

Zoning Board of Appeals Deep River, Connecticut 06417

Minutes

May 20, 2014

The following members were present: Grohs, Rayner, Ackerman, Judd, Harris, Alt. Scharr, Coulter, Kuhn, Atty. Roysten.

On motion by Ackerman seconded by Harris, the Feb. 4, 2014 minutes were approved.

The Board held a meeting on the following case:

14-2 Mark and Tara Bouchard, 60 Cedar Lake Rd., Deep River, Ct., 06417, Owners, appeal to construct above ground pool on Lot #51, Map 20, Variance of 20 foot rear lot requirement 5.5 or 12.5.3 (2) regulations.

On motion by Ackerman, seconded by Judd the call was approved.

Mark Bouchard presented the case on his own behalf. He asked that his variance be within 8 feet of his property line. Regulation 12.5.3.(2) was found not to be valid and was taken out.

No one spoke against the variance and there were no letters.

On motion by Harris, seconded by Rayner a variance of 5.5 granting the pool to be constructed within eight feet of the property line was unanimously approved.

The following reasons were given:

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

As per the call the Bartlett case, relating to property at 444 South Main St. Deep River (Assessor Map 59, Lot 9) was brought up for reconsideration. At the request of Atty. Roysten, Harris moved and Rayner seconded, that the original members of the case go into executive session. Passed unanimously. Vice-Chairman Ackerman took over for the recused Grohs. Upon return, a motion by Ackerman, seconded by Harris it was voted to allow Atty. Roysten to write the agreed upon decision which follows:

1. That the decision made with respect to Application 12-2 of George G. Bartlett Jr. relating to property at 444 South Main Street, Deep River (Assessor Map 59, Lot 9) heard and decided on June 19, 2012 to grant a variance of 5 feet, 3 inches as to the 150' property required under Section 5.6.3 of the Deep River Zoning Regulations was intended by the Board to allow the Applicant to proceed with and Application to the Deep River Planning and Zoning Commission for an automotive use, notwithstanding the provisions of Section 7B.9.3 of the Deep River Zoning Regulations; it being the understanding of the Board that this section was subsumed and included under the granted Variance of Section 5.6.3 of the Deep River Zoning Regulations.

Any such application to the Planning and Zoning Commission would be subject to all its requirements, except for the requirement of 150 feet of lot frontage.

Voting affirmatively on the foregoing motion were Ackerman, Rayner, Judd and Scharr, who were four of the five voting members at the meeting on June 19, 2012 Also voting affirma-

tively was Harris, based upon the record statements of the other four members as to the intention and purpose of their vote.

2. That the foregoing Decision be noticed and published as the corrected and clarified Decision on the Application 12-2 of George G. Bartlett, Jr. relating to property at 444 South Main Street, Deep River (Assessor Map 59, Lot 9) heard and decided on June 19, 2012.

Gerald Ackerman

Vice Chairman

Donald Grohs

Chairman

