the denial of the 2015 variance application. This was done under a different homeowner and architect so they were unsure of the circumstance. Mr. Comeau reiterated the unique shape of the lot.

No Public Comment.

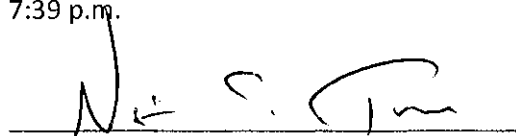
Mr. Kading closed the public hearing.

Mr. Walker moved to approve the application, seconded by Ms. Boersma, the vote was taken all in favor 5-0. Motion approved.

Minutes:

Mr. Walker moved to approve the minutes of the May 11, 2021 meeting, seconded by Mr. Mitsko, all in favor 5-0. Motion approved.

Ms. Boersma moved to adjourn, seconded by Mr. Mitsko, all in favor 5-0. The meeting adjourned at 7:39 p.m.


Nathaniel Trumbull, Secretary