



**TOWN OF STONINGTON**  
**Zoning Board of Appeals**  
**Stonington Police Station Meeting Room**  
**173 South Broad Street**  
**Pawcatuck, Connecticut 06378**

FINAL

**REGULAR MEETING MINUTES**  
**October 9, 2007**

Seated for this meeting were: Regular Members David Rezendes, Neil Canavan, Frederick Deichmann, presiding, and Alternate Member Jack Guyol. 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 (4) 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 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, September 28, 2007 and Friday, October 5, 2007.

Acting Chairman Deichmann stated that since only four (4) Board members were present, approval would require a unanimous vote. Therefore, applicants have three choices, namely, 1) The applicant could present his case and ask for the seated members to vote, or 2) the applicant could present his case and ask that a fifth member listen to the recording of the meeting before deliberating, or 3) the applicant could continue the Public Hearing to the next meeting when five (5) members would be seated.

**Public Hearings:**

**ZBA #07-24 Robert & Barbara Lamperelli, Trustees (Garon Camassar)** – 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 2<sup>nd</sup> 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.** Attorney Camassar requested that the Public Hearing be opened and continued until next month.

*Mr. Rezendes moved to open and continue the Public Hearing to the November 13, 2007 meeting and Mr. Canavan seconded. The motion was approved unanimously.*

**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.

Mr. Bussey chose to present his application tonight and have a fifth member listen to the recording before deliberations.

Mr. Larkin presented staff comments and a GIS map of the neighborhood.

Mr. Bussey presented the application and answered questions from the Board.

No one else spoke in favor, in opposition, or with general comments. This Public Hearing was closed.

**ZBA #07-26 Patricia Delaney (Patrick O'Donnell)** – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 20' to 17' for a modification to an existing single family residence on property located at 6 Maple Street, Pawcatuck, CT. Assessor's Map 3, Block 23, Lot 10, Zone RH-10.

Mr. O'Donnell stated he would like to present his application and accept the seated Board's decision.

Mr. Larkin presented staff comments and a GIS map of the neighborhood.

Mr. O'Donnell presented his application and answered questions from the Board.

No one else spoke in favor, against, or with general comments. This Public Hearing was closed.

*Mr. Rezendes moved to approve the application and Mr. Canavan seconded. Motion carried unanimously.*

**New Business:**

**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.

*Mr. Rezendes moved to schedule this application for public hearing on November 13, 2007 pending PZC'S approval of the request for waiver of the A-2 survey requirement, and Mr. Canavan seconded. Motion carried unanimously.*

**Review of Outstanding Minutes:**

*Mr. Canavan moved to approve the minutes of the September 11, 2007 meeting and Mr. Rezendes seconded.*

*Motion carried 3-0-1 with Mr. Guyol abstaining.*

**Adjournment:**

*Mr Rezendes moved to adjourn and Mr. Canavan seconded.*

The meeting adjourned at 7:35 p.m.

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Neil Canavan, Secretary