

**ZONING BOARD OF APPEALS**

**REGULAR MEETING**

**Final Minutes**

**May 8, 2018**

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

Present for meeting were Chairman Matthew Berger, Vice-Chairman Bill Lyman, Russ McDonough, Mark Mitsko, Raymond Dussault, James Kading. Zoning Enforcement Officer Candace Palmer was also present.

Seated for the meeting were Matthew Berger, Raymond Dussault (for Virginia McCormack), Bill Lyman, Mark Mitsko, and Russ McDonough. Meeting was called to order at 7:00 p.m.

New Business:

**ZBA #18-09 Candace Miller** – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 20% to 27% to allow construction of a shed dormer. Property located on 59 Trumbull St., Pawcatuck. Assessor's Map 12 Block 14 Lot 30; Zone RA-15.

The application was accepted and scheduled for a public hearing on June 12, 2018.

Public Hearings:

**ZBA #18-06 Luis & Irene Viegas (Peter J. Springsteel Architect, LLC-Agent)** – Seeking a variance from ZR 7.7.8.3.1 Coastal High Hazard Area to reduce the setback from 100' to 27'4" for construction of a garage, covered porch, roof deck and dormer. Property located on 4 Jerome Avenue, Mystic. Assessor's Map 174 Block 23 Lot 18; Zone RC-120/RH-10. **Rescheduled from 4-10-2018.**

Ms. Palmer summarized the application. The applicant is proposing to construct a garage, covered porch, roof deck and dormer. The applicant has made the effort to only have construction in the RH-10 portion of the property.

Peter Springsteel, project architect presented the site plan. The neighborhood is located in a coastal high hazard zone. The applicant is proposing to construct a porch and deck connected to the existing home, and a detached garage. The garage would meet flood standards for the V zone. The 100-foot setback for the coastal high hazard area encompasses the entire lot. Many other lots in the neighborhood also have the same or smaller existing setback. The garage will have breakaway walls and will be about 39 feet from the coastal resource. The porch on the home will be the closest to the water. The lot is undersized for the zone and the entire lot is encompassed by the coastal jurisdiction line. Mr. Springsteel provided a letter of support from the immediate abutters.

Mr. Berger questioned the hardship explanation. Mr. Springsteel responded that similar variances have been granted by the commission for this particular neighborhood.

No Public Comment.

Ms. Palmer stated that FEMA designated this zone, not the town. Mr. McDonough questioned whether this is a seasonal or full-time home. Mr. Springsteel responded that currently it is seasonal but may become full time.

Mr. Berger closed the public hearing.

Mr. Lyman moved to approve the application, seconded by Mr. Mitsko, the vote was taken 2-3, the motion did not carry.

Roll Call:

Lyman – favor, Mitsko – favor, Berger – against, McDonough – against, Dussault – against

**ZBA #18-08 Todd Burgess**—Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 25% to 33% to construct addition to garage. Property located on 15 Orchard Hill Drive, Mystic. Assessor’s Map 175 Block 3 Lot 12; Zone RM-15/RH-10 applies.

Ms. Palmer summarized the application and explained the hardship.

Mr. Burgess presented the application and explained the hardship. The lot is undersized for the zone, and there are seven dwelling similarly, but two of the lots are in the 500-year flood zone which causes the square footage below BFE to be counted towards Gross Floor Area. If the property were in the 100-year flood zone the variance would not be needed. All setbacks would still be met. Mr. Burgess explained his building plans to bring his existing cottage to be more of a home that fits with the neighborhood. Mr. Burgess presented one additional letter of support from his neighbor.

Mr. Lyman clarified that the additional space will be living space, not just additional garage space. Mr. McDonough asked whether the garage will continue to act as a garage, the applicant responded affirmatively. Mr. Dussault questioned whether it is the applicant’s year-round home, he responded that it was.

Public Comment in Favor.

Bob O’Shaughnessy, spoke in favor of the application as a neighboring property owner and president of the local association.

Phil Savoie, neighboring property owner spoke in favor of the application.

No Public Comment Against.

No General Comment.

Mr. Berger closed the public hearing.

Mr. Dussault moved to approve, seconded by Mr. McDonough. The vote was taken 4-1, the motion was approved.

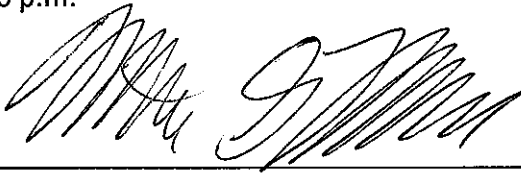
Roll Call:

Dussault – favor, McDonough – favor, Lyman – favor, Berger – against, Mitsko – favor

Minutes:

Mr. Dussault moved to approve the minutes of the April 10, 2018 meeting, seconded by Mr. Lyman, all in favor 5-0, motion approved.

Mr. Lyman moved to adjourn, seconded by Mr. Dussault, all in favor 5-0, the meeting adjourned at 7:36 p.m.

A handwritten signature in black ink, appearing to read 'Matthew Berger', written over a horizontal line.

Matthew Berger, Chairman