



TOWN OF STONINGTON
Zoning Board of Appeals
Stonington Police Station Meeting Room
173 South Broad Street
Pawcatuck, Connecticut 06379

FINAL

REGULAR MEETING MINUTES
November 13, 2007

Present for this meeting were David Rezendes, Neil Canavan, John Prue, Jack Guyol and Frederick Deichmann, presiding. Zoning Official Joseph Larkin was also in attendance.

Acting Chairman Deichmann called the meeting to order at 7:00 p.m. and read the following:

"It takes four votes of this five-member Board to grant a variance. In order for a variance to be granted, the applicant must prove a hardship. After the conclusion of tonight's public hearing, this Board has 65 days to render a decision. Any decision made by the Board can be appealed to Superior Court within 15 days of the effective date. First we will hear from our Zoning Enforcement Officer, and then we will listen to the applicant and all those in favor of the application, followed by those in opposition. Then if anyone has general comments they will be heard. The applicant has the right for rebuttal. However, if any new points are raised during the rebuttal, the public has the right to respond."

Secretary Neil Canavan announced that the Notice of this Public Hearing had been published in the New London Day and the Westerly Sun on Friday, November 2, 2007 and Friday, November 9, 2007.

Public Hearings:

ZBA #07-24 Robert & Barbara Lamperelli, Trustees - Seeking variances of ZR 5.1.1 to reduce the front yard setback from 30' to 7'; reduce the side yard setback from 10' to 2'; reduce the rear yard setback from 40' to 1'; and to increase the Floor Area Ratio from an existing 59% to 80% for a 2nd story construction on property located at 10 Hill Avenue, Stonington, CT. Assessor's Map 129, Block 18, Lot 6, Zone RM-20. **CAM REVIEW REQUIRED.**

The application was presented by Attorney Garon Camassar, David Reagan, and Robert Lamperelli.

No one else spoke in favor or in opposition. General comments were made by Wendy Grosso.

Mr. Rezendes moved to deny the application, stating that no hardship had been proven, and Mr. Prue seconded. After deliberations, the Board voted unanimously to deny the application.

The reason for the Board's decision was recorded as "No hardship proven."

ZBA #07-27 Christopher & Katharine Smith - Seeking variances of ZR 5.1.1 to reduce the rear yard setback from 100' to 70' for repair and rebuild of shed and ZR 3.1.4.2 to reduce the non-infringement area from 100' to 40' for same as well as maintenance to existing driveway and utilities on property located at 47 Wilbur Road, Stonington, CT. Assessor's Map 131, Block 3, Lot 2, Zone RC-120.

The application was presented by Applicant Christopher Smith.

No one else spoke in favor, in opposition, or with general comments.

Mr. Rezendes moved to approve the application and Mr. Prue seconded for the purpose of discussion.

After some discussion, Mr. Rezendes withdrew his motion and Mr. Prue withdrew his second.

Mr. Rezendes moved to approve the variance request to reduce the rear yard setback and the non-infringement area to 70' for the shed and Mr. Prue seconded. This motion carried unanimously.

The stipulations for this decision were recorded as follows: "Allow occupant to rebuild a 12' x 20' x 15' high shed in the same location as the existing shed. The new shed will be no closer to the water (Quiamabaug Cove)."

Mr. Rezendes moved to deny without prejudice the reduction of the non-infringement area to 40' for the driveway and utilities and Mr. Guyol seconded. After some discussion, the Board voted unanimously to deny the requested reduction in the non-infringement area to 40'.

This reason for this decision was recorded as follows: "Deny the reduction in the non-infringement area because the Board felt that this is not within our purview or jurisdiction".

Old Business:

ZBA #07-25 James Bussey - Seeking a variance of ZR 5.1.1 to increase the Floor Area Ratio from .25 or 1,063 square feet to .28 or 1,194 square feet for the reconstruction of a single family residence on property located at 33 Ashworth Avenue, Stonington, CT. Assessor's Map 127, Block 10, Lot 2, Zone RM-20.

The hearing on this item was closed on October 9, 2007.

Mr. Prue stated that he was not at that hearing, but he had listened to the tapes and felt qualified to vote on this matter.

Mr. Prue moved to approve the application and Mr. Rezendes seconded for the purpose of discussion. Deliberations centered on the question of hardship regarding the expansion of floor area ratio. After deliberations, Mr. Guyol and Mr. Prue voted to approve while Mr. Rezendes, Mr. Canavan, and Mr. Deichmann voted to deny the application. The variance request was denied. The reason for the Board's decision was recorded as "lack of hardship."

New Business:

ZBA #07-28 Charles Snurkowski – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 30' to 23' for the construction of a deck to an existing single family residence on property located at 29 Wolcott Avenue, Stonington, CT. Assessor's Map 127, Block 8, Lot 5, Zone RM-20.

Mr. Prue moved to accept the application and schedule its public hearing for December 11, 2007, Mr. Guyol seconded. Motion carried unanimously.

ZBA #07-29 Bennett Lord (Robert Mercer) – Seeking a variance of ZR 5.1.1 to reduce the rear yard setback from 40' to 32' to replace existing single family residence on property located at 26 Chippechaug Trail, Mystic, CT. Assessor's Map 177, Block 7, Lot 4, Zone RA-20.

Mr. Prue moved to accept the application and schedule its public hearing for December 11, 2007, Mr. Guyol seconded. Motion carried unanimously.

Review of Outstanding Minutes:

Mr. Rezendes moved to approve the meeting minutes of October 9, 2007 and Mr. Canavan seconded.

Motion carried 4-0-1 with Mr. Prue abstaining.

Adjournment:

The meeting adjourned at 8:45 p.m.

Neil Canavan, Secretary