

**ZONING BOARD OF APPEALS
REGULAR MEETING
Final Minutes
September 10, 2019**

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

Present for the meeting were Bill Lyman, Mark Mitsko, Raymond Dussault, Nat Trumbull and James Kading. Zoning Enforcement Officer Candace Palmer was also present.

The meeting was called to order at 7:00 p.m.

Seated for the meeting were Bill Lyman, Mark Mitsko, Raymond Dussault, James Kading and Nat Trumbull (seated for Jeff Walker).

New Business:

ZBA #19-13 Roderick Desmarais & Cheryl Robdau – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 25% to 40%, reduce rear yard setback from 15' to 5' and side yard setback from 5/20' to 3/20' for construction of an addition to a single family residence and detached garage. Property located on 2 Bay Street, Mystic. Assessor's Map 173 Block 13 Lot 4; Zone RH-10.

The application was accepted and scheduled for public hearing October 8, 2019.

Public Hearing:

ZBA #19-09 Cynthia R. Palmer (Peter J. Springsteel-Agent) – Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 20' to 16'4" to construct a one-story addition and porch. Property located on 15 Beach Dr., Mystic. Assessor's Map 175 Block 2 Lot 9; Zone RM-15 (RH-10 applies).

Peter Springsteel, project architect, presented the application. The applicant is proposing to construct an addition and enlarge and cover an existing porch. The home currently extends past the front yard setback and the applicant is requesting to keep the porch in line with the existing home. They cannot build on the other side of the home due to an existing drive. Seven letters of support from neighbors have been submitted into the record. The property is a pre-existing non-conforming, undersized lot for the zone. Due to the existing conditions of the home, the front entrance is the only place the enclosure can be located.

No Public Comment.

Mr. Lyman closed the public hearing.

Mr. Mitsko moved to approve the application, seconded by Mr. Kading. The commission discussed the validity of the hardship being an undersized lot and that the house was constructed prior to zoning. The vote was taken 5-0, motion approved.

ZBA #19-10 Cullen Taplin – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from existing 0.38 to 0.49 to allow construction of a 600 sq. ft. two-story addition. Property located on 30 Washington St., Mystic. Assessor’s Map 174 Block 19 Lot 6; Zone RH-10.

Cullen Taplin presented the application for an addition. The existing home is a pre-existing non-conforming home which is located on an undersized lot for the RH-10 zone. The applicant is proposing to extend their house 12 feet in the rear to allow for the addition. The abutting neighbors have written letters of support. Ms. Palmer explained that this property is located in a Repetitive Loss Area and stated the definition. The applicant’s proposal to relocate utilities out of the basement would bring the property more into conformance with regulations in flood zones. The new construction would allow for them to move the utilities to the new attic area. The basement currently floods and cannot be used for living or storage space. The addition would be constructed in the same area as an existing deck.

No Public Comment.

Mr. Lyman closed the public hearing.

Mr. Dussault moved to approve the application, seconded by Mr. Mitsko. Mr. Dussault stated the movement of the utilities is positive for the site and the request was a modest addition. Mr. Mitsko stated that he was in agreement. Mr. Lyman echoed the applicant’s hardship of being a very undersized lot for the zone. The vote was taken all in favor 5-0, motion approved.

ZBA #19-11 Lorell Madden & Derek Hanssen (David Reagan-Agent) – Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 50’ to 19.5’ and Side Yard setback from 25’ to 19.4’ to construct a second story addition and roofed porch. Property located on 280 New London Turnpike. Assessor’s Map 138 Block 3 Lot 9; Zone GBR-130 (RR-80 applies).

David Reagan presented the application on behalf of the owner. They are requesting to build a second story addition and roofed porch over the existing structure which is a pre-existing nonconforming home. There is a septic leaching field on one side of the home and a wetland area on the other, which is why they would like to add a second story. The home falls into a triangle portion of the oddly shaped lot. Due to zoning being laid on the oddly shaped lot, the applicant would need a variance to make any changes to the property. The applicant had four letters of support submitted from neighbors.

No Public Comment.

Mr. Lyman closed the public hearing.

Mr. Mitsko moved to approve the application, seconded by Mr. Kading. Mr. Mitsko discussed the difficulty of the lot shape, topography and location of the septic. Mr. Dussault agreed with the reasoning. The vote was taken all in favor 5-0, motion approved.

ZBA #19-12 Amy & Joseph O'Brien (Julia M. Leeming-Agent) – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from existing .17 to .22 to allow construction of a 528 sq. ft. two-story addition. Property located on 11 Quarry Path, Stonington. Assessor's Map 129 Block 8 Lot 4; Zone RM-20.

Julia Leeming presented the application. The applicant is planning to relocate to the currently seasonal home and are looking to winterize and make it a full year-round home. Ms. Leeming explained the calculations for the undersized lot in the existing zone designed for 20,000 square foot lots. The lot is ineligible for 2.9 relief due to the lots being combined after zoning was instituted. The applicant is requesting to build a small addition of 528 square feet which would allow for year-round living. Ms. Leeming reviewed the soil conditions on site which is mostly ledge preventing them from having a basement or cellar on site. The size of the home would be consistent with the neighborhood. Six neighbors have written letters of support for the application. If the lot were closer in size to the RM-20 zone or if they were in the RH-10 zone the variance would not be required. The Lord's Point Association owns the abutting property and maintains it as a park. They have been informed but do not write letters of support for any properties as a practice. The addition will allow for additional living space for year-round use. The lot is undersized and cannot build below grade due to the ledge conditions. Mr. O'Brien stated they would like to make this their retirement home and are just looking for some additional living space to make it work year-round.

Public Comment in Favor.

Christine Munzert, seasonal resident of Lord's Point at 84 Noyes Avenue spoke in favor of the application.

No Public Comment Against.

No General Comment.

Mr. Lyman closed the public hearing.

Mr. Kading moved to approve the application, seconded by Mr. Dussault. Mr. Kading discussed the nature of the undersized lot and lack of opposition from neighbors. Mr. Dussault agreed. Mr. Trumbull was happy to see them keep it in the setbacks only requiring one variance. The vote was taken all in favor 5-0, motion approved.

Election of Officers:

Mr. Mitsko moved to appoint Jeff Walker as Secretary, seconded by Mr. Lyman, all in favor 5-0, motion approved.

Minutes:

Mr. Kading moved to approve the minutes of the August 13, 2019 meeting, seconded by Mr. Mitsko, all in favor 5-0, motion approved.

Mr. Dussault moved to adjourn, seconded by Mr. Kading, all in favor 5-0. Meeting adjourned at 8:07 p.m.

Calham Lyman Per 12/10/19
Jeff Walker, Secretary