

ZONING BOARD OF APPEALS

REGULAR MEETING

Final Minutes

July 12, 2022

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

Present for the meeting were James Kading, Nat Trumbull, Mark Mitsko, Diana Lurie Boersma and James Stanton. Zoning Enforcement Officer Candace Palmer was also present. Absent Jeff Walker, Raymond Dussault and Anthony Caporale.

Seated for the meeting were James Kading, Nat Trumbull, Mark Mitsko, Diana Lurie Boersma seated for Jeff Walker and James Stanton seated for Raymond Dussault.

The meeting was called to order at 7:00 p.m.

New Business: None.

Administrative Review: None.

Old Business: None.

Public Hearing:

ZBA #22-08 Ann L. Baldelli (Theodore M. Ladwig-Agent) – Seeking a variance from ZR 5.1.1 to reduce Front Yard setback from 50' to 23.9' to construct a second-floor addition and entry porch. Property located on 72 Farmholme Road, Stonington. Assessor's Map 59 Block 1 Lot 6A; Zone RR-80.

Atty. Ted Ladwig represented the applicant, Ann Baldelli who was also in attendance. Atty. Ladwig explained that the home was built in the 1900's very close to the road and they are looking to do a general upgrade. There was a letter of support from a neighbor. They are proposing to raise the ceiling on the second floor allowing more usable space. The hardship is the house was built prior to zoning, there is ledge on the property and the septic and well is behind the house not allowing for development there. The request is in conformity with other properties in the neighborhood. Ms. Palmer clarified that there is a small entryway also proposed on the side of the house. Mr. Kading stated the 23.9' is the existing front yard setback and is currently non-conforming. There is no bathroom on the second floor, but one is proposed.

Public Comment: None.

Mr. Kading closed the public hearing at 7:14 p.m.

Mr. Mitsko moved to approve application ZBA #22-08 for a variance from ZR 5.1.1 to reduce Front Yard setback from 50' to 23.9' to construct a second-floor addition and entry porch.

1. Location of house pre-dates zoning.
2. Well and septic are located to the rear of the house.
3. Approval of the variance would not adversely affect the public health, safety, welfare, and value of the surrounding properties.

Ms. Boersma seconded it, all in favor 5-0. Motion approved.

ZBA #22-10 Lorraine Misiorek – Seeking a variance from ZR 5.1.1 to increase Floor Area Ratio from 25% to 31% (increase of 168 sq. ft.) and reduce Side Yard setback from 20' to 5' to construct a shed. Property located on 19 Washington St., Pawcatuck. Assessor's Map 3 Block 23 Lot 6; Zone RH-10.

Ms. Lorraine Misiorek is requesting a variance to build a small shed. The property is an undersized lot created prior to zoning with a small garage. Ms. Misiorek also owns 23 Washington Street, which abuts this property. They are looking for a variance to increase the gross floor area and a 5' side yard setback on the south property line to allow the shed. There were two letters in favor. Ms. Misiorek received an additional letter today in favor from Allison Swatts, 17 Washington Street, which she passed out to Commission members. This is the property that abuts the side yard variance.

Public Comment:

In Favor:

Jeremy Driscoll, Ms. Misiorek's husband, stated the 10' x 12' shed is for storage of lawn equipment and the 4' overhang is for wood storage. Machinery will be out of weather and it won't be unsightly.

Opposed:

Mr. Ernest Greenwood, 25 Washington Street, spoke against the application. His property abuts the location of where the shed will be placed. He had issues with a fence that was erected recently between 23 Washington Street and his property. He could not access the rear of his property. He also brought up other issues. Mr. Mitsko stated the fence had no relevance to where the shed was being placed. The shed is actually conforming to the rear property line, where Mr. Greenwood property abuts. It is the side yard that the variance is for. Mr. Greenwood thanked the board for listening, he just needed to vent.

Rebuttal:

Ms. Misiorek stated that Mr. Greenwood had full access to his property and felt some of his comments were offensive.

With no other comments, Mr. Kading closed the public hearing at 7:40 p.m.

Mr. Mitsko moved to approve application ZBA #22-10 a variance from ZR 5.1.1 to increase Floor Area Ratio from 25% to 31% (increase of 168 sq. ft.) and reduce Side Yard setback from 20' to 5' to construct a shed.

1. Lot is undersized for the zone.
2. Location of garage predates zoning.
3. Approval of the variance would not adversely affect the public health, safety, welfare, and value of the surrounding properties.

The Commission discussed the side yard setback and that the objection was an ongoing issue between neighbors, not related to this application.

Seconded by Ms. Boersma, all in favor 5-0. Motion approved.

Correspondence: None.

Discussion:

No meeting in August. There is an application that came in, so there will be a September meeting.

Minutes:

Mr. Boersma moved to approve the minutes of the June 14, 2022. Seconded by Mr. Mitsko, all in favor 5-0. Motion approved.

Mr. Mitsko moved to adjourn, seconded by Mr. Stanton, all in favor 5-0. The meeting adjourned at 7:46 p.m.

A handwritten signature in black ink, appearing to read "Nat Trumbull", written over a horizontal line.

Nat Trumbull, Secretary