



TOWN OF OLD SAYBROOK
Zoning Board of Appeals

*Robert J. McIntyre, Chairman
Kevin Danby, Vice Chairman
Jacqueline Prast, Secretary
Dorothy T. Alexander
Alfred Wilcox*

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Alternate Members
*Charles Gadon
Brenda Dyson
Carl Garbe*

**MINUTES
REGULAR MEETING
Wednesday June 9, 2021 at 6:00 p.m.**
Virtual Zoom Meeting

I. CALL TO ORDER

Chairman McIntyre called the meeting to order at 6:02 p.m.

II. ROLL CALL

Members

Robert McIntyre
Kevin Danby
Dorothy Alexander
Jacqueline Prast
Alfred Wilcox
Charles Gadon
Brenda Dyson
Carl Garbe

Attendant Staff

Sarah Makowicki, Recording Clerk

III. PUBLIC HEARINGS

- A. 20/21-31 Derick Gibbs** seeks a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 as amended by 68.1.2.b.4 (narrow street setback /40' required /11.7' proposed); and Par 24.5.3 (other property line setback/15' required/10.9 proposed to east and 6.2' proposed to west) of the Zoning Regulations to permit the construction of a 376 s.f. second story addition at 6 Tucker Road, Map 18/Lot 80, Residence A District, Coastal Area Management Zone, AE-12 Flood Zone.

MOTION to EXTEND to the July 14, 2021 meeting. **20/21-31 Derick Gibbs** seeks a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 as amended by 68.1.2.b.4 (narrow street setback /40' required /11.7' proposed); and Par 24.5.3 (other property line setback/15' required/10.9 proposed to east and 6.2' proposed to west) of the Zoning Regulations to permit the construction of a 376 s.f. second story addition at 6 Tucker Road, Map

18/Lot 80, Residence A District, Coastal Area Management Zone, AE-12 Flood Zone. **MADE:** K. Danby; **SECONDED:** R. McIntyre; **VOTING IN FAVOR:** A. Wilcox, R. McIntyre, J. Prast, K. Danby, D.Alexander; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

B. 20/21-38 Chuck and Annie Serravalle seek a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.6.2 (structure coverage/20 % allowed/26.2 proposed); Par 68.1.2.b.4 (narrow street setback /30' required /21.1' proposed to porch and 16.5' proposed to stairs) and Par 24.5.3 (other line setback/15' required/6.8' proposed) of the Zoning Regulations to permit the construction of a 145.8 s.f. front porch and concrete steps at 10 Uncas Trail, Map 19/Lot296, Residence A District, Coastal Area Management Zone.

Mr. Serevalle presented his application stating that he is proposing to re-work his front steps to widen and deepen the tread in order to accommodate his wife's handicap. The side staircase and landing are also being proposed to be re-worked to accommodate a larger landing at the side door and the eventuality of adding a ADA ramp if needed.

Chairman McIntyre relayed to the applicant that because there are no proposed ADA features in the current plans the board can only hear what is proposed and cannot take into account any future ADA additions. He stated that if the board was presented with plans that incorporated proposed ADA features, the board would have more leeway as to what they could approve.

The applicant chose to table the application at this time and come back to the board with revised plans at the August meeting.

MOTION to Continue to the August 11, 2021 meeting. **20/21-38 Chuck and Annie Serravalle** seek a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.6.2 (structure coverage/20 % allowed/26.2 proposed); Par 68.1.2.b.4 (narrow street setback /30' required /21.1' proposed to porch and 16.5' proposed to stairs) and Par 24.5.3 (other line setback/15' required/6.8' proposed) of the Zoning Regulations to permit the construction of a 145.8 s.f. front porch and concrete steps at 10 Uncas Trail, Map 19/Lot296, Residence A District, Coastal Area Management Zone. **MADE:** R. McIntyre; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** A. Wilcox, R. McIntyre, J. Prast, K. Danby, D.Alexander; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

C. 20/21-39 Jason Luciani seeks a variance of Par 23.6.1A (structure coverage Gateway Conservation Zone/15% allowed/20% proposed) of the Zoning Regulations to permit the construction of a 168 s.f. shed at 200 Cromwell Court North, Map 32/Lot 50, Residence AA-2 District, Gateway Conservation Zone, Coastal Area Management Zone.

Mr. Luciani presented his application stating that he was seeking a variance for his shed. The property is in the gateway zone and therefore subject to the 15% lot coverage. Mr. Luciani stated the hardship that his house was built before the gateway zone restrictions went into effect and he will be removing the pool coping to offset the non-conformities.

