

ZONING BOARD OF APPEALS
MINUTES
JULY 22, 2015
TOWN HALL ANNEX – COMMUNITY ROOM 1

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

I. ROLL CALL

Present: Grady, Kravits, Manning, Mencer, Stebbins, Russotto

Absent:

Staff: Cullen, Gilot

Chairman Stebbins called the meeting to order at 7:00 p.m. and reviewed the public hearing procedures.

II. PUBLIC HEARINGS

1. ZBA#15-06 – 76 Route 27, Old Mystic, Peter and Panayiota Costakos/Owners, Mercer & Bertsche Architects/Applicant, for a variance to Section 5.2 to allow 11 feet instead of 25 feet required for a side yard setback (East side), to Section 5.2 to allow 18 feet instead of 25 feet required for a side yard setback (West side), for a residential addition. PIN#271015549557, RU-80 zone

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

Chris Vernott, Mercer & Bertche Architects, represented the applicants and detailed the location and history of the site. There is no buildable footprint on the lot to build an addition to the home. It is a historic home and predates zoning.

The proposed addition in the back, and the side yard setbacks requested were explained. A site plan, (Exhibits 1 and 2), 3 pictures (Exhibits 3, 4, 5) were shown to the Board.

The hardship is that it is an historic home on an existing historic lot and pre-exists zoning.

The Chairman asked for comments from the public in favor or in opposition and there were none.

Secretary Manning read the following into the record:

- A letter in opposition to the proposal from Dana Macinelli, 68 Route 27 dated 7/22/15
- Planning Commission referral of no comment

Mr. Vernott addressed the concerns of the letter in opposition. He said the footprint of the house is not increasing, and is not expanding toward the neighbor's. With regard to parking, the family is not increasing traffic, only adding a new sunroom.

The public hearing was closed at 7:19 p.m.

2. ZBA#15-09 – 231 Heather Glen Lane, Marcelo & Tisha Ladia/Owners, for a variance to Section 5.2 for 22 feet instead of 50 feet required for a front yard setback (Heather Glen Lane) and 45 feet instead of 50 feet required for a front yard setback (Hunting Ridge Drive) and 18% instead of 15% building coverage, for a residential addition. PIN#270012966236, RU-40 zone.

Secretary Manning read the call of the hearing and said the mailings were in order.

Marcelo Ladia and Tisha Ladia, owners, presented their request. They propose to build an addition. The property has two front yards. They are requesting an increase in the lot coverage. The Chairman stated that there is an error in the call with regard to the coverage, because the square footage was calculated from the assessor's card, which stated 1,333, but the house is actually only 952 square feet, and adding the garage and shed would reduce the actual coverage to 16.8%, not the 18% advertised in the call.

The manufactured home subdivision zoning was changed to RU-40 in 1995. The home was built in 1998, but was an approved lot in the subdivision.

Staff said the existing zoning is different than it was at the time it was built, as part of the Deerfield manufactured home subdivision.

The Planning Commission had no comment.

The public hearing was closed at 7:34 p.m.

3. ZBA#15-10 – 2 Lewiston Court, Frank Jennette/Applicant, Dennis and Betty Borkman/Owners, for a variance to Section 5.2 for 15 feet instead of 30 feet required for a front yard setback (Lewiston Court) for a residential addition. PIN#169812860078, R-12 zone.

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

Frank Jennette, 142 Benham Road, Groton represented the applicants.

The applicants propose to make the house handicapped accessible. An addition is required to meet ADA egress requirements. The existing deck will be replaced with an accessible ramp. The applicants also have a live-in caregiver. The new addition would add two small bedrooms and a bath. The house was built prior to zoning regulations. The side yard meets the setback requirements, but 15 feet is required instead of 40 feet for the addition. The existing house is about 1,300 square feet. The addition would add 416 square feet of living area.

The Chairman asked for any comments in favor or against the application but there were none.

Dennis and Betty Borkman spoke in favor of the application.

The Planning Commission had no comment.

Staff said the lot coverage is within the regulations.

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

4. ZBA#15-11 – 89 Indian Field Road, Wayne Girard/Applicant, William & Susan Wilding/Owners, for a variance to Section 5.2 for 26 feet instead of 30 feet required for a front yard setback (Debby Drive) for a residential addition. PIN#169808896055, R-12 zone.

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

Wayne Girard, Girard's General Contracting, 12 Crocker Hill Road, and Susan Wilding, 89 Indian Field Road, Groton, presented their request for a variance.

Mr. Girard explained the request for a variance to allow 26 instead of 30 feet for a front yard setback. The requested variance is for the front yard on Debby, not on Indian Field. They propose to enclose an existing deck. The house was built in 1959; staff said the permit for the house may have been issued prior to zoning regulations in 1957.

The Chairman asked for comments from the public in favor or in opposition of the request and there were none.

The Planning Commission had no comment.

The public hearing was closed at 7:55 p.m.

III. MEETING FOLLOWING PUBLIC HEARINGS

Decision on Public Hearing Applications

1. ZBA#15-06 – 76 Route 27, Old Mystic, Peter and Panayiota Costakos/Owners, Mercer & Bertsche Architects/Applicant

The Board said the shape of the lot, with no additional encroachment, and the pre-existing nonconformity create a hardship.

MOTION: To grant the variance as amended.

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

2. ZBA#15-09 – 231 Heather Glen Lane, Marcelo & Tisha Ladia/Owners

The house has frontage on two streets, the house was built under zoning regulations which have since been changed, and the smaller coverage allowed presents hardships for the applicants.

MOTION: To grant the variances as requested.

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

3. ZBA#15-10 – 2 Lewiston Court, Frank Jennette/Applicant, Dennis and Betty Borkman/Owners

The site predates zoning, and the footprint is not increasing.

MOTION: To grant the variance as requested.

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

4. ZBA#15-11 – 89 Indian Field Road, Wayne Girard/Applicant, William & Susan Wilding/Owners

The Board felt a hardship existed because the site has two front yards,

MOTION: To grant the variance as requested.

Motion made by Grady, seconded by Manning. Motion passed unanimously.

IV. CORRESPONDENCE - None

V. APPROVAL OF THE MINUTES OF MINUTES OF June 24, 2015

Approval of the minutes was postponed to the next meeting.

VI. OLD BUSINESS - None

VII. NEW BUSINESS

a) New Applications

Staff said that an application for a residence was submitted. A public hearing date was scheduled for August 26th. The August 12th meeting will be cancelled.

VIII. REPORT OF STAFF - None

IX. ADJOURNMENT

Motion to adjourn made at 8:18 p.m. by Grady, seconded by Manning. Motion passed unanimously.

Tom Manning, Secretary
Zoning Board of Appeals

Prepared by Debra Gilot
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