

ZONING BOARD OF APPEALS
REGULAR MEETING
Final Minutes
January 10, 2017

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

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

New Business

ZBA #16-13AAP Frederick and Catherine Deichmann – Seeking to appeal the ZEO Certificate of Zoning Compliance #16-282ZCR pertaining to ZR 2.10 private/paper streets and ZR 1.2.2 setbacks definition. Property located on 4 Ice Pond Road, Mystic. Assessor's Map 177 Block 1 Lot 5; Zone RA-20.

The application was accepted and scheduled for the February 14, 2017 meeting.

Public Hearings

ZBA #16-12 Bruce H. & Catherine I. Littman, Trustees (Harry B. Heller, Agent) – Seeking a variance from ZR 5.1.1 to reduce existing 91' total side yard setback to 73' (reduction of 18') and increase existing floor area ratio from 9% to 10% to allow construction of a 672 sq. ft. first floor addition. Property located on 28 Prentice Williams Rd., Stonington. Assessor's Map 148 Block 2 Lot 1; Zone GBR-130.

Ms. Palmer explained that the lot does not qualify for 2.9 relief and reviewed the history of the lot. Ms. Palmer also gave a background of the Fair Housing Amendments Act that requires reasonable accommodations be made to make existing housing accessible to persons with disabilities.

Harry Heller, presented the application on behalf of the applicant. Mr. Heller presented medical reports explaining the nature of Ms. Littman's disability. Mr. Heller explained that the Fair Housing Amendments Act and the American with Disabilities Act require reasonable accommodations be made for persons with disabilities. Mr. Heller explained that the two variances requested are to construct a 672 square foot addition to build a first floor bedroom suite that will accommodate Ms. Littman. The applicant believes that the request for accommodation is reasonable. Mr. Littman explained that they have had several meetings to attempt to construct an elevator but it was deemed to not be feasible. Chairman Berger asked why one of the existing rooms could not be changed into a bedroom. Mr. McDonough questioned whether considerations had been made when they constructed the home. Mr. Littman explained at the time Ms. Littman did not struggle with these issues and her condition has deteriorated in the past few years. Mr. Heller submitted a letter of support from the neighbor on the side of the proposed addition.

No Public Comment

Mr. Berger closed the public hearing.

Mr. Lyman moved to approve the application, seconded by Mr. McDonough, the board discussed the accommodations and alternatives. The vote was taken 4-1, the motion was passed.

Roll Call: Lyman – approve, McDonough – approve, McCormack – approve, Berger – deny, Mitsko – approve.

Minutes

Mr. Lyman moved to approve the minutes of the December 13, 2016, seconded by Mr. McDonough, all in favor 4-0-1, motion approved. Mr. Berger abstained.

Ms. McCormack moved to adjourn, seconded by Mr. McDonough, all in favor 5-0, the meeting adjourned at 7:44pm.


Virginia McCormack, Secretary