

**ZONING BOARD OF APPEALS  
REGULAR MEETING  
Final Minutes  
March 11, 2014**

Acting Chairman, Ms. Lynn Conway, called the meeting to order at 7:00 p.m. Board members present were Matthew Berger, Lynn Conway, Russell McDonough, Jack Guyol and alternates Frederick Deichmann and David Rezendes. Zoning Enforcement Officer Candace Palmer was also present. Mr. Rezendes was seated for Virginia McCormack.

Mr. Rezendes read the call for the first public hearing.

**ZBA #14-01 Greenhaven Development Co. LLC (Timothy Brown)** – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the front yard setback from 30' to 24' for construction of an addition. Property located at 478 Greenhaven Rd., Pawcatuck. Assessor's Map 11 Block 7 Lot 8 Zone RA-20

Ms. Palmer summarized the application and hardship claimed, as presented in the staff report. Tim Brown, applicant, was present for any questions from the Board. There was no one to speak in favor, in opposition, or with general comments on this application.

The public hearing was closed. Mr. Deichmann moved to approve. Mr. Rezendes seconded the motion. The Board voted in favor 5-0.

Board member Matthew Berger arrived at 7:10 p.m. and was seated in place of alternate Mr. Deichmann.

Mr. Rezendes read the call for the second public hearing.

**ZBA #14-02 & CAM Raymond Bogdan** – Seeking a variance from ZR 7.7.8.3.1 Coastal High Hazard Areas to reduce the required 100' landward of the Connecticut Coastal Jurisdiction Line from 100' to 21' and from ZR 5.1.1 to reduce the front yard setback from 30' to 12' for a single family residence. Property located at Masons Island Rd., Mystic. Assessor's Map 176 Block 1 Lot 1A Zone RM-15/RC-120.

Ms. Palmer provided a detailed staff report on this application that included maps, hardship claimed and Connecticut DEEP comments. Attorney Rob Avena represented the applicant, Ray Bogdan, who was also present. Mr. Avena explained the plan for the parcel. Mr. Bogdan is proposing to gift a large portion to the Avalonia Land Conservancy and he would build a single family residence on the remaining land. Nathan Lauder, land surveyor, utilized site plans to explain the rationale of the proposed home location. He also pointed out different zoning areas, flood lines and high tide line.

Mr. Bogdan purchased the parcel of land in 1989. A shed was put on the property in approximately 1992, along with a dock in 2000.

Speaking in favor: None

Speaking in opposition: Attorney Tom Collier represented the neighbors John Hickey and Lynn Williams. He stated this parcel is an unbuildable lot and the owner knew this when he purchased it.

Susan Prentis also spoke in opposition and read a statement discussing her 36 year history of living in this immediate area and the challenges of this road.

Len Mattano spoke in opposition, emphasizing the drainage issues in this area.

General comments: Bill Lyman and Michael Ferrar.

Rebuttal: Attorney Avena made a few additional comments.

The public hearing was closed.

The meeting recessed at 9:25 p.m. and reconvened at 9:30 p.m.

Mr. Berger moved to deny the application. Mr. Guyol seconded. After a discussion, the Board voted 5-0 to deny the application due to no legal hardship established.

The following Board members were seated for the next two public hearings: Mr. McDonough, Mr. Berger, Mr. Deichmann, Ms. Conway and Mr. Guyol.

Mr. Rezendes read the call for the third public hearing at 9:46pm.

**ZBA #14-03 Kate Gross** – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the side yard setback from 15' to 10' for a proposed wood walkway/deck. Property located at 123 West Broad St., Pawcatuck. Assessor's Map 3 Block 25 Lot 6. Zone RH-10.

Ms. Palmer summarized the application. Kate Gross and Meg Gross were present to explain the need for a walkway and railing, for safety reasons. There was no one present to speak in favor, in opposition, or general comments for this application. The public hearing was closed. Mr. McDonough moved to approve the application, and Mr. Berger seconded. The vote was in favor 5-0.

Mr. Rezendes read the call for the fourth public hearing at 9:52pm.

**ZBA #14-04 James Lathrop** – Seeking a variance from ZR 5.1.1 bulk requirements to increase the FAR from .25 to .33 for proposed addition and garage. Property located at 17 Lester Ave., Pawcatuck. Assessor's Map 4 Block 4 Lot 30 Zone RH-10.

Mrs. Palmer summarized the application, provided history of the property, complaints filed against this property and the hardship claimed. The applicant, Jim Lathrop, was present along with contractor Sean Bradshaw.

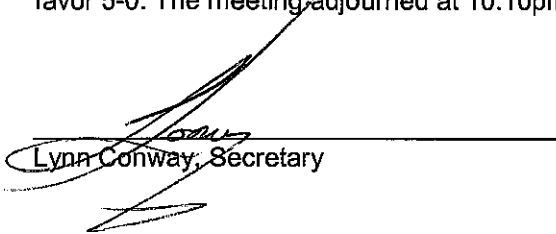
Mr. Lathrop explained how he would like to improve the property, move and expand the garage. He stated the FAR ratios on neighboring homes are all similar to this project. The hardship is that the lot is undersized. Four letters of support have been received from neighbors.

There was no one present to speak in favor, in opposition or with general comments to this application. The public hearing was closed.

Mr. McDonough moved to approve the application. Mr. Deichmann seconded. The vote was in favor 5-0.

Review of meeting minutes: Mr. Berger requested the minutes of 2/11/2014 be revised to reflect Mr. Rezendes being sworn back in as a ZBA member. Then, he was Acting Chairman for that meeting. The minutes will be corrected. Ms. Conway moved to accept the amended minutes. Mr. Berger seconded. All in favor 5-0.

Adjournment: Mr. Deichmann motioned to adjourn the meeting. Mr. Guyol seconded the motion. All in favor 5-0. The meeting adjourned at 10:10pm.

  
Lynn Conway, Secretary