

MINUTES
ZONING BOARD OF APPEALS
OCTOBER 22, 2008 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

Present: Stebbins, Grady, Manning, Russotto, Kravits
Staff: Cullen, Moulding
Excused: Alternate Mencer

I. PUBLIC HEARINGS

ZBA#08-11 – 71 Pequot Avenue, Steen Petri & Ann Marie Smith/Owners, Karen Stottlemeyer/Applicant; for a variance to Section 5.2 for 16' in lieu of 30' for a front yard setback for a residential addition. PIN#261917210969, RS-12

Chairman Stebbins opened the public hearing at 7:00 p.m. Manning read the legal ad for the record and stated the mailings are in order. Karen Stottlemeyer, 22 Burrows Street, Mystic stated that because of the wetland buffer areas there is a very small building area on this property. She would like to build a traditional colonial style single family home with a two car garage. The hardship is that there are wetland buffers on three sides of the building area. She is asking for a 16' setback in lieu of 30' to build an attached two car garage. She has a contract for the purchase of the land. There are sewer and town water hook ups. The foot print of the proposed home is 28' x 60'. The distance from Pequot Avenue to this lot is approximately 200 feet. The two car garage is important for their handicapped child to have access to the house. The square footage of the proposed house is 3300 s.f. If the foundation was moved to where the porch is proposed there would not be enough room to grade the property between the foundation and wetland buffer.

Staff stated that this is a newer subdivision dating from 2005 in response to questions regarding the date of the wetland approval. Staff also stated that the Environmental Planner, Deb Jones had been consulted and the sonotubes holding the porch would be allowed in relation to the wetland buffer. The porch itself gives an additional 8 feet from the buffer line to grade for the full foundation underneath the house.

The Chairman asked for comments in favor or opposed.

James and Dee Ryans, 79 Pequot Avenue had no objection to the proposal.

Colleen Hicks, 83 Pequot Avenue voiced concerns with wetlands.

Scott Hicks, 83 Pequot Avenue agreed the lot is tight and what they are doing may not be following the rules but it makes sense due to the wetlands and how the home is not facing Pequot Avenue. He does not have a problem with the proposal.

Ms. Stottlemeyer stated that the home would have a filtration pump system.

The Planning Commission had no comment. Staff stated that this was an approved lot in the Petri Subdivision. The Town of Groton does not regulate which way your home has to face.

The public hearing ended at 7:38 p.m.

II. MEETING FOLLOWING PUBLIC HEARINGS

1) Decision on Public Hearing Applications

#08-11 – 71 Pequot Avenue, (Stottlemeyer)

The Board felt that this proposal did not meet all of the requirements for granting a variance.

MOTION: To grant #08-11 – 71 Pequot Avenue, (Stottlemeyer), variance to Section 5.2 for 16' in lieu of 30' for a front yard setback

Motion made by Russotto, seconded by Kravits, 1 in favor (Manning), 4 opposed (Stebbins, Grady, Russotto, Kravits). MOTION DENIED.

2) Correspondence

Staff distributed information on a Parliamentary Procedure Workshop training session on November 18, 2008.

3) Minutes

MOTION: To approve the minutes of October 8, 2008 as written.

Motion made by Russotto, seconded by Grady, 5 in favor, 0 opposed. MOTION PASSED UNANIMOUSLY.

4) Old Business - None

5) New Business

1. New Applications

Staff stated that there will be one public hearing on November 19, 2008.

6) Report of Staff - None

7) Adjournment

Motion to adjourn at 7:50 p.m. made by Manning, seconded by Russotto, so voted unanimously.

Tom Manning, Secretary
Zoning Board of Appeals

Prepared by Robin Moulding,
Office Assistant II