

AGENDA
ZONING BOARD OF APPEALS
MARCH 9, 2016 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 1

- I. ROLL CALL
- II. PUBLIC HEARING
 - 1. ZBA#16-02 — 22 Bank Street, Peter J. Springsteel Architect LLC/Applicant, Lisa & David Squires/Owner, Peter J. Springsteel Architect LLC/Architect, for a variance to Section 5.2 to allow 17 ft. instead of the required 25 ft. for a front yard setback. PIN#261918316527, RS-8 Zone *
- III. MEETING FOLLOWING PUBLIC HEARING
 - 1. ZBA#16-02 - Squires Residence, 22 Bank Street
- IV. CORRESPONDENCE
- V. APPROVAL OF MINUTES
 - 1. February 10, 2016*
- VI. OLD BUSINESS
 - 1. Election of Officers
- VII. NEW BUSINESS
 - 1. New Applications
- VIII. REPORT OF STAFF
- IX. ADJOURNMENT

* Enclosed

Next meeting: March 23, 2016

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MINUTES
TOWN OF GROTON
ZONING BOARD OF APPEALS
FEBRUARY 10, 2016 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 1

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

I. ROLL CALL

Regular members present: Stebbins, Mencer, Russotto, Kravits
Absent: Grady, Manning
Staff present: Allen, Attorney Carey, Gilot

The public hearing procedures were reviewed by Chairman Stebbins.

II. PUBLIC HEARING

1. ZBA#16-01 - 970 Poquonnock Road, Savings Institute Bank & Trust, Applicant

Chairman Stebbins advised the applicant that there were only four Board members were present, so a unanimous vote would be required. The applicant agreed to proceed.

Acting Secretary Russotto read the call of the hearing and stated that the mailings were in order.

Jay Fisher, Accubbranch, 1137 Main Street East Hartford, and Dan Kroeber, PE, Milone & MacBroom, 999 Realty Drive, Cheshire, CT represented the applicant.

Mr. Fisher detailed the location of the existing stand-alone Savings Institute Bank & Trust building in the Big Y parking lot, which is approximately 3,200 square feet. The branch is very out of date; currently, bank branches require only 1,500 square feet.

The bank proposed to build a new 1,500 sq. ft. building across the street, in the parking lot of The Marketplace shopping center.

Mr. Kroeber displayed 3 graphics, one for each variance requested.

A variance to Section 6.2-4 was requested to allow 55 ft. instead of the required 75 ft. for a front yard setback. The zoning regulations state that the Planning Commission can reduce a front yard setback to 30 ft. if it carries out the objectives of the Downtown Development District (DDD). However, due to the recent MacKenzie case, the Planning Commission has no authority to waive reductions of regulations. The proposed setback is 57.7 ft. The proposed location was chosen due to the configuration of parking lot.

A variance to Section 7.1-36.A was requested to allow for drive through and stacking lanes to be located in the front yard. The site constraints and existing building at the back of the site would make drive-through lanes at the rear of the building unsafe. The site is currently a sushi drive-through kiosk, and the drive-through lane is located at the front of the kiosk. The existing bank branch, across Route 1, has a drive-

through in the front yard. Starbucks, also located across the street, has a drive-through located in the front yard.

A variance to Section 7.1-36.C was requested for a reduction of the required stacking spaces from 10 to 6 per station. Mr. Kroeber explained that a bank use drive through is different from a fast food restaurant drive-through. A survey performed showed that the highest number of vehicles in line at any time at the existing site was four. Six per lane is proposed, for a total of 12 cars stacking. The stacking space would block access and parking the required 10 cars was allowed. The regulation is the hardship because it is not scaled to this type of use, but more to a fast food type restaurant. Mr. Kroeber said there will be no new curb cuts, no work within the right of way, and will not be a major traffic generator, so state approval is not required.

Mr. Fisher said the applicant requires a full service branch office with access allowed to patrons, not a drive-through only branch.

The required parking spaces for the shopping center would require 103 parking spaces and the site plan provides 117 spaces.

The cut-through use of the shopping center, and the effect of the drive-through on the through-traffic was discussed.

The Chair asked if anyone in the audience had any comments in favor or against the application. There were none.

The Secretary read the Planning Commission's negative referral into the record.

