

AGENDA
ZONING BOARD OF APPEALS
APRIL 25, 2018 – 7:00 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

I. ROLL CALL

II. PUBLIC HEARING

1. ZBA#18-01 – 84 Route 27; Mystic 84, LLC – Owner; Alan Short – Applicant; for a variance to Section 5.1-3 of the Zoning Regulations allow a legitimate theater for less than 80 persons while maintaining the existing uses approved by variance # 1267. PIN# 271015641416, RU-80 Zone.

III. CONSIDERATION OF PUBLIC HEARINGS

1. ZBA#18-01- 84 Route 27; Mystic 84, LLC – Owner; Alan Short – Applicant*

IV. CORRESPONDENCE

V. APPROVAL OF MINUTES

1. October 25, 2017*

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Election of Officers
2. New applications
 - a. ZBA#18-02 – 51 Ocean View Avenue – Oberg Residence Addition

VIII. REPORT OF STAFF

IX. ADJOURNMENT

Next meeting: May 9, 2018



TOWN OF GROTON

PLANNING AND DEVELOPMENT SERVICES

DEBORAH G. JONES
ASSISTANT DIRECTOR
DJONES@GROTON-CT.GOV

134 GROTON LONG POINT ROAD, GROTON, CONNECTICUT 06340
TELEPHONE (860) 446-5970 FAX (860) 448-4094
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April 12, 2018

The Day
P.O. Box 1231
New London, CT 06320
legal@theday.com

Please publish the following legal ad on April 13, 2018 and April 20, 2018.

TOWN OF GROTON ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The Zoning Board of Appeals will hold a public hearing on Wednesday, April 25, 2018, at 7:00 p.m. in Community Room 1, Town Hall Annex, 134 Groton Long Point Road, to hear the following:

ZBA#18-01 - 84 Route 27; Mystic 84, LLC - Owner; Alan Short - Applicant; for a variance to Section 5.1-3 of the Zoning Regulations allow a legitimate theater for less than 80 persons while maintaining the existing uses approved by variance # 1267. PIN# 271015641416, RU-80 Zone.

Applications are on file and available for public inspection during normal business hours at the Planning Department, 134 Groton Long Point Road, Groton, CT. Dated this 13th day of April, 2018 at Groton, CT. (On second insertion, please put "Dated this 20th day of April, 2018 at Groton, CT.")

Ed Stebbins, Chairman

Account #30384

PLEASE DO NOT BOLD PRINT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Deborah G. Jones
Assistant Director

DGJ:klh



TOWN OF GROTON
LAND USE APPLICATION
Part One

PAID
3/5/18

PLEASE CHECK THE APPROPRIATE BOX(ES) AND ATTACH THE REQUIRED APPLICATION(S):

- | | |
|---|---|
| <input type="checkbox"/> SUBDIVISION OR RESUBDIVISION | <input type="checkbox"/> COASTAL SITE PLAN REVIEW (CAM) |
| <input type="checkbox"/> SITE PLAN | <input type="checkbox"/> SPECIAL PERMIT |
| <input type="checkbox"/> ADMINISTRATIVE SITE PLAN | <input type="checkbox"/> ZONE CHANGE |
| <input type="checkbox"/> INLAND WETLANDS PERMIT | <input type="checkbox"/> REGULATION AMENDMENT |
| <input type="checkbox"/> INLAND WETLANDS PERMIT OR NON-REGULATED ACTIVITY | <input checked="" type="checkbox"/> VARIANCE |

PROJECT NAME: STAGE 84
 STREET ADDRESS OF PROPERTY: 84 Route 27 Old Mystic 06255
 IF ADDRESS NOT AVAILABLE, LOCATION: _____
 PARCEL IDENTIFICATION NUMBER: 271015641416 ACREAGE: 0.43 ZONE: PU-80

