

**ZONING BOARD OF APPEALS  
REGULAR MEETING  
Final Minutes  
June 13, 2017**

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

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

New Business:

**ZBA #17-04 Richard & Geri Ann Bradley (Peter Springsteel, Agent)** – Seeking a variance from ZR 5.2.1 to reduce front yard setback from 50' to 15' 7 1/2", side yard setback from 25' to 7' 6 1/4", rear yard setback from 50' to 17' 7 1/2" and ZR 7.7.8.3.1 coastal jurisdiction setback from 100' to 7' 6 1/4" to allow construction of a detached garage. Property located on 50 Roseleah Drive, Mystic. Assessor's Map 175 Block 1 Lot 21; Zone MC-80.

Public Hearing scheduled for July 11, 2017.

**ZBA #17-05 Heather Sangermano** – Seeking a variance from ZR 5.1.1 to reduce the front yard setback from 30' to 22.8' for construction of a deck. Property located on 18 Old North Rd., Mystic. Assessor's Map 175 Block 2 Lot 5; Zone RM-15.

Public Hearing scheduled for July 11, 2017.

**ZBA #17-06 Peter Fleming & Scott Nye (Dennis A. Ceneviva, Agent)** – Seeking a variance from ZR 7.12.3.1 Internal Illumination and ZR 7.12.3.4 Sign Motion for a proposed two-sided digital billboard. Property located on 786 Stonington Road, Stonington. Assessor's Map 75 Block 2 Lot 2; Zone GC-60/RC-120.

Public Hearing scheduled for July 11, 2017.

Public Hearings 7:00 p.m.

**ZBA #17-02 Ewa T. Ruggeri** – Seeking a variance from ZR 5.1.1 Bulk Requirements to reduce front yard setback from 30' to 10' to allow construction of a dormer. Property located on 13 East Enterprise Ave., Pawcatuck. Assessor's Map 14 Block 8 Lot 3; Zone RA-15.

Ms. Palmer summarized the application. The house currently has a four foot front yard setback. The home was constructed prior to zoning and the applicant is requesting the variance for construction of a dormer on the rear of the home.

Ms. Ruggeri explained that the ceiling is very low and she would like to replace the original insulation to lower heating costs for the home, which the roof would need to be raised to accommodate. This would also allow for headspace in the bathroom as well.

#### General Public Comment

Nancy Petri, abutting neighbor to the property, questioned whether the dormer would be higher than the height of the roof. She is also concerned with the asbestos siding removal.

#### Rebuttal

Ms. Ruggeri explained that this design is to code and does not believe that there will be an increase in height with the dormer. There will be a two-foot increase to the overall roof.

Ms. Petri clarified her view from her property to the commission.

Ms. McCormack asked what the current height of the bathroom is, Ms. Ruggeri stated that it is six feet. Mr. McDonough questioned whether they considered using blown insulation, Ms. Ruggeri explained that her contractor recommended this to replace the beams as well.

Mr. Berger closed the public hearing.

Mr. Lyman moved to approve the application, seconded by Mr. Mitsko. Mr. Lyman explained that he feels the house's hardship is its position on the property prior to zoning. Ms. McCormack stated that if the home has five inch beams, they likely need to be replaced. The vote was taken 4-0-1, motion approved.

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

**ZBA #17-03 NazPrzy, LLC (Todd Przybysz, Agent)– Seeking a variance from ZR 6.6.4.6 Density Requirement to reduce required lot area of 30,000 sq. ft. to 4791 sq. ft. to add a third apartment. Property located on 27 Greenmanville Avenue, Mystic. Assessor's Map 173 Block 14 Lot 9; Zone RH-10.**

Ms. Palmer summarized the application. The applicant would like to convert an existing commercial unit to a residential unit. There are already two residential units making it non-conforming. The applicant provided a history of the property and its uses. Ms. Palmer also reviewed the parking requirements. The property would come into conformance for parking with the approval of this variance.

Mr. Przybysz stated the building has been occupied by commercial tenants on the first floor and residential units on the second floor. They have had trouble placing commercial tenants due to parking in the residential neighborhood. They previously had access to multiple spots on Isham

Street for the commercial tenant, but due to changes in the neighborhood these spots no longer exist. Approval of this variance would result in three variances being reduced. Mr. Przybysz submitted two letters of support from his immediate abutters.

#### Public Comment Against

Frederick Allard, resident of 3 Bay Street, stated that he feels there is a lack of hardship for the application and although he agrees with the change to residential use, he is concerned with three apartments in this building.

#### Rebuttal

Mr. Przybysz stated that he believes his application returns the building to the character of the neighborhood by converting it to a residential use.

Mr. Lyman asked whether they considered making two larger units. Mr. Przybysz stated that he had not considered that, they have operated as a four unit building for a long time. The commercial unit still has the structure of a residential unit with a kitchen, bathroom and partitioned rooms.

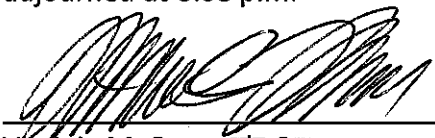
Mr. Berger closed the public hearing.

Mr. McDonough moved to approve the application, seconded by Mr. Mitsko. All in favor 5-0, motion approved.

#### Minutes

Ms. McCormack moved to approve the minutes of the February 14, 2017 meeting, seconded by Mr. Mitsko. The vote was taken 4-0-1, motion approved. Mr. Lyman abstained.

Mr. McDonough moved to adjourn, seconded by Mr. Mitsko. All in favor 5-0. The meeting adjourned at 8:08 p.m.

  
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Virginia McCormack, Secretary  
Matthew G Berger, Chair