Mr. Wilcox asked if there was a letter of referral from the Gateway Commission included with the application.

The board was informed that there was no Gateway referral letter in the packet and the issue would have to be further researched as to why the letter was not included.

The board chose that this time to continue the application until next month when a letter of referral could be obtained.

R. McIntyre opened the public hearing.

Mr. Wayne Wolery a neighbor stated that he had no objections to the proposed shed.

R. McIntyre closed the public hearing.

MOTION to Continue to the July 14, 2021 meeting. **20/21-39 Jason Luciani** seeks a variance of Par 23.6.1A (structure coverage Gateway Conservation Zone/15% allowed/20% proposed) of the Zoning Regulations to permit the construction of a 168 s.f. shed at 200 Cromwell Court North, Map 32/Lot 50, Residence AA-2 District, Gateway Conservation Zone, Coastal Area Management Zone. **MADE:** R. McIntyre; **SECONDED:** K. Danby; **VOTING IN FAVOR:** A. Wilcox, R. McIntyre, J. Prast, K. Danby, D.Alexander; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

D. 20/21-40 George & Laura Tannenbaum seek a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 as modified by Par 68.1.2.b.4 (narrow street setback /30' required /6' proposed); Par 24.5.3 (otherline setback/15' required/12.6' proposed); and Par 24.6.2 (structure coverage/20 % allowed/24% proposed) of the Zoning Regulations to permit the construction of a 620 s.f. two story addition and front door overhang at 4 East Lane, Map 3/Lot 2, Residence A District, Coastal Area Management Zone.

Hope Proctor architect presented the application for the applicant. The proposed plans would remove an existing three season porch and replace it with a two-story addition. The proposed two story addition would improve on the setback. The applicant is also proposing the replacement of the existing front door with a new door and overhang that would be encroaching into the narrow street setback. Ms. Proctor stated that the hardship is the narrow street setback along with the property being a corner lot.

R. McIntyre opened the public hearing.

Attorney Gregory Picuch spoke on behalf of Mr. and Mrs. Nordstrom of East Lane Old Saybrook. Mr. Picuch stated that the proposed addition is not a reduction but an expansion and intensification of use with the vertical expansion of a nonconformity. Mr. Picuch stated that he did not see a hardship and the residence were currently making reasonable use of the property. Mr. and Mrs. Nordstrom spoke of the noise pollution of mechanicals and their neighbors use of the outdoor space. They feel that the proposed addition would impede of their privacy and outdoor space would add to noise pollution.

Two letters of support from Rob and Mary Dudley and Sally Yoselevsky were read into the record.

R. McIntyre closed the public hearing.

Ms. Proctor addressed issues brought up by Mr. Piecuch, the proposed plan to pull the house back from the setback will address noise issues and privacy issues. With the unique corner lot/tight pie shaped lot with the septic on the side of the property the only logical place for an addition would be the proposed site.

D. Alexander who was participating over zoom asked to be unseated and Charles Gadon who was present throughout the presentation to be seated for her.

C. Gadon was seated for D. Alexander.

MOTION to APPROVE on the condition that the front door overhang is abandoned. **20/21-40 George & Laura Tannenbaum** seek a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 as modified by Par 68.1.2.b.4 (narrow street setback /30' required /6' proposed); Par 24.5.3 (otherline setback/15' required/12.6' proposed); and Par 24.6.2 (structure coverage/20 % allowed/24% proposed) of the Zoning Regulations to permit the construction of a 620 s.f. two story addition and front door overhang at 4 East Lane, Map 3/Lot 2, Residence A District, Coastal Area Management Zone. On the grounds that there is substantial reduction of nonconformity and the shape of the lot makes a non-buildable building envelope. **MADE:** A. Wilcox; **SECONDED:** K. Danby; **VOTING IN FAVOR:** A. Wilcox, R. McIntyre, J. Prast, K. Danby, C. Gadon; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

MOTION to Deny front door overhang. **20/21-40 George & Laura Tannenbaum** seek a variance of Par 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 as modified by Par 68.1.2.b.4 (narrow street setback /30' required /6' proposed); Par 24.5.3 (otherline setback/15' required/12.6' proposed); and Par 24.6.2 (structure coverage/20 % allowed/24% proposed) of the Zoning Regulations to permit the construction of a 620 s.f. two story addition and front door overhang at 4 East Lane, