

MINUTES
ZONING BOARD OF APPEALS
OCTOBER 23, 2013 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Present: Grady, Manning, Mencer, Russotto, Stebbins
Absent: Kravits
Staff: Cullen, Silsby

Chairman Stebbins called the meeting to order at 7:05 p.m.

II. PUBLIC HEARING

1. ZBA#13-05 – 68 Forest Avenue, Mystic, Robert Folger/owner, for a variance to Section 4.10 for 20' in lieu of 60' for an accessory building. PIN # 270014442073, RU-40 zone. (Continued)

The Chairman stated that this item is a continuation of the public hearing which opened on 10-9-13. Secretary Manning read the Call of the Hearing.

It was noted that Mencer was not at the initial public hearing meeting. As such, Mencer stated that he has made himself aware of the discussion during the public hearing that took place on October 9, 2013. For the record, he stated that he feels capable of making a well informed decision tonight.

Folger introduced himself and gave an overview of his request for a variance to install a garage on his property. He noted that the garage would be sided to match his house. Specifics were given about setbacks, the size of the garage, septic system, the location of the leaching field, and the additional outbuilding that is on site. He noted that since the last meeting, he has met with Staff to discuss setbacks and alternative locations though none were suitable.

Discussion followed about the unique shape of the lot being a hardship and the proposed size and location of the garage. Specifics were given about the septic system location and ledge on the property. Concerns were raised about putting this size structure on the site. A suggestion was made about shrink-wrapping the boat, which was not a viable option for the applicant as he uses his boat year-round.

Manning referred to a memo dated October 9, 2013 from the Planning Commission and read its concerns into the record. The Board considered and discussed the concerns of the Planning Commission.

Staff stated that the owner would be at 12% of the lot coverage requirement if the garage was built, which still leaves 3%. Additional information was given about the surrounding houses and setbacks. Specifics were given about when the house was built versus the year the subdivision and zoning regulations were enacted. Staff noted that she received two phone call inquiries about this variance application.

The public hearing closed at 7:40 p.m.

III. MEETING FOLLOWING PUBLIC HEARING

1. Decision on Public Hearing Application

a. ZBA#13-05- 68 Forest Avenue, Mystic, Robert Folger/Owner

Members explained they are a bit uncomfortable with granting this variance but understand the complexities of the lot, which has created this hardship.

For the record, Mencer stated he has made himself aware of the facts and feels comfortable in forming an opinion.

MOTION: To grant the variance as requested

Motion made by Russoto, seconded by Mencer, so voted unanimously

2. Correspondence – None

3. Minutes – Meeting of October 9, 2013

It was noted that the minutes are not yet available.

4. New Business

a) New Applications

No new applications have been received. As such, the next regularly scheduled meeting on November 13, 2013 will be cancelled.

5. Report of Staff

Russoto inquired about a ranch house near Route 1 and whether or not it is a non-conforming lot and if the proper permitting has been done. Staff will look into this.

IV. ADJOURNMENT

Motion to adjourn at 7:54 p.m. was made by Russoto, seconded by Grady, so voted unanimously.

Tom Manning
Zoning Board of Appeals

Prepared by Robin Silsby
Office Assistant II