

**Zoning Board of Appeals  
Special Meeting  
FINAL Minutes  
January 8, 2013**

Chairman David Rathbun called the Zoning Board of Appeals meeting to order at 7:05 p.m. Members in attendance were David Rathbun, David Rezendes, Lynn Conway, Jack Guyol, Matthew Berger and alternate Virginia McCormick. Zoning Official Joseph Larkin was also present. Frederick Deichmann was absent.

Chairman Rathbun read the procedures for obtaining a variance and Ms. Conway read the call for the public hearing.

**Public Hearings:**

**ZBA #12-11 Russell L. Clark (owner); Daniel Stanavage (applicant)** – Seeking a variance from ZR 5.1.1 bulk requirements to reduce the side yard setback from 15' to 4.5' and reduce the front yard setback from 40' to 32' for a dormer addition. Property located at 33 Chapman Lane, Stonington. Assessor's Map 153 Block 1 Lot 9. Zone RR-80 (RA-40 bulk applies)

Mr. Larkin distributed a map of the property location and reviewed his staff report for the Board. He submitted the following exhibits:

- Exhibit #1 – application file
- Exhibit #2 - colored map of the site

Mr. Larkin reported the applicant has submitted an A-2 survey of the property and a copy of an easement for the chimney encroachment onto the adjoining property. The easement has been filed on the land records in the town clerk's office.

The applicant Daniel Stanavage described the proposed project and the reason for the requested variance. The property is a pre-existing non-conformity. The existing house needs to be renovated in order to bring it up to code. The existing side door is the only exit from the house. The applicant is proposing relocating the entrance to the front of the house and adding a 6 ft. wide porch the length of the house. The roof needs to be raised in order to make the changes in the structure that are required by the building code.

Mr. Rezendes asked for clarification of the changes shown on the site plan. He also asked about the request for the setback reduction for the chimney to one foot.

Lee Clark said the house was built by his parents in the early 1950s. The property has been in the family for several generations.

Josh Clark also spoke about the family history of the house.

Speaking In Favor: None  
In Opposition: None  
General Comments: None

The public hearing was closed.

Mr. Berger made a motion to approve the application. Mr. Guyol seconded the motion. There was a brief discussion regarding the 1 ft. setback. The motion to approve was unanimous.

**ZBA #12-12 Eric French, Jr.** – Seeking a variance from ZR 3.1.4.2 to permit disturbance within the 100 ft. non-infringement area to allow a span crossing over the Whitford Brook and construction of a residential driveway. Property located on Lantern Hill Rd., Stonington. Assessor's Map 141 Block 1 Lot 2 Zone GB-130

Mr. Larkin gave his report to the Board. The only access to the property is to cross over Whitford Brook from the Ledyard side. The GBR-130 zone has a 100 ft. non-infringement zone from a natural resource. The applicant needs a variance in order to construct the driveway to access the property.

The engineer Norm Thibeault made the presentation for the applicant to the Board. He submitted the certified mail receipts. He reviewed the property location map, highlighting the location of the crossing and the non-infringement zone. Mr. Thibeault said that Inland Wetlands permits have been received from both Ledyard and Stonington. Currently access to the property is through the adjacent property on the North Stonington side. This access is only temporary until the proper permits have been obtained. The only access to the property is from the Ledyard side and over Whitford Brook. The proposal is to construct a 28 ft. residential span bridge over the brook. The driveway will infringe into the 100 ft. non-infringement zone.

Mr. Rezendes asked if any permit were required from the DEEP. Mr. Thibeault stated no permits were necessary, but an endangered species report was submitted to them for review.

Speaking in favor: None  
In Opposition: None  
General Comments: None

The public hearing was closed.

Mr. Rezendes made a motion to approve the application. Mr. Guyol seconded the motion. There was a discussion regarding the access to the property and whether the applicant should have applied for the variance prior to purchasing the property. Mr. Rezendes said the lack of access is a hardship.

Mr. Berger voted to deny the variance request. Mr. Guyol, Ms. Conway, Mr. Rezendes and Mr. Rathbun voted to approve the variance application. The motion to approve was passed.

**Old Business: None**  
**New Business:**

**ZBA #12-13 Lucille Hall** – Seeking a variance from ZR 5.1.1 to reduce the required side yard setback from 20' to 16' for an addition. Property located at 17 Fellows St., Pawcatuck. Assessor's Map 14 Block 13 Lot 9 Zone RH-10.

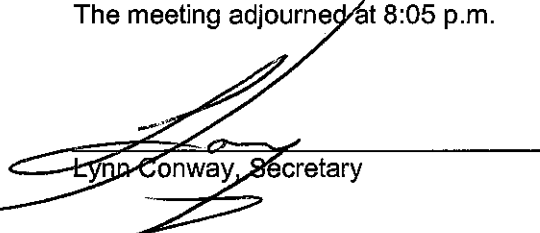
The public hearing for this application is scheduled for February 12, 2013.

**ZBA #13-01 Suzanne Tyler, applicant; Philip & Alison Darrell, owners** - Seeking a variance from ZR 3.1.4.1 buffer requirements in the GBR-130 zone to permit disturbance within the 100 ft. non-infringement area to allow the construction of a single family residence, septic area, associated landscaping and driveway relocation upon re-subdivision of the parcel. Property located at 580 No. Main St., Stonington. Assessor's Map 97 Block 1 Lot 4. Zone GBR-130.

The public hearing for this application is scheduled for February 12, 2013.

**Review of meeting minutes:** Mr. Rezendes made a motion to approve the December 11, 2012 minutes. Mrs. McCormick seconded the motion and it was unanimously approved.

Mr. Rezendes made a motion to adjourn. Mr. Berger seconded the motion and it was unanimously approved. The meeting adjourned at 8:05 p.m.

  
Lynn Conway, Secretary