



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

**Final**

**Meeting Minutes**  
**April 14, 2009**

In attendance were members Neil Canavan, Jack Guyol, John Prue, David Rezendes, Ben Tamsky, and David Rathbun, presiding. Zoning Official Joseph Larkin was also present.

Chairman Rathbun called the meeting to order at 7:03 p.m. and read the rules of order into the record.

Secretary Canavan announced that the legal notice had been published in the New London Day and the Westerly Sun on April 3<sup>rd</sup> and April 10, 2009. He then read the call for the first public hearing:

**ZBA #09-04 Lewis & Linda Lorinsky (Charles Tabor)** – Seeking a variance from ZR 5.1.1 to reduce the rear yard setback from 50' to 31' and increase the Floor Area Ratio (FAR) from .10 to .107 for construction of a sunroom on an existing deck. Property located at 12 Meadowlark Lane, Stonington, Assessor's Map 106 Block 5 Lot 2 Zone RR-80.

Mr. Larkin read his report into the record: The subject lot was created in 1971 as part of an A-3 zone subdivision which meant conforming lots needed a minimum lot area of 20,000 square feet with 125 feet of frontage. The floor area ratio for the A-3 zone was .15 and the rear yard setback was 50 feet. Subsequently, this area has been rezoned and the subject lot must comply with the RR-80 bulk requirements for all future development. While the required rear yard setback for the RR-80 zone is the same as the RA-3 zone, namely, 50 feet; the floor area ratio for the RR-80 zone is only .10. He also submitted copies of tax assessor's cards from 1994 and 2004 for perusal by the Board.

Contractor Stephen West spoke seeking to construct a three season room measuring 12' x 17' on a previously built deck.

Mr. Prue questioned Mr. Larkin about permits for the deck or hot tub.

Mr. Larkin said that he checked and the Building Department had no permits on file for the addition of the deck and hot tub.

Mr. Prue noted that without permits, the decks were illegal and not protected under State Statute 8-13a.

Lewis Lorinsky, owner, testified that he hired a professional contractor to install the decks and he didn't realize that the contractor had not obtained proper permits.

The Board questioned the accuracy of the request for increase of Floor Area Ratio (FAR).

Mr. Larkin calculated the existing FAR based on the Tax Records to be .118 or 2388 square feet. This exceeds that amount of relief sought by the applicant. The irregular shape of the house may be reason for the discrepancy.

*Mr. Prue moved to continue this hearing to May 12, 2009 and Mr. Rezendes seconded.* The motion was unanimously approved.

The Board requested that Mr. Larkin perform a field examination and determine the proper FAR. If it is found that the applicant needs to file a new application, the Board agreed to hear this matter on May 12, 2009.

**ZBA #09-03 Reynolds & Nancy Thompson** – Seeking a variance from ZR 5.1.1 to reduce the required side yard setback from 10' to 2.5 feet, and from ZR 7.7.8.2.1 Residential Construction to permit substantial improvement to a residential structure having the lowest floor 0.3 ft above base flood elevation. Property located at 3 Allyn's Alley, Mystic, CT. Assessor's Map 177 Block 7 Lot 8 Zone RA-20.

**Hearing closed: March 10, 2009. Deliberations tabled.**

Tamsky, Canavan, Guyol, Prue and Rathbun were seated for this application.

*Mr. Tamsky moved to deny the application and Mr. Prue seconded.*

Discussion: Tamsky did not feel there was a sufficient hardship proven.

Prue discussed the discrepancy between the Town's Zoning Regulations and FEMA's regulations.

The application was unanimously denied.

**New Business:**

**AAP #09-05 EOF Realty LLC** – Requesting that the ZBA lift Cease & Desist Order #09-05.

**ZBA #09-06 John & Jessica Kam (Chris Carey)** – Seeking a variance.

*Mr. Prue moved to schedule these new business items for Public Hearing on May 12, 2009 along with any subsequent application from the Lorinskys and Mr. Canavan seconded.* The motion was unanimously approved.

**Approval of Minutes:**

*Mr. Rezendes moved to approve the minutes of March 4, 2009 and Mr. Prue seconded.*

*Mr. Prue moved to approve the minutes of March 10, 2009 and Mr. Canavan seconded.*

Both motions were unanimously approved.

Chairman Rathbun adjourned the meeting at 7:47 P.M.

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Neil Canavan, Secretary