PROJECT DESCRIPTION: CONVERSION OF COMMERCIAL SPACE IN FORMER CHURCH INTO SMALL ACOUSTIC THEATER AND PERFORMANCE SPACE - INCLUDING ADA COMPLIANT ACCESSIBLE FEATURES AND TOILETS, HANDICAPPED RAMPS AND EGRESS

CORRESPONDENCE WILL BE SENT TO THE PRIMARY APPLICANT AS CHECKED BELOW:
(NAME, ADDRESS, TELEPHONE AND FAX NUMBER)

APPLICANT: ALAN SHORT
 EMAIL: alanjshort@gmail.com TELEPHONE: 516 383 9231 FAX: _____
 APPLICANT'S AGENT (if any): _____
 EMAIL: _____ TELEPHONE: _____ FAX: _____
 OWNER/TRUSTEE: Mystic 84 LLC
 EMAIL: alanjshort@gmail.com TELEPHONE: 516 383 9231 FAX: _____
 ENGINEER/SURVEYOR/ARCHITECT: Jim Arriaga
 TELEPHONE: jim@arriaga.com FAX: _____

- Note:
- 1) To be accepted by the Planning Division, this entire application must be completed, signed, and submitted with the required fee(s) and map(s) prepared in accordance with the applicable regulations.
 - 2) The submittal of this application constitutes the property owner's permission for the commission or its staff to enter the property for the purpose of inspection.
 - 3) The applicant hereby agrees to pay all additional fees and/or address such costs deemed necessary by the Office of Planning and Development Services as described in Part Three of this application.

[Signature]
 SIGNATURE OF APPLICANT OR APPLICANT'S AGENT
3/5/18
 DATE

ALAN SHORT
 PRINTED NAME OF APPLICANT

[Signature]
 SIGNATURE OF RECORD OWNER
 I HEREBY, CERTIFY THAT I AM THE OWNER OF THE PROPERTY STATED ABOVE
 DATE _____

ALAN SHORT
 PRINTED NAME OF OWNER

Project #: ZBA18-01 Work Type: _____ Fee Received: \$430 Init. _____ Planner: _____
+ \$60 (Recording)

TOWN OF GROTON
LAND USE APPLICATION - VARIANCE

PART TWO
(Attach to Part One)

REQUEST IS FOR A VARIANCE OF:

SECTION: 5.1-3 DESCRIPTION OF VARIANCE NEEDED, BE SPECIFIC: _____

CONVERSION OF EXISTING COMMERCIAL SPACE IN FORMER CHURCH
INTO PERFORMANCE SPACE FOR LESS THAN 80 PERSONS WITH
ADA COMPLIANT ACCESS, TOILETS. PERFORMANCES TO BE COMPLETELY ACOUSTIC

HARDSHIP: W/TA NO AMPLIFICATION.

SECTION: _____ DESCRIPTION OF VARIANCE NEEDED, BE SPECIFIC: _____

HARDSHIP: _____

SECTION: _____ DESCRIPTION OF VARIANCE NEEDED, BE SPECIFIC: _____

HARDSHIP: _____

IS PROPERTY WITHIN A CAM BOUNDARY? YES NO
IF YES, A COASTAL SITE PLAN APPLICATION MAY BE REQUIRED.

Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be a finding by the Board of Appeals that all of the following conditions exist:

1. That the difficulties or hardship are peculiar to the property in question, in contrast with those of other properties in the same district.
2. That the hardship was not the result of the applicant's own action.
3. That the hardship is not merely financial or pecuniary.

Town of Groton



84 ROUTE 27



Disclaimer:
The planimetric and topographic information depicted on this map was derived from various sources, including aerial photography, ground truthing, and other data. The accuracy and reliability of the information depicted on this map has been compiled from recorded deeds, maps, assessor records, and other sources of information in the Town of Groton. The intent of this map is to provide a visual representation of the information available to the Town of Groton and is not intended to be used as a legal document. The Town of Groton and its mapping companies assume no legal liability for any errors or omissions on this map. THIS MAP IS NOT TO BE USED FOR THE TRANSFER OF PROPERTY.

