

**Zoning Board of Appeals
Regular Meeting
Final Minutes
November 12, 2013**

Acting Chairman David Rezendes called the meeting to order at 7:00 p.m. Members in attendance were David Rezendes, Matthew Berger, Frederick Deichmann, Virginia McCormack, Lynn Conway, Jack Guyol and Zoning Enforcement Officer Candace Palmer.

PUBLIC HEARINGS: ZBA #13-11 Stuart & Tiffany Thompson – Seeking a variance from ZR 5.1.1 to reduce the rear/front yard setback from 50' to 10' for detached garage. Property located at 121 Tipping Rock Rd., Stonington. Assessor's Map 79 Block 3 Lot 8. Zone RR-80. **Continued from 10/8/13.**

Ms. Conway recused herself from this hearing.

The applicants presented their case for an attached garage for the main purpose of storage. They received 32 letters from neighbors supporting their application.

There was no one speaking in favor, in opposition or with general comments. The public hearing was closed.

Ms. McCormack moved to approve the application. Mr. Berger seconded. After a brief discussion, the Board voted 4-1 in favor. (Fred Deichmann opposed)

Ms. Conway was seated for the remainder of the meeting.

ZBA #13-12 Carl Fusaro – Seeking a variance from ZR 5.1.1 bulk requirements to reduce minimum lot size from 15,000 s.f. to 6,534 s.f. (RH-10 bulk requirements) for construction of a single family residence. Property located at 1 Orchard Hill Dr., Stonington. Assessor's Map 175 Block 3 Lot 7. Zone RM-15. **Rescheduled from 10/8/13**

The applicant was present and Mrs. Palmer presented an in depth history on this parcel of land. She submitted the property card as additional information for the Board.

There was no one speaking in favor, in opposition or with general comments. The public hearing was closed.

Mr. Berger moved to approve the application. Ms. McCormack seconded. The vote was unanimous 5-0 in favor.

ZBA #13-13 Brendan Casey - Seeking a variance from ZR 5.1.1 to reduce the front yard setback from 30' to 8' for construction of a front porch on a SFR. Property located at 18 Golden Rd., Mystic. Assessor's Map 162 Block 5 Lot 3. Zone RA-20 (RA-15 bulk applies).

The applicant made a presentation to the Board. The following items were submitted as exhibits:

- Exhibit #1 – Application file
- Exhibit #2 – Photo of 11 Golden Rd.
- Exhibit #3 – 2 photos
- Exhibit #4 – 2 GIS maps

There was no one speaking in favor, in opposition or with general comments. The public hearing was closed.

Mr. Guyol moved to approve the application. Mr. Berger seconded. After some discussion, the vote was in favor 4-1. (Mr. Rezendes denying.)

ZBA #13-14 Normand & Sharon Boulanger (Mercer & Bertsche, Agents) - Seeking variances from ZR 7.7.8.2.1 Residential Constructions, & ZR 7.7.8.2.3 Elevated Buildings, to allow for exceptions to FEMA construction requirements for substantial improvement to an historic structure. Properties located at 10 Willow St. & adjacent vacant parcel, Mystic. Assessor's Map 173 Block 12 Lots 5 & 5A. Zone RH-10.

Mrs. Palmer summarized the application. The application file was submitted as Exhibit #1. The site plan was submitted as Exhibit #2.

Mr. Bertsche, agent for the applicant, presented 6 photos of the property (Exhibit #3). He shared a favorable email response from the historic preservation officer for Connecticut. Mr. Bertsche gave an in depth presentation of the application.

There was no one speaking in favor, in opposition or with general comments. The public hearing was closed.

Ms. Conway moved to approve the application as presented subject to the merging of 10 Willow St. aka. Map 173, Block 13, Lot 5 with the adjacent undeveloped property currently known as Map 173, Block 12, Lot 5A. Mr. Berger seconded. After a brief discussion, the commission voted 5-0 in favor of the application as presented.

ZBA #13-15 Robynne Madison & John Miceli – Seeking variances from ZR 5.1.1. to reduce the front yard setback from 75' to 30', reduce the northerly side yard setback from 75' to 30', and reduce the 100' non-infringement area to 75' to construct an addition to a SFR and a detached garage. Property located at 105 Lantern Hill Rd., Mystic. Assessor's Map168 Block 1 Lot 1 Zone GBR-130.

Mrs. Palmer summarized the application for the Board. Michael Cozzolino, Attorney for the applicant, reviewed the issues confronting the property. The applicant and project engineer were present to answer any questions from the Board.

There was no one speaking in favor, in opposition or with general comments. The public hearing was closed.

Ms. Conway moved to deny the application due to lack of hardship, with setbacks for aesthetic reasons only. Mr. Berger seconded. After some discussion, Ms. Conway and Mr. Berger withdrew their motions. The Board decided to address this application via a series of motions:

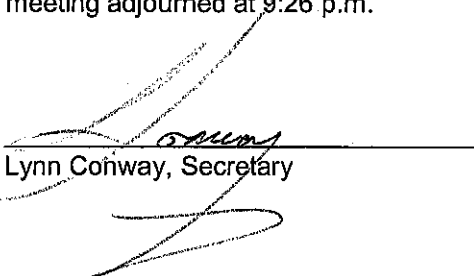
Mr. Berger moved to vary the front yard setback from 75' to 41'. Ms. McCormack seconded. All in favor 5-0.

Mr. Guyol moved to approve a variance of the northerly side yard setback from 75' to 55'. Mr. Berger seconded. All in favor 5-0.

Mr. Berger moved to approve a variance of the non-infringement area from 100' to 75'. Mr. Guyol seconded. The motion was approved 4-1 (Ms. Conway denied).

Review of meeting minutes: Mr. Berger moved to accept the 10/8/13 minutes. Ms. Conway seconded. All in favor 5-0.

Adjournment: Mr. Berger motioned to adjourn the meeting. Mr. Guyol seconded the motion. All in favor 5-0. The meeting adjourned at 9:26 p.m.


Lynn Conway, Secretary