

ZONING BOARD OF APPEALS  
MINUTES  
MAY 14, 2014 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

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

Chairman Stebbins called the meeting to order at 7:05 p.m. He appointed Kravits to sit for Russotto.

Secretary Manning read the Call of the Hearing. He noted that all mailings have been received and found to be in order. Public hearing procedures were reviewed.

Stebbins explained that the Board consists of five (5) members, which means that four (4) consecutive affirmative votes would be required to pass a variance request application. It was noted that the applicant has the option to postpone the public hearing for two weeks, if he so chooses. Mr. Charbonnier stated that he understands and would like to proceed with the public hearing tonight.

II. PUBLIC HEARING

1. ZBA#14-01 – 34 Midway Oval, Arthur Charbonnier/Applicant, Barbara Heldreth Revocable Trust/Owner, for a variance to Section 5.2 for 14 feet in lieu of 30 feet for a front yard setback (Flint Court) for an addition to a residence. PIN#169812967095, R-12 zone.

Arthur Charbonnier, the applicant, was present for this application. He referred to his revised application to add an upstairs bedroom and a one car garage. He explained his request for 14 feet in lieu of 30 feet on Flint Court. Charbonnier explained that the owner is getting on in years and the son has his own health challenges and is handicapped.

Staff reiterated the proposal, noting that a GIS map has been included in the file for further reference.

It was noted that there is an existing 22 foot setback on the Midway Oval side, which means that the variance would be extending the line of the existing non-conformity. The structure was built in 1942, which pre-dates zoning regulations.

The Chairperson asked the public if there is anyone in favor or against this application. There were no additional comments.

The Board agreed that this variance would just be extending the existing non-conforming line. It was noted that the house is quite tiny; less than 700 square feet.

Secretary Manning read a memo dated May 14, 2014, from the Planning Commission to the Zoning Board of Appeals, stating that the Planning Commission had no comment.

The Public Hearing closed at 7:22 p.m.

III. MEETING FOLLOWING PUBLIC HEARING

1. Decision on Public Hearing Application

- a. ZBA#13-07 – 34 Midway Oval, Arthur Charbonnier/Applicant, Barbara Heldreth Revocable Trust/Owner

Members agreed that this variance request is pretty straight forward as it pre-dates zoning regulations and will not encroach any further into the front yard.

MOTION: To grant the variance as requested.

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

2. Correspondence – None.

3. Minutes – Meeting of February 12, 2014

MOTION: To approve the minutes of February 12, 2014

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

4. New Business

- a) New Applications were noted.

ZBA14-02 – 212 Cedar Road, Mystic, Peter Springsteel/Applicant, Maxson/Owner

ZBA14-03 – 34 Ann Avenue, Mystic, Katharine Whealton/Owner

Staff stated that public hearings have been scheduled for June 11, 2014. There was a consensus to cancel the May 28, 2014 Zoning Board of Appeals meeting.

5. Report of Staff

Staff stated that Michael Murphy retired as the Town's Planning Director on March 21, 2014. She added that Deborah Jones is currently the Acting Planning Director.

IV. ADJOURNMENT

Motion to adjourn at 7:30 p.m. was made by Kravitz, seconded by Manning, so voted unanimously.

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Tom Manning, Secretary  
Zoning Board of Appeals

Prepared by Robin Silsby  
Office Assistant II