Horizontal Datum:
Connecticut State Plane Coordinate, North American Datum of 1983 (NAD83/Feet).
Vertical Datum:
North American Vertical Datum of 1988 (NAVD88).

Date: 3/20/2018

TOWN OF GROTON
ZONING BOARD OF APPEALS

RECORD OF DECISION

PUBLIC HEARING January 9, 1985

APPLICATION # 1267 - 84 Route #27, Old Mystic, Gregg Fisher, owner/appli-
cant, requesting a variance of Sec. 5.2 of the Zoning Regulations to
allow two 2-bedroom dwelling units in a former church on a lot of
19,300 sq.ft. in lieu of 120,000 sq.ft. required, being lot 6, block 50
on Assessor's Map 152. RU-80 Zone.

DECISION: VARIANCE GRANTED AS REQUESTED.

REASONS: APPLICATION COMPLIES WITH THE REQUIREMENTS
OF 8.78-2 ZONING REGULATIONS, AND IS REASON-
ABLE IN LIGHT OF THE BUILDING SQ. FOOTAGE, EXIST-
ING FARMING AND THE INTENT TO MAINTAIN THE
BUILDING IN IT'S PRESENT FORM.

SIGNATURES:

CHM.	<u>W. Stelli</u>	<u>yes</u>
SEC	<u>M. E. Young</u>	<u>YES</u>
	<u>J. W. [unclear]</u>	<u>yes</u>
	<u>Janet J. Purinton</u>	<u>yes</u>
	<u>R. Crandall</u>	<u>yes</u>

ZONING BOARD OF APPEALS

HEARING

RECORDED BY CHERYL HORRIS

BUILDING OFFICIAL: L. VINDITTO

DATED: 1-9-85
EFFECTIVE
DATE: 1-16-85

MINUTES
TOWN OF GROTON
ZONING BOARD OF APPEALS
OCTOBER 25, 2017 - 7:00 P.M.
TOWN HALL ANNEX - 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

Chairman Stebbins called the meeting to order at 7:00 p.m.

I. ROLL CALL

Regular members present: Stebbins, Kravits, Manning, Mencer, Russotto
Absent:
Staff present: Zanarini, Hovland

II. PUBLIC HEARINGS- None

III. CONSIDERATION OF PUBLIC HEARINGS

1. ZBA #17-09- APPEAL - 540 Sandy Hollow Road - W. Decourcey & L. Porizky, Applicants and Owners

Chairman Stebbins established that the hearing had been held on September 27, 2017, but consideration was postponed until an opinion from Attorney Carey was provided.

Manning read the memorandum from Attorney Carey dated October 24, 2017, to the board. Russotto voiced concern that no action to appeal was taken within the thirty-day limit. Board members discussed whether to make a decision on the appeal based on the merits of the appeal or based on the recommendation of the Zoning Enforcement Officer and Town Council that the appeal period had in fact expired.

MOTION: To move that the ZBA decline to hear the appeal based upon the time constraint for filing an appeal as noted in Attorney Carey's memorandum dated October 24, 2017.

Motion made by Russotto, seconded by Kravits, so voted unanimously.

IV. CORRESPONDENCE- None

V. APPROVAL OF MINUTES

1. October 11, 2017

MOTION: To adopt the minutes of October 11, 2017, as written.

Motion made by Russotto, seconded by Mencer, so voted unanimously.

VI. OLD BUSINESS- None

VII. NEW BUSINESS

1. New Applications

VIII. REPORT OF STAFF- None

IX. ADJOURNMENT

Motion to adjourn at 7:30 p.m. made by Russotto, seconded by Kravits, so voted unanimously.

Thomas Manning, Secretary
Zoning Board of Appeals

Prepared by Kara Hovland
Office Assistant II

Not Approved