



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

FINAL

Meeting Minutes
May 13, 2008

Present for this meeting were Board members David Rathbun, Fred Deichmann, David Rezendes, Neil Canavan, John Prue and Alternates Ben Tamsky, Lynn Conway and Jack Guyol. Zoning Official Joseph Larkin was also in attendance.

Executive Session: 6:30 p.m. Discussion of pending litigation. (Mr. Larkin was excluded from Executive Session)

Chairman Rathbun called the regular 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." Mr. Rathbun read the definition of hardship into the record.

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, May 2, and Friday, May 9, 2008. He then read the call for the first public hearing.

ZBA #08-04 Carol Holt – (continued) Seeking to overturn the ZEO's revocation letter dated 01/25/08 for property located at the corner of Boulder Avenue and Hampton Street, Stonington, CT. Map 129, Block 16, Lot 4, Zone RM-20. Mr. Rathbun recused himself on this application. Mr. Deichmann presided as Acting Chairman. Carol Holt continued her presentation and introduced two (2) additional documents into the record. Mr. Prue excused himself from the meeting because of a prior commitment and stated he would listen to the recording. No one spoke in favor of this application. No one spoke in opposition or with general comments. Ms. Holt spoke in rebuttal to comments made at last month's hearing. Mr. Larkin spoke briefly to comments raised in Ms. Holt's rebuttal. This public hearing was closed at 7:25 p.m.

In the absence of Mr. Prue, deliberations on this matter were deferred to a later date.

ZBA #08-06 Matthew Snyder & Amy Cochran – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 75' to 60' for construction of a dormer to a single family residence on property located at 43 Al Harvey Road, Stonington, CT. Assessor's Map 108, Block 3, Lot 6, Zone GB-130.

Seated: Ben Tamsky, Fred Deichmann, Neil Canavan, David Rezendes and Dave Rathbun, presiding.

Mr. Larkin presented staff comments.

Applicant Matt Snyder presented his application.

No one spoke in favor of the application. No one spoke in opposition or with general comments.

This public hearing was closed at 7:35 p.m.

Mr. Tamsky moved to approve the application and Mr. Deichmann seconded. After deliberations, the motion carried unanimously. The Board viewed this minor encroachment as a remedy for building code compliance.

ZBA #08-07 George Morin – Seeking a variance of ZR 5.1.1 to reduce the side yard setback from 75' to 50' and front yard setback from 75' to 40' for construction of additions to a single family residence on property located at 44 Stewart Road, Pawcatuck, CT. Assessor's Map 11, Block 1, Lot 3C, Zone RC-120.

Seated: Lynn Conway, David Rezendes, Neil Canavan, Fred Deichmann and David Rathbun presiding.

Mr. Larkin presented staff comments.

Applicant George Morin presented his application.

No one spoke in favor of the application. No one spoke against or with general comments.

The public hearing on this item was closed at 7:45 p.m.

Mr. Deichmann moved to approve the application and Mr. Canavan seconded. Mr. Rathbun moved to amend the motion to include that the front porch shall not extend more than 10' from the existing house and be no closer than 40'

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from the front property line. Mr. Canavan seconded the amended motion. After deliberations, the amended motion carried unanimously.

New Business:

ZBA #08-08 Joseph & Sharon Vargas – Seeking a variance of ZR 5.1.1 to reduce the side yard setback from 75' to 71' due to an error made while constructing the single family residence on property located at 17 Flanders Road, Stonington, CT. Assessor's Map 105, Block 3, Lot 14A, Zone RC-120.

ZBA #08-09 Richard & Marjorie Vanderslice – Seeking a variance of ZR 5.1.1 to reduce the rear yard setback from 100' to 53' for construction of an addition to a single family residence on property located at 332 Taugwonk Road, Stonington, CT. Assessor's Map 69, Block 1, Lot 4, Zone GBR-130.

ZBA #08-10 Amanda Lindberg (Tonya Morgan) – Seeking a variance of ZR 3.1.4.1 to reduce the non-infringement area from 100' to 50' and ZR 7.14.5.3 to allow a solar array, pole mounted, on the north side of the building on property located at 560 North Main Street, Stonington, CT. Assessor's Map 97, Block 1, Lot 2, Zone GBR-130.

ZBA #08-11 James & Sandra-Chen Davis (Michael Scarpa) – Seeking a variance of ZR 3.1.4.2 to reduce the non-infringement area from 100' to 50' for installation of a 6" drainage outlet and ZR 5.1.1 to reduce the side yard setback from 75' to 28' for installation of a whole house generator on property located at 220 Wamphassuc Road, Stonington, CT. Assessor's Map 127, Block 16, Lot 1, Zone RC-120.

ZBA #08-12 Antonio Mastroianni (Peter Springsteel) – Seeking a variance of ZR 3.1.4.2 to reduce the non-infringement area from 100' to 0' for additions to existing dwelling and ZR 5.1.1 to reduce the front yard setback from 30' to 18' for new steps at existing deck on property located at 36 Meadowbrook Lane, Mystic, CT. Assessor's Map 161, Block 6, Lot 1, Zones RA-20 & RC-120. **CAM REVIEW REQUIRED.**

Mr. Deichmann moved to accept all these new applications and schedule them for public hearing on June 10, 2008. Mr. Tamsky seconded. Motion carried unanimously.

Review of Outstanding Minutes:

Approval of the April 8, 2008 minutes was postponed until Mr. Prue could be present.

Adjournment:

The meeting adjourned at 8:00 p.m.

Neil Canavan, Secretary