



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

**FINAL**

**REGULAR MEETING  
January 9, 2007**

Present for this meeting were: Neil Canavan, David Rezendes, Bill Buscetto, Ben Tamsky, John Prue, and David Rathbun, presiding. Also present were Zoning Official Joseph Larkin and Town Attorney Thomas Londregan.

Chairman Rathbun called the meeting to order at 7:05 p.m.

Secretary Canavan read a letter from Applicant Agent Attorney Theodore Ladwig requesting that ZBA #06-47 be tabled until the February 13, 2007 meeting.

**Public Hearings:**

Chairman Rathbun announced that the order of the Public Hearings on the agenda would be slightly altered. He then 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 sixty-five (65) days to render a decision. Any decision made by the Board can be appealed to Superior Court within fifteen (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, December 29, 2006** and **Friday, January 5, 2007**. He then read the call for the first public hearing:

**ZBA #06-42 Richard & Linda Skehan (Attila Keller)** – Seeking a variance of Z5.1.1 to increase the floor area ratio from .25 or 1,250 sq. ft. to .36 or 1,778 sq. ft. for reconstruction of an existing residence on property located at 57 Langworthy Avenue, Lords Point, Stonington, CT. Assessor's Map 129, Block 17, Lot 4, Zone RM-20.

Mr. Larkin summarized the history of the application and stated an A-2 survey had been submitted.

Applicant Agent Attila Keller of 334 Deans Mill Road, Stonington, CT presented the application and answered questions from the Board.

Dr. Carol Holt, 59 Boulder Avenue, Stonington, CT spoke in favor.

No one spoke in opposition or with general comments.

The Public Hearing was closed at 7:35 p.m.

**ZBA #06-43 Judith Clinton (Jeffrey Allen)** – Seeking a variance of ZR 5.1.1 to reduce the minimum frontage required from 300' to 284' for a free split on property located at 2 Rose Lane, Stonington, CT. Assessor's Map 126, Block 6, Lots 8/9, Zone RC-120.

Mr. Larkin gave a brief history of the application and stated an A-2 survey had been submitted.

Applicant Agent Attorney Jeffrey Allen presented the application and answered questions from the Board.

Speaking in favor were Charles Thompson of Lord's Hill Road, Stonington and Attorney Thomas Collier.

No one spoke in opposition or with general comments.

The Public Hearing was closed at 7:50 p.m.

**ZBA #06-44 Pawcatuck Little League, Inc. (Peter W. Hoops, Esq.)** – Seeking a variance of ZR 5.1.1 to reduce the rear yard setback from 100' to 20' for construction of a storage shed (approximate dimensions of 18' x 12' x 12' high) on property located at North Anguilla Road, Pawcatuck, CT. Assessor's Map 39, Block 1, Lot 1, Zone GB-130.

Mr. Buscetto was recused and John Prue was seated.

Mr. Larkin presented a brief history of the application.

Applicant Agent Attorney Peter Hoops presented the application and answered questions from the Board.

No one else spoke in favor, in opposition, or with general comments.  
The Public Hearing was closed at 8:05 p.m.

Chairman Rathbun called for a five (5) minute recess.

Mr. Rathbun distributed a Memorandum to the Board Members regarding amending the administrative procedure for receiving new Zoning Board of Appeal (ZBA) applications. Mr. Tamsky moved to adopt this procedure and Mr. Canavan seconded. After discussion, the motion carried 6-0.

**ZBA #06-40 William H. Hescok** – Seeking to overturn the ZEO's decision to issue Zoning Permit 06-140 ZON for the construction of a single family residence on property located at 57 Boulder Avenue, Lords Point, Stonington, CT. Assessor's Map 129, Block 16, Lot 2, Zone RM-20.

Transcriber Kim Riley was present to transcribe the hearing.

Mr. Larkin read a statement into the record.

William Hescok presented his appeal along with entering thirty-two (32) exhibits into the record. Mr. Hescok also questioned Mr. Larkin for the record.

At 10:05 p.m., Chairman Rathbun interrupted the Public Hearing to state there would not be time to hear any more of the applications on the agenda.

Attorney John Casey representing Geoffrey Corkhill asked if the Board would be able to open the Public Hearing for ZBA #06-45 and immediately continue. Chairman Rathbun replied that would not be possible.

Attorney Hescok continued his presentation and asked that his Hearing remain open to include Mr. Kepple's application. After some discussion, the Board and Attorney Hescok agreed that would not be necessary. Attorney Hescok then placed Attorney Kepple's brief into evidence as an exhibit.

Attorney Mark Kepple, representing Mr. and Mrs. James O'Boyle, spoke briefly in favor of overturning the ZEO's decision.

Mr. Tamsky motioned to extend the Hearing past 10:30 p.m. and Mr. Rezendes seconded. Motion carried 6-0.

No one spoke in favor.

Speaking in opposition were: Attorney Eric Knapp, representing Dr. Carol Holt and Thomas Wyper, refuted Mr. Hescok's testimony. Architect Mark Comeau of 291 Elm Street, Stonington, stated that neither he nor his staff nor his client had filled out or signed the Zoning Permit Application that was approved on October 5, 2006. Also speaking in opposition were: Dr. Carol Holt and Thomas Wyper of 59 Boulder Avenue, Stonington, CT.

There were no general comments.

Attorney Hescok's rebuttal included producing a copy of the October 5, 2006 Zoning Permit. He then asked Mr. Comeau if it was his signature on Page two (2). Mr. Comeau acknowledged that it was his signature. Mr. Hescok then submitted this document as Exhibit #33 and concluded his rebuttal.

The Public Hearing on this item was closed at 11:20 p.m.

A discussion ensued with regards to the need to hold a Special Meeting for Mr. Kepple's Appeal (ZBA # 06-41).

Mr. Rezendes moved to adjourn and Mr. Tamsky seconded. Motion carried 6-0.

The meeting adjourned at 11:25 p.m.

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Neil Canavan, Secretary