

**ZONING BOARD OF APPEALS**

**REGULAR MEETING**

**Final Minutes**

**October 11, 2016**

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

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

Chairman Matthew Berger read the call to order at 7:05pm.

**Public Hearings**

**ZBA #16-10 Christopher and Nancy Houlihan (Theodore Ladwig, Agent)** – Seeking a variance from ZR 5.1.1 to reduce front yard setback from 50' to 24.5' and ZR 3.1.4.1 to reduce non-infringement area from 100' to 73' for addition to single family residence and from 100' to 83' for a septic system. Property located on 846 Pequot Trail, Stonington. Assessor's Map 96 Block 2 Lot 6; Zone GBR-130 (RR-80 Applies).

Ms. Palmer summarized the application. The applicant is proposing an addition and septic system construction.

Attorney Theodore Ladwig spoke on behalf of the applicant. The property currently sits nine feet from the property line in the front. The current second floor is only six feet in height and not considered a safe ceiling height for a bedroom by today's building codes. The applicant is proposing an addition to the rear and installation of an updated septic system. The home is bound by wetlands on both east and west neighboring properties.

Tony Nenna, project engineer stated the onsite cesspool has failed, and the reasoning for the placement for the proposed septic system. The placement will maximize the distance from the wetlands and maintaining distance from the well. There will be erosion and sedimentation controls used during construction of the septic system. Mr. Nenna testified there will be no adverse impact to the wetlands.

Mr. Berger questioned whether any non-conformities will be eliminated. Mr. Ladwig stated the square footage of the home does not currently comply with ZR 7.9 the home is undersized and the septic system has failed. Mr. Berger questioned whether the topography limits the placement of the septic system. Mr. Nenna explained that the water table in the rear of the lot restricts the placement.

No Public Comment

Mr. Berger closed the public hearing.

Mr. Lyman moved to approve the application, seconded by Mr. Kading, all in favor 5-0, motion approved.

#### Approval of 2017 Meeting Calendar

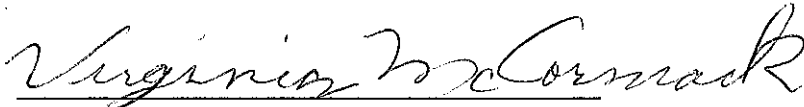
The commission approved the 2017 meeting calendar.

#### Minutes

Ms. McCormack moved to approve the May 10, 2016 minutes, seconded by Mr. Kading, all in favor 4-0-1, motion approved. Mr. Berger abstained.

Mr. Lyman moved to approve the July 12, 2016 minutes, seconded by Mr. Kading, all in favor 5-0, motion approved.

Ms. McCormack moved to adjourn, seconded by Mr. Mitsko, all in favor 5-0, the meeting adjourned at 7:36pm.

A handwritten signature in cursive script that reads "Virginia McCormack". The signature is written in black ink and is positioned above the printed name.

Virginia McCormack, Secretary