

**ZONING BOARD OF APPEALS
REGULAR MEETING
Final Minutes
March 10, 2015**

Chairman Matthew Berger read the call to order at 7:06pm. Commissioners present this evening included: Russell McDonough, Bill Lyman, Virginia McCormack, Lynn Conway, Matthew Berger. Also in attendance, Candace Palmer, Zoning Enforcement Officer.

Executive Session: Bodgan vs. ZBA; present for the executive session was Town Attorney Jeff Londregan.

The Board went into Executive Session at 7:07pm.

The Board came out of Executive Session at 7:34pm.

Public Hearing:

Secretary Lynn Conway read the call for the public hearings at 7:40pm.

ZBA #15-01 Samuel Piotrkowski, owner; Bruce Hayn, applicant – Seeking a variance from ZR 5.1.1 Bulk Requirements to reduce the side yard setback from 5' to 3.41' and increase the F.A.R. from .25 to .32 for an addition to the residence and garage. Property located at 12 Willow St., Mystic. Assessor's Map 172 Block 12 Lot 4; Zone RH-10.

Ms. Palmer summarized the application, noting that there are two decisions to be made, one regarding the garage and another regarding the home.

Ms. McKrell, Director of Public Works explained the drainage improvements to be made. Town can maintain current drainage but cannot make repairs without an easement from the property owner. Due to the drainage pipe abutting the garage it would be helpful for the applicant to relocate their garage.

Mr. Piotrkowski, applicant introduced himself and application, he bought the home in November from his daughter.

Mr. Hayn, engineer on project spoke to improvements, each dormer will be expanded and one will be added to accommodate a bedroom. The garage will have an addition to allow for a proper two car garage. The garage will be reconstructed closer to house and allow for better access into the garage doors..

Ms. Conway questioned the hardship, Mr. Hayn replied that the town drainage project, the configuration of the lot and the location of the home. Ms. McCormack questioned the hardship of the dormer on the home. My. Hayn explained to meet code and to add a bedroom, most of the third floor is up to code but this will allow for the completion. Bruno explained the foot print is not changing but raising the ceiling raises the square footage. Mr. Lyman questioned whether it will fit in with the neighborhood, Ms. Palmer stated three story homes are common in Mystic. The project will allow for ease of access for the town drainage improvement. The upper level deck outside the dormer will allow for fire fighter access to the bedroom.

Public Comment: none.

Mr. Berger closed the public hearing.

Ms. Conway began by saying that she understands the garage but does not understand the hardship regarding the home improvements. Ms. McCormack agreed. Mr. McDonough expressed that the home improvements do not harm the neighborhood though there is not much of a hardship. Mr. Lyman expressed his thoughts concerning preexisting non-conformities and agrees it is a logical proposal. Mr. Berger expressed that the board should not expand pre-existing non-conformities. The home is already above its allowable FAR.

Ms. Conway moved to approve the variance as needed by the plans for the setback and increase in the garage footage and deny the increase of FAR for the house, Ms. McCormack seconded. In favor 4-1, Mr. McDonough opposed. Motion approved.

ZBA #15-03 Rebecca Grills – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the front yard setback from 30' to 21' for an addition to a single family residence. Property located at 3 Pleasant St., Mystic. Assessor's Map 172 Block 2 Lot 12: Zone RA-20/RA-15 applies.

Mr. Berger opened the public hearing.

Ms. Palmer summarized the application and hardships as well as the zoning regulation 2.9.

Ms. Grills introduced her application, and the choice for the location of the addition. Adding out the back would create many issues with the rest of the home. The side was chosen so that the gable rooflines would match.

The commission questioned whether the addition could be added to the back

Public comment in favor:

Dara Engelgall, resident of Rossi Street, believes it would be a great addition to the neighborhood and not out of character, same architect added on their home and has had good responses.

No General comment or comment against.

Mr. Berger closed the public hearing.

Ms. Conway stated that the addition is further back than the existing home. Mr. Berger expressed that he sees the hardships for the applicant but not under state law. The commission believes there may be a solution without the variance.

Ms. Conway moved to deny the application, Mr. McDonough seconded. All in favor 5-0, the motion was approved.

New Business:

ZBA #15-04 Donald Vail – Seeking a variance from ZR 5.1.1 bulk requirements to increase the FAR from 25% (5,336 sq.ft.) to 31.5% (6,722 sq.ft.) for a 208 sq.ft. addition. Property located at 64 Washington Street Mystic. Assessor's Map 172 Block 2 Lot 12; Zone RA-20/RA-15 applies.

ZBA #15-05 David Brown & Scott Lane – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the front yard setback from 50' to 40'5" for an entry addition. Property located at 67 Collins Road. Assessor's Map 125 Block 1 Lot 18; Zone RR-80.

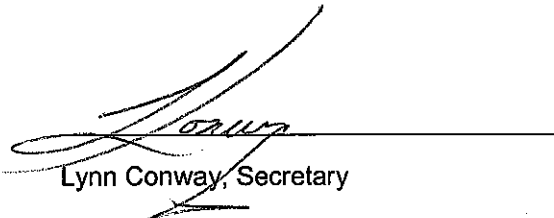
ZBA #15-06&CAM David P. Madacsi – Seeking a variance from ZR 5.2.1 bulk requirements to reduce the front yard setback from 50' to 28.8'; reduce side yard setback from 25' to 18' ; increase height from 20' to 38.5', and ZR 7.7.8.3.1 to reduce distance from the Coastal Jurisdiction Line from 100' to 50' and ZR 7.3.5 to increase Coastal Height Limitation from 24' to 37.2' for demolition and reconstruction of a single family residence. Property located at 53 Roseleah Drive, Mystic. Assessor's Map 175 Block 1 Lot 17; Zone MC-80.

Applications were accepted for the April 14th meeting for public hearing.

Minutes:

Motion to approve by Mr. Lyman, seconded by Mr. McDonough, all in favor 5-0, motion approved.

Mr. McDonough motioned to adjourn, Mr. Lyman seconded, all in favor 5-0, motion approved the meeting adjourned at 9:36pm.


Lynn Conway, Secretary