Staff said there is an existing drive-through at that site right now. That drive-through did not require a variance because it is pre-existing.

The applicants and the Board discussed alternative sites in Groton.

The public hearing closed at 7:47 p.m.

III. MEETING FOLLOWING PUBLIC HEARING

1. ZBA#16-01 – 970 Poquonnock Road

The Board discussed the left-turn out of the parking lot and concerns with the traffic flow.

The Board asked the Town Attorney for advice on the application. Attorney Carey said there are other sections in the regulations that make the provision that the Planning Commission can waive regulations. The Board discussed the Planning Commission's referral.

MOTION: To grant the variances as requested.

Motion made by Russotto, seconded by Kravits. Motion failed 3-1, 1 opposed (Stebbins).

Motion to reconsider the vote made by Stebbins, seconded by Mencer, so voted unanimously.

MOTION: To grant the variance to Section 7.1-36.A to allow for drive-through and stacking lanes to be located in the front yard.

Motion made by Russotto, seconded by Kravits. Motion passed unanimously.

MOTION: To grant the variance to 7.1-36.C for a reduction of the required stacking spaces from 10 to 6 per station.

Motion made by Russotto, seconded by Kravits. Motion passed unanimously.

MOTION: To grant the variance to Section 6.2-4 to allow 55 ft. instead of the required 75 ft. for a front yard setback

Motion made by Russotto, seconded by Kravits. Motion failed 3 – 1, 1 opposed (Stebbins).

IV. CORRESPONDENCE

Staff distributed a Cease & Desist order regarding Liberty Tax human signs.

V. APPROVAL OF MINUTES

1. December 9, 2015

MOTION: To adopt the minutes of December 9, 2015, as written

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

VI. OLD BUSINESS – None

VII. NEW BUSINESS

1. Election of Officers

Election of Officers was postponed to the next meeting when all the Board members are present.

2. New Applications

Staff said a public hearing will be held on March 9th for a small encroachment at a residence in downtown Mystic.

There is no business for the February 24th meeting, so the meeting will be cancelled.

VIII. REPORT OF STAFF –

Staff distributed information regarding the CT Federation of Planning and Zoning Agencies annual dinner meeting.

IX. ADJOURNMENT

Motion to adjourn at 8:12 p.m. made by Russotto, seconded by Kravits, so voted unanimously.

Tom Manning, Secretary
Zoning Board of Appeals

Prepared by Debra Gilot
Office Assistant III

NOT APPROVED

MEMORANDUM

TO: Zoning Board of Appeals
FROM: Matthew Allen, Planner I
DATE: February 29, 2016
SUBJECT: Agenda Report for March 9, 2016 Meeting

The following is intended to provide background information concerning the application being reviewed at the next meeting of the Zoning Board of Appeals. A staff summary and location map as well as copies of the application and site plans is included. If you have any questions or requests please contact me at mallen@groton-ct.gov or **860-448-4088**.

ZBA#16-02 – Squires Residence, 22 Bank St.

The applicant is requesting a variance to Section 5.2 to allow 17 ft. instead of the required 25 ft. for a front yard setback. The owners are planning to build a two-story addition to their home at 22 Bank St. in Mystic. Part of the existing house, which pre-dates zoning, lies within the 25 ft. front yard setback. A new front porch for the addition will come 8 ft. into the front yard setback. All other aspects of the plan for the addition meet zoning regulations.

