

Zoning Board of Appeals

Minutes Sept. 18, 2018

The following members were present: Grohs, Ackerman, Rayner; Alternate Coulter. Atty. David Royston was also present. On motion by Ackerman, seconded by Rayner, alternate Coulter was approved to sit for the absent Harris. On motion by Rayner, seconded by Coulter, the October 17, 2017 minutes were approved.

The Board held a meeting on the following cases:

18-1 Nicholas Olson, Property Holdings, LLC, 10 Woodbury Road, Deep River, CT, Owner, requests a variance on property at 284 Winthrop Road, Tax Map 26, Lot #9, Zone R-80, to create a 39.8 acre residential building lot by reducing the minimum dimension rectangle from 180' x 220' to 100' x 220'. Variance of schedule 5.5 regulations.

Mr. Jason Nemergut presented the case on behalf of Nicholas Olson and spoke of the need for a reduction in the building triangle in order to construct a building on the 39.8 acre parcel. Nicholas Olson also spoke on his own behalf.

After questions and discussion by the Board, on motion by Coulter, seconded by Rayner, the case of 18-1 was unanimously approved to vary the requirement of 180 x 220' to 100 x 220' with the condition as shown on Map 26 dated 8/28/18. The following reasons were given:

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 property line anywhere else.
4. The variance will not substantially affect the comprehensive plan of zoning.

On motion by Coulter, seconded by Rayner, the reasons were adopted.

18-2 Brian Jermaine, 118 Essex Road, Old Saybrook, CT 06475, Agent, and Lloyd E. and Donna H. Scott, Owners, 33 Prospect Street, Deep River, CT 06417, request a variance on property located at 33 Prospect St. Map #56, Lot #139, Zone R20 to legalize an accessory apartment in existence since 1985. Variance of 7B11.2 #13 Regulations.

On motion of Ackerman, seconded by Rayner, Alternate Coulter was appointed to sit for Harris. Mr. Jermaine presented the case on behalf of the Scotts. No-one else spoke in favor or against the proposal. After a brief discussion by the Board and clarification by Atty. Royston, on a motion by Coulter, seconded by Rayner, the variance was unanimously approved on condition that the applicant comply with all housing, building, fire, health or other applicable codes and ordinances with the approval of the Planning and Zoning Commission. The following reasons were given:

1. There was no objection of any abutting property owners.
2. The existing basement of the house has been there and used for the purpose of an accessory apartment.
3. The variance will not substantially affect the comprehensive plan of zoning.

On motion by Coulter, seconded by Rayner, the reasons were adopted.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,
Donald R. Grohs, Chairman

