

MINUTES  
TOWN OF GROTON  
ZONING BOARD OF APPEALS  
AUGUST 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, Manning, Mencer, Russotto  
Absent: Kravits  
Staff present: Allen, Silsby

Public hearing procedures were reviewed. Chairman Stebbins explained that since only four members were present, there would have to be four affirmative votes. He gave the applicants the option to wait until the August 24, 2016 meeting. The applicants chose to go forward tonight.

It was noted that a letter has been received regarding application ZBA16#10, 18-22 West Main Street, to request a continuance until August 24, 2016.

II. PUBLIC HEARING

1. ZBA#16-09 – 96 Midway Oval, James Laird/Owner for a variance to Section 5.2 to allow a side yard setback of 11 feet in lieu of the required 12 feet for a deck roof. PIN#169812865009, R-12 Zone – Continued

Manning read the Call of the Hearing. He explained that this application is being continued from the July 27, 2016 meeting and at that time the mailings were found to be in order.

James Laird, 96 Midway Oval, reviewed his request to install a 16 foot by 8 foot aluminum overhead over the existing deck. He explained the hardship being due to his wife's medical condition and narrowness of the lot. Sketches and a site map were previously submitted. He stated that the existing deck was approved by the Building Department and a Certificate of Occupancy was issued.

Discussion followed about the 30 inch requirement for the variance.

Chairman Stebbins asked if there was anyone to speak in favor or against this application and there were none.

Manning read a Planning Commission memo dated July 13, 2016, noting that the Planning Commission supports this application.

2. ZBA#16-10 –18-22 West Main Street, Historic Mystic LLC/Owner, Gregg Fedus/Engineer, for a variance to Section 5.2 to allow side yard setbacks of 0 feet in lieu of the required 10 feet, a front yard setback of 0 feet in lieu of the required 10, and lot coverage of 100% instead of the required 65% for a new carport. PIN#261918412081, WDD Zone. CAM – Continued

This item is being continued to August 24, 2016.

3. ZBA#16-11 – 2 Bradley Lane, Matthew and Laura Boggio/Owner/ Applicant, for a variance to Section 5.2 to allow a front yard setback of 28 feet in lieu of the required 30 feet and a rear yard setback of 5 feet in lieu of the required 30 feet for a new porch. PIN#261809176060, R-12 Zone.

Manning stated that the mailings were reviewed and found to be in order.

Matt Boggio reviewed his application to build a 39 foot x 6 foot roof covered front porch. He stated that this house predates zoning regulations and subsequently imposed setbacks make for a hardship. Plans were reviewed and submitted.

Discussion followed about where the actual frontage of the house is. Staff explained that because Bradley Lane is not a Town accepted road and because the lot line faces Noank Road, the house frontage lies on Noank Road, as determined by the zoning official. The Board continued to inquire about the frontage.

Manning noted that the existing hardship is that the house pre dates zoning. He spoke about the nearby houses which have a Bradley Lane address.

Chairman Stebbins asked if there was anyone to speak in favor or against this application.

Barbara Van Drimmelen, 10 Bradley Lane, spoke in support of this application.

Staff stated that the neighbors at 8 Bradley Lane stopped in to the Planning Department today and communicated that they had no objection to the application.

Manning read a Planning Commission memo dated August 10, 2016, indicating that the Planning Commission had no comment.

The public hearing closed at 7:36 p.m.

### III. MEETING FOLLOWING PUBLIC HEARING

1. ZBA#16-09, 96 Midway Oval, James Laird/Owner\*

Manning felt this was a reasonable request due to Mr. Laird's wife's health issue and supports this application, as presented.

MOTION: To grant the variance as requested

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

2. ZBA#16-10, 18-22 West Main Street, Historic Mystic LLC/Owner\*

Manning read letter from Gregg Fedus dated August 10, 2016, requesting a continuance until August 24, 2016.

MOTION: To continue this application until August 24, 2016

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

3. ZBA#16-11, 2 Bradley Lane, Mystic, Matthew and Laura Boggio/ Owners/Applicant\*

Mencer noted that the house is circa 1900 and pre dates zoning. He feels this is a well-intended plan by the owner and the setback request is minor. He supports this application with the hardship being that the lot pre dates zoning.

Manning requested Staff to confer with the zoning officer about similarities of other properties on streets that are not approved but still have a frontage lot line on an unapproved road. Staff stated that the definition of front lot lines was reviewed, which explains how the determination was made that the house is considered to have frontage on Noank Road.

MOTION: To grant the two variances, as requested

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

IV. CORRESPONDENCE – None

V. APPROVAL OF MINUTES

1. July 27, 2016

MOTION: To adopt the minutes of July 27, 2016, as written

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

VI. OLD BUSINESS

Stebbins inquired about the Spicer Mansion on Elm Street and wonders whether the restaurant is open to the public. An advertisement was distributed and discussion followed.

VII. NEW BUSINESS

1. New Applications

Staff reviewed the new applications listed below.

- a. Soeder and Esposito Residence, 5 Grove Avenue, Mystic
- b. Kyla Adams Renovations, 391 Long Hill Road

VIII. REPORT OF STAFF - None

IX. ADJOURNMENT

Motion to adjourn at 7:56 p.m. made by Russotto, seconded by Mencer, so voted unanimously.

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Tom Manning, Secretary  
Zoning Board of Appeals

Prepared by Robin Silsby  
Office Assistant II