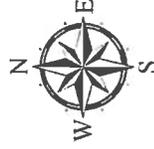
STAFF SUMMARY SHEET

PROJECT NAME/LOCATION: ZBA#16-02 – Squires Residence, 22 Bank St.	
CAM: Exempt	
STAFF PLANNER: MTA	SUMMARY DATE: 2/29/16
TERMINAL ACTION DATE: 4/15/16	PUBLIC HEARING CLOSED: NA
EXISTING LAND USE/ZONING: RS-8	SITE AREA: 0.18 AC. 7,841 SQ. FT.
SURROUNDING LAND USE/ZONING DISTRICT(S):	
North: RS-8	South: RS-8
East: RS-8	West: RS-8
HISTORY:	
<p>PROJECT DESCRIPTION: <i>The applicant is requesting a variance to Section 5.2 to allow for a front yard setback of 17 ft. instead of the required 25 ft. The owners are planning to build a two-story addition to their home at 22 Bank St. in Mystic. Part of the existing house, which pre-dates zoning, lies within the 25 ft. front yard setback. A new porch for the proposed addition will come 8 ft. into the front yard setback. All other aspects of the plan for the addition meet zoning regulations.</i></p>	
LIST AGENCIES WITH OUTSTANDING COMMENTS:	
WAIVERS:	
<p>LAND USE/DEVELOPMENT ISSUES ANALYSIS: <i>A number of houses on Bank St. and vicinity lie partly within the required setback. However, the average building setback on Bank St. is not less than the required 25 ft. or the requested 17 ft. Because of this the proposed addition cannot be allowed per Section 4.6 and a variance is required.</i></p>	
ATTACH ANY RECOMMENDED ACTION, INCLUDING MODIFICATIONS AND/OR CONDITIONS AND TECHNICAL ITEMS.	

Town of Groton



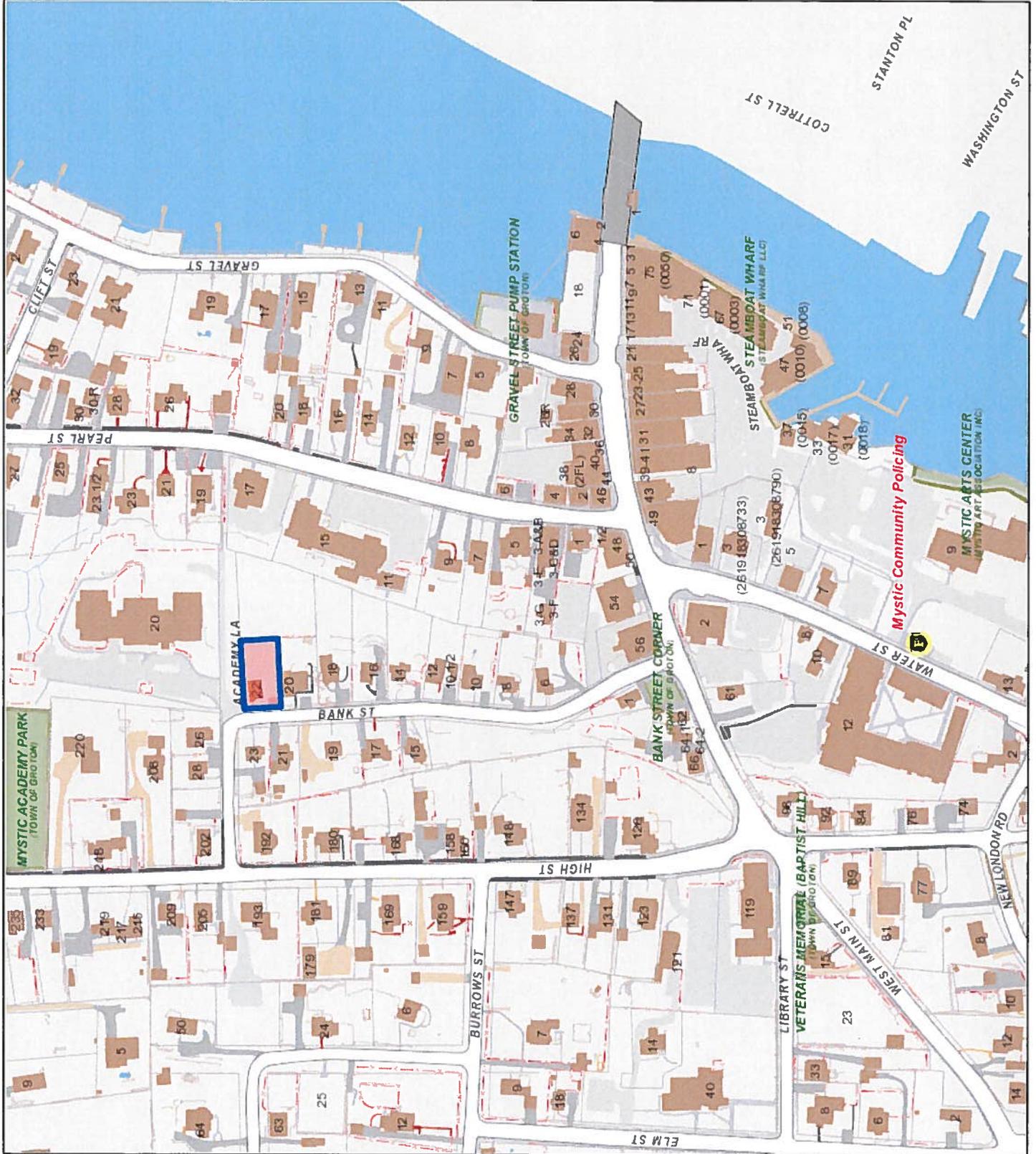
22 BANK ST



Disclaimer:
 The planimetric and topographic information depicted on this map was derived from aerial photography and other data sources available to the Town of Groton as of April 2008. 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 general overview of the property boundaries and is not intended to be used as a legal document. The information is subject to change as a more accurate survey may disclose. The Town of Groton and the 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.

Northwell Datum:
 Connecticut State Plane Coordinates, North American Datum of 1983 (NAD83 Feet).
Vertical Datum:
 North American Vertical Datum of 1988 (NAVD88).

Date: 2/29/2016





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
WWW.GROTON-CT.GOV

February 22, 2016
(REVISED)

VIA EMAIL
The Day
Attention: Legal Advertising
P.O. Box 1231
New London, Connecticut 06320

Please publish the following legal ad on February 26, 2016 and March 4, 2016.

TOWN OF GROTON ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The Zoning Board of Appeals will hold a public hearing on Wednesday, March 9, 2016 at 7:00 p.m. in Community Room 1, Town Hall Annex, 134 Groton Long Point Road, to hear the following:

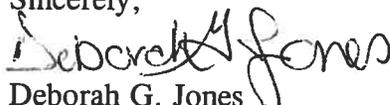
ZBA#16-02 — 22 Bank Street, Peter J. Springsteel Architect LLC/Applicant, Lisa & David Squires/Owner, Peter J. Springsteel Architect LLC/Architect, for a variance to Section 5.2 to allow 17 ft. instead of the required 25 ft. for a front yard setback. PIN#261918316527, RS-8 Zone.

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 26th day of February, 2016 at Groton, CT. (On second insertion, please put "Dated this 4th day of March, 2016 at Groton, CT.")

Ed Stebbins, Chairman

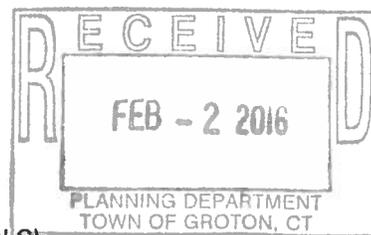
Account #30384
P.O. #16000391

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

Sincerely,

Deborah G. Jones
Assistant Director

DGJ:lg

TOWN OF GROTON
LAND USE APPLICATION
PART ONE



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

SUBDIVISION OR RESUBDIVISION _____	COASTAL SITE PLAN REVIEW _____
SITE PLAN _____	SPECIAL PERMIT _____
ADMINISTRATIVE SITE PLAN _____	ZONE CHANGE _____
INLAND WETLANDS PERMIT _____	REGULATION AMENDMENT _____
INLAND WETLANDS PERMIT OR NON-REGULATED ACTIVITY _____	VARIANCE/APPEAL <u> X </u>
	APPROVAL OF LOCATION _____

PROJECT DESCRIPTION: New 2 story addition to single family residence.

PROJECT NAME: Squires Residence

STREET ADDRESS OF PROPERTY: 22 Bank Street - Mystic

IF ADDRESS NOT AVAILABLE, LOCATION: _____

PARCEL IDENTIFICATION NUMBER: 261918316527 ACREAGE: .18 Ac ZONING: RS-8

CORRESPONDENCE WILL BE SENT TO PRIMARY APPLICANT AS CHECKED BELOW:

NAMES, ADDRESSES & TELEPHONE NUMBERS

APPLICANT: Peter J. Springsteel Architect LLC
105 Starr St. - Mystic, CT 06355 TELEPHONE: 860-572-7306 FAX: _____

APPLICANT'S AGENT (IF ANY): _____
TELEPHONE: _____ FAX: _____

OWNER/TRUSTEE: Lisa & David Squires
22 Bank St. - Mystic, CT 06355 TELEPHONE: 860-922-5901 FAX: _____

ENGINEER/SURVEY OR / ARCHITECT: Same as Applicant
TELEPHONE: _____ 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) I HEREBY, AGREE 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.

