

2013 APR 18 A 11: 45

## Zoning Board of Appeals

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April 16, 2012

The following members were present: Grohs, Rayner, Judd, Alt., Harris, Kuhn, The Board on motion by Judd, seconded by Kuhn the minutes of Sept., 18, 2012 were approved.

The Board held a hearing on the following cases:

13-1 Jerry Roberts, 35 Merriwald Lane, Deep River, CT., 06417, appeal to build 8 by 12 shed within 6 feet of property line on Lot 144 of Map 69 for use as storage facility. Variance of 5.5.6 regulations.

13.2 A J Shea Construction, LLC, 192 Westbrook Rd., Essex, CT., 06426, Applicant, and Mark Bavalack, Owner, 34 Main St., P.O. Box 344, Ivory ton, CT., 06442, appeal to replace existing structure with new building on property Lot No. 27 of Tax Map 56, Zone VMV, 104 Main St., Deep River, CT., 06417. Variance of 5.6.11 regulations.

On motion by Harris,, seconded by Rayner, the calls were approved.

On motion by Rayner, seconded by Judd, Harris replaced the resigned Gamerdinger

On motion by Harris, seconded by Rayner, Kuhn replaced the absent Ackerman.

13-1 Jerry Roberts presented the case on his own behalf. He indicated a need for storage for his childrens bicycles and other storage materials. The building would be of prefab construction.

No one was present to speak against the proposal.

A letter of support was read by the chairman from Lorraine Hartnett of 39 Merriwald Lane.

On motion by Rayner, seconded by Harris a 6 foot side yard variance to 5.5.6 regulations was unanimously approved for the following reasons:

1. There was no objection by any abutting property owner.
2. No additional property could be purchased.
3. The characteristics of the property precludes locating the storage shed anywhere else.
4. The variance will not substantially affect the comprehensive plan of zoning.

13-2 Mr. Bavalack presented the case on his own behalf. Testimony was heard that the new addition would be in line with the recently rehabilitated adjacent building. It would increase ground coverage from 39% to 49% . The existing garage would be torn down.

Ed Judd was concerned that we were making a nonconforming building more nonconforming. There was no one to speak against the proposal, nor any letters received.

On motion by Harris, seconded by Kuhn the board unanimously approved the variance of 5.6.11 regulations to replace the existing structure with a new building. The following reasons were given:

1. There was no objection from any abutting property owner.
2. No additional property could be obtained.
3. The variance will not substantially alter the characteristics of the property but actually improve it.
4. The use is in harmony with the neighborhood.

On motion by Harris seconded by Rayner the reasons were adopted.

In other busines , a motion by Harris seconded by Judd, Grohs was elected chairman and on motion by Kuhn seconded by Harris, Ackerman was elected vice chairman for the year 2013.

Meeting adjourned at 8:15 p.m.

Respectively submitted,  
Doaald R. Grohs, Chairman

