



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

FINAL

MEETING MINUTES
March 11, 2008

Board members David Rezendes, Fred Deichmann, Neil Canavan, John Prue, David Rathbun, Alternate Lynn Conway and Zoning Official Joseph Larkin were in attendance.

Chairman Rathbun called the meeting to order at 7:00 p.m. and then read the rules of order and the definition of zoning hardship.

Secretary Canavan announced that the Notice of this Public Hearing appeared in the New London Day and the Westerly Sun on Friday, February 29, 2008 and Friday, March 7, 2008.

ZBA #07-31 Raymond Quinlan, Sherry Quinlan & Lydia Teixeira – Seeking a variance of ZR 3.1.4.2 to reduce the non-infringement area from 100' to 50' on property located on Greenhaven Road, Pawcatuck, CT. Assessor's Map 10, Block 7, Lots 16 & 17, Zone RC-120.

Mr. Rathbun recused himself.

Seated for the continuation of this Public Hearing were: David Rezendes, Neil Canavan, John Prue, Lynn Conway and Fred Deichmann, presiding.

Secretary Canavan read into the record Town Attorney Londregan's response to questions the Board posed to him regarding this case.

Mr. Larkin presented staff comments.

Attorney Theodore Ladwig presented the application.

No one spoke in favor of the application.

Anne Nalwalk of Avalonia Land Conservancy spoke in opposition.

Secretary Canavan read aloud letters in opposition from Margaret Tebbets and The Oliver Group.

Attorney Ladwig spoke in rebuttal.

The Public Hearing was closed.

Mr. Rezendes moved to approve the application as presented and Mr. Canavan seconded. After discussion, the motion carried unanimously.

ZBA #07-33 Stanley Cardinal – Seeking to overturn Cease & Desist Order #07-124 for signage located at the intersection of Stonington Road (Route 1) and Harbor View Terrace, Stonington, CT.

Seated for the continuation of this Public Hearing were: David Rezendes, Neil Canavan, Fred Deichmann, John Prue and David Rathbun, presiding.

Mr. Larkin presented the staff report.

Attorney Mark Kepple presented the application.

Speaking in favor were Stanley Cardinal and William C. Spicer, III.

Speaking in opposition were Mr. and Mrs. Swartzenbach, Jack Steel and Joseph Larkin.

Attorney Kepple spoke in rebuttal.

The Public Hearing was closed.

Mr. Deichmann moved to overturn the Cease and Desist Order with the stipulation the signage would be reduced to 40" x 29" and Mr. Rezendes seconded for discussion purposes.

After deliberations, Mr. Prue and Mr. Deichmann voted to overturn with stipulation. Mr. Rezendes, Mr. Canavan and Mr. Rathbun voted to uphold the Cease and Desist Order.

ZBA #08-01 Leslie & David Packer – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 50' to 35' for construction of an addition to a single family residence on property located at 785 Pequot Trail, Stonington, CT. Assessor's Map 83, Block 3, Lot 3, Zone RR-80.

Mr. Larkin presented the staff report.

David Packer presented the application and answered questions from the Board.

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

The Public Hearing was closed.

Fred Deichmann moved to approve the application as presented and Mr. Canavan seconded. Motion carried unanimously.

ZBA #08-02 Mystic Junction, LLC (Suzanne Moore) – Seeking a variance of ZR 5.2.1 to increase the Floor Area Ratio from .853 or 26,243 sq. ft. to .855 or 26,310 sq. ft. for construction of a covered stairway on property located at 40 Washington St., Mystic, CT. Assessor’s Map 174, Block 19, Lot 2, Zone LS-5.

Mr. Larkin presented the staff report.

Susanne Moore presented the application.

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

The Public Hearing was closed.

Mr. Deichmann moved to approve the application as presented and Mr. Canavan seconded. Motion carried unanimously.

ZBA #08-03 James Deniger – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 20' to 12' 6" for existing dormers on a single family residence on property located at 89 Liberty Street, Pawcatuck, CT. Assessor’s Map 3, Block 13, Lot 4, Zone RH-10.

Mr. Larkin presented staff comments.

James Deniger presented the application and answered questions from the Board.

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

The Public Hearing was closed.

Mr. Deichmann moved to approve the application as presented and Mr. Rezendes seconded. The motion carried unanimously.

ZBA #08-04 Carol Holt – Seeking to overturn the ZEO’s revocation letter dated January 25, 2008 for property located at the corner of Boulder Avenue and Hampton Street, Stonington, CT. Assessor’s Map 129, Block 16, Lot 4, Zone RM-20.

The Public Hearing was opened; however, no testimony was taken.

Due to the hour, Mr. Prue moved to continue the Public Hearing to April 8, 2008 and Mr. Deichmann seconded. Motion carried unanimously.

New Business:

ZBA #08-05 Jeffrey Ricker – Seeking a variance of ZR 5.1.1 to reduce the front yard setback from 30' to 17' for construction of additions to a single family residence on property located at 17 Geiser Street, Mystic, CT. Assessor’s Map 161, Block 10, Lot 1, Zone RA-20.

The application was accepted and scheduled for a public hearing on April 8, 2008 pending Planning & Zoning Commission approval of the A-2 survey waiver request submitted by the applicant.

Review of Outstanding Minutes:

Mr. Deichmann moved to approve the February 12, 2008 meeting minutes as written and Mr. Rezendes seconded. Motion carried unanimously.

Mr. Rezendes moved to adjourn and Mr. Prue seconded. Motion carried unanimously

The meeting adjourned at 10:00 p.m.

Neil Canavan, Secretary