Peter J. Springsteel
SIGNATURE OF APPLICANT
OR APPLICANT'S AGENT

PETER SPRINGSTEEL
PRINTED NAME OF APPLICANT

1-26-16
DATE

Lisa D. Squires 1/26/16
SIGNATURE OF RECORD OWNER DATE
I HEREBY, CERTIFY THAT I AM THE OWNER OF THE
PROPERTY STATED ABOVE.

Lisa D. Squires
PRINTED NAME OF RECORD OWNER

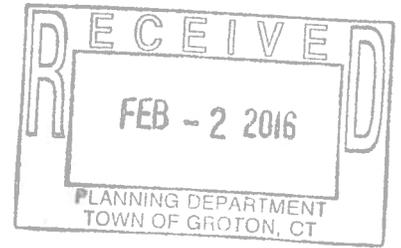
FOR OFFICE USE ONLY:

FEE RECEIVED: 5430.00 WORK TYPE: _____ PROJECT # ZBA16-02 PLANNER: _____ 4/07

PAID
2/2/16

TOWN OF GROTON
LAND USE APPLICATION – VARIANCE

PART TWO
(Attach to Part One)



REQUEST IS FOR A VARIANCE OF:

SECTION: 5.2 Minimum F.Y. DESCRIPTION OF VARIANCE NEEDED, BE SPECIFIC: _____

Reduce 25' required front yard setback to 17'0"

HARDSHIP: Existing structure is pre-existing non-conforming in the front yard setback at 9'5". The proposed porch will be the only encroachment similar to many other porch

HARDSHIP: encroachments in this historic neighborhood and set further back than the existing front porch and the main body of the house.

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:

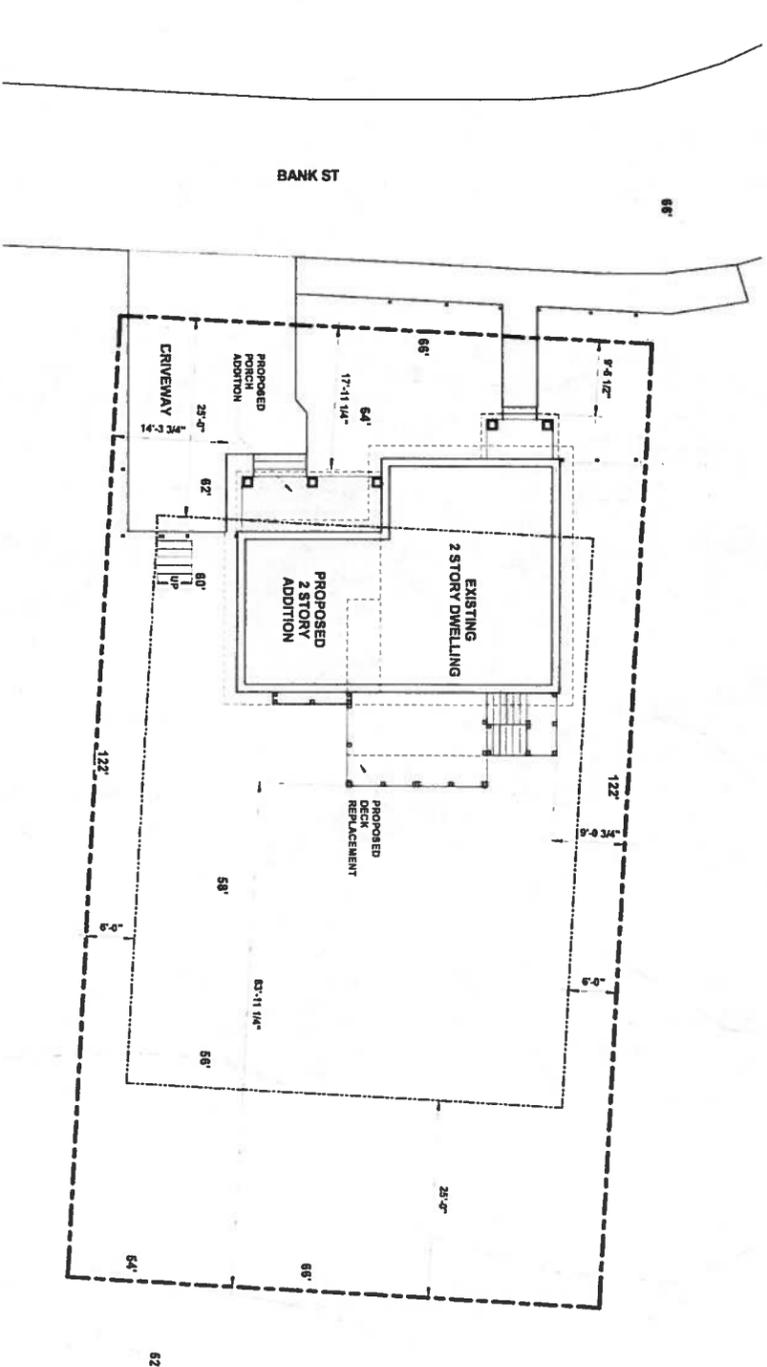
1. That the difficulties or hardship are peculiar to the property in question, in contrast with those of other properties in the same district.
2. That the hardship was not the result of the applicant's own action.
3. That the hardship is not merely financial or pecuniary.

TABLE OF CONTENTS:

T-101	TITLE PAGE / SITE PLAN
A-101	1ST & 2ND FLOOR PLANS
A-102	BASEMENT & ROOF PLANS
A-103	BUILDING ELEVATIONS

ZONING STATISTICS	ZONE: RS-8	ALLOWED	EXISTING	PROPOSED
BUILDING HEIGHT	30'	30'	25'	30'
LOT SIZE / FRONTAGE	6,200 S.F. / 140'	7,248 S.F. / 140'	7,248 S.F. / 140'	7,248 S.F. / 140'
FRONT YARD	25'	25'	25'	25'
SIDE YARD	5'	7'-0" @ 8'-0" @ 5'	5'-0" @ 8'-0" @ 5'	5'-0" @ 8'-0" @ 5'
REAR YARD	25'	25'	25'	25'
LOT COVERAGE	25% OF 7,248 S.F. = 1,812 S.F.	838 S.F. OR 11.58%	871 S.F.	1,444 S.F. OR 19.87%

NOTE:
ALL SURVEY INFORMATION REFERENCED FROM TOWN OF GROTON GIS MAPPING SYSTEM.



SQUIRES RESIDENCE

ANGLE FAMILY ADDITIONS & RENOVATIONS

22 BANK STREET MYSTIC (GROTON), CONNECTICUT

CODE:

- 2009 INTERNATIONAL RESIDENTIAL CODE
- 2008 STATE BUILDING CODE - 2008 CT SUPPLEMENT
- 2009 AMENDMENTS
- 2011 AMENDMENTS
- 2013 AMENDMENTS
- 2009 INTERNATIONAL ENERGY CONSERVATION CODE
- 2009 INTERNATIONAL ENERGY CONSERVATION CODE
- BUILDING USE GROUP: SINGLE FAMILY DETACHED R3
- CONSTRUCTION TYPE: V8 COMBUSTIBLE UNPROTECTED
- WIND EXPOSURE: 110 MPH EXPOSURE B
- MINIMUM DESIGN LIVE LOADS:
- GROUND SNOW LOAD: 30 P.S.F.
- ATTICS W/ STORAGE: 20 P.S.F.
- ATTICS W/O STORAGE: 10 P.S.F.
- SLEEPING AREAS: 30 P.S.F.
- GARAGES: 60 P.S.F.
- DECKS & PORCHES: 40 P.S.F.
- EXTERIOR BALCONIES: 40 P.S.F.
- ALL OTHER SPACES: 40 P.S.F.
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SCOPE OF WORK:

NEW 2 STORY ADDITION, INTERIOR ALTERATIONS, REAR DECK ADDITION, FRONT PORCH ADDITION AND RELATED SITE WORK TO EXISTING SINGLE FAMILY RESIDENCE.

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ARCHITECT
PETER J. SPRINGSTEEL
DATE: 19 JANUARY 2016
T-101