

**Zoning Board of Appeals  
Regular Meeting  
Minutes - Final  
August 14, 2012**

Chairman David Rathbun called the Town of Stonington's Zoning Board of Appeals meeting to order at 7:07 p.m. Members in attendance and seated were David Rathbun, David Rezendes, Lynn Conway, and Alternate Frederick Deichmann. Zoning Official Joseph Larkin was also present. Absent were Matthew Berger, Jack Guyol, and Alternate Virginia McCormack.

**Public Hearings:**

Mr. Rathbun explained the process for getting a variance approved and what qualifies as a hardship. Ms. Conway read the Call for Public Hearing.

**ZBA #12-08 Michael Hasse & Nadezhda Pencheva-Hasse** – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the front yard setback from 20' to 1' for construction of second story addition to a single family residence and to reduce the rear yard setback from 10% of lot depth to 6% of lot depth for replacement and increased height of existing garage. Property located at 25 Mistuxet Ave., Mystic. Assessor's Map 173 Block 7 Lot 8. Zone RH-10.

ZEO Larkin noted that the house was built in 1880, 80 years prior to the adoption of zoning regulations in Stonington, and his inspection of the site indicated the buildings appeared dilapidated and in need of repairs. The owner intends to use the same footprint.

Connecticut-Licensed Architect Peter Springsteel presented the application and the owners were present to answer any questions. Mr. Springsteel plans to upgrade the property to be in line with the neighborhood. The main house is almost on the property line and at 1.5 stories high, only half of the existing second floor can be used as living space, requiring raising the roof in order to get a full story to put in a couple of bedrooms. Mr. Springsteel stated that he would maintain the Greek Revival Style with new clapboard so as to fit in with other homes in the neighborhood. Mr. Deichmann asked if the 2<sup>nd</sup> floor will be covering the entire house footprint. Mr. Springsteel stated they will build only over the main structure, and that the floor area ratio complies. Mr. Rezendes asked if he would be working on the whole house down to the foundation. Mr. Springsteel again said they will be building only on the second floor.

Mr. Springsteel said that, due to its dilapidated state, the garage should be taken down and rebuilt. Mr. Rezendes asked if they could move the garage and bring it into conformance. Mr. Springsteel responded that they could but preferred not to as it would create a visibility issue driving out of the garage because the house sits on a steep hill with a blind corner. For safety, they would like to keep the garage as far back on the lot as possible. Mr. Springsteel explained that moving the garage forward creates a safety issue and is a hardship. The hardship to the dwelling is the pre-existing, non-conforming front yard setback. Ms. Conway asked to see the four photos submitted by Mr. Springsteel and asked if there would be changes to the deck. Mr. Springsteel said the existing wood would be replaced but there would be no major changes.

Public comments in favor: None.

Public comments in opposition: None

General comments: ZEO Larkin added that the homeowners have already requested a waiver of an A-2 Survey and it had been approved by PZC. No comments were received from the neighbors.

Chairman Rathbun closed the public hearing.

A motion was made by Ms. Conway and seconded by Mr. Deichmann to approve the application. The motion was unanimously approved, 4-0.

**New Business:**

**ZBA #12-09 Tracy O'Lari** – Seeking a variance from ZR 3.1.4.2 buffer requirements to reduce the non-infringement area in a RC-120 zone from 100' to 20' for construction of additions to a single family residence. Property located at 16 North Shore Way, Stonington Map 154 Block 2 Lot 10 Zone RM-20 & RC-120.

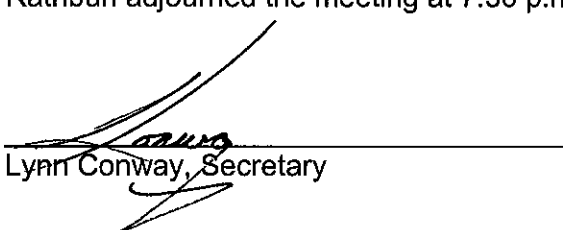
A motion was made by Mr. Rezendes and seconded by Mr. Deichmann to accept the application for a Public Hearing on 9/11/12.

**Review of meeting minutes:**

Tabled to the 9/11/12 meeting.

**Adjournment:**

A motion was made by Ms. Conway and seconded by Mr. Rezendes to adjourn. Chairman Rathbun adjourned the meeting at 7:30 p.m.



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Lynn Conway, Secretary