

TOWN OF STONINGTON

Zoning Board of Appeals

REGULAR MEETING

Final Minutes

November 8, 2011

Chairman Rathbun called the November 8, 2011, Town of Stonington's Zoning Board of Appeals meeting to order at 7:00 P.M. In attendance were members Matt Berger, Jack Guyol, David Rezendes, Lynn Conway and alternate Virginia McCormick. Also in attendance was Zoning Enforcement Officer Joe Larkin.

Public Hearings:

a. **ZBA #11-18 Kurt & Elizabeth Hansen** – Seeking a variance from ZR 5.1.1 to reduce the front yard setback from 40' to 6.3' and the rear yard setback from 50' to 40' for a proposed addition. Property located at 68 Pequotsepos Rd., Mystic. Assessor's Map 150 Block 1 Lot 3. Zone RA-40.

The Zoning Officer Joe Larkin reviewed the application. The applicant requested the front yard setback be reduced by 33.7 feet, thereby reducing the required front yard setback to 6.3 feet. These age of the house and it's location on the lot cause it to be a pre existing non- conformity. The applicant has submitted an A-2 survey with this application.

Elizabeth Hansen described the proposed project which would provide a first floor accessible bedroom and bathroom. She told the history of the unusually shaped property and the 1851 farmhouse. She stated that both she and her husband have degenerative health conditions which would make occupying the second floor impossible. The unusual shape of the lot and the close proximity of the house to the road is a result of bringing Pequotsepos Rd. through the Denison property in 1941. The design being proposed as part of this application is on the side of the house away which is away from the road.

Anthony Nenna, Engineer presented his site plan for the property which is a 30,000 s.f. lot area. Digital images of the site were submitted.

Architect, John Patrick Walsh also spoke about the design which seeks a more accessible master bedroom/bathroom suite. He referred to the area of the proposed addition on the north side of the house. There is ledge in this location which would require some blasting. There is a possibility that blasting could damage the stone foundation. Their design seeks to keep the plan small and contained appropriate. Mr. Berger asked what the hardship was for the vestibule. Mr. Walsh answered that there is no entrance from the street. The only access into the first floor is a small door in the rear of the house.

Two letters in support of the proposal were circulated to the Commission and are part of the application file.

Chairman Rathbun closed the Public Hearing and seated the five regular members for this application.

Mr. Guyol made the motion to approve. Ms. Conway seconded. Commission members felt the hardship was the ledge and the owner's need for the handicap accessible modification. Mr. Berger did not feel the vestibule was a hardship but felt the plan was an improvement. The application was unanimously approved.

Old Business: # 09-13 Willow Point: Chairman Rathbun reviewed ZBA #09-13 which was previously approved with the stipulation to reduce the base flood elevation for first floor from 12' to 10.4' NGVD and the basement is to be filled. Now the applicant is seeking a temporary CO even though they have not filled in the basement as required. It is not to be a crawl space. Chairman Rathbun asked for a motion to

deny their request for a temporary CO. Mr. Berger seconded. The motion to deny the temporary CO was unanimously approved.

New Business:

a. **ZBA #11-19 & CAM Chateau Jaune LLC** - Seeking a variance from ZR 3.1.4.2 to reduce the non-infringement area from 100 ft. to 80 ft. from tidal wetland and to reduce the non-infringement area from 100 ft. to 0 ft. from man-made inland wetland. Property located at Latimer Point Rd., Stonington. Assessor's Map 154 Block 1 Lot 2. Zone RC-120.

Mr. Berger made the motion to accept the slate of officers. Mr. Guyol seconded. The slate of officers was unanimously approved.

Review of Meeting Minutes: 6/14/2011; The ZEO noted a correction noting they were out of order, since he first recused himself and then spoke later in general comments. Mr. Rezendes made the motion to approve as corrected. Ms. Conway seconded. The minutes were unanimously approved.

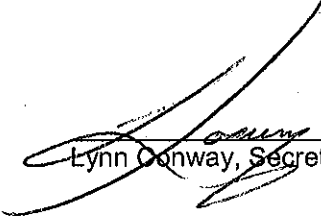
8/9/2011; Mr. Rezendes made the motion to approve the minutes with a correction moving one paragraph order. Mr. Guyol seconded. The minutes were unanimously approved.

9/6/2011; Mr. Rezendes made the motion to approve as corrected. Mr. Berger seconded. The minutes were unanimously approved.

9/13/2011; Mr. Berger made the motion to approve. Ms. Conway seconded. The minutes were unanimously approved.

10/11/2011; The following corrections were made to the minutes: Ms. Conway's late arrival is to be noted in a paragraph later in the minutes. Ms. Conway did not vote on the McPeck application and she did not vote on the Perkins application. Ms. Conway made the motion to approve with corrections. Mr. Rezendes seconded. The motion to approve the minutes with corrections was unanimously approved.

Adjournment: Mr. Guyol made the motion to adjourn. Mr. Berger seconded. The motion was unanimously approved. The meeting was adjourned at 8:00 P.M.



Lynn Conway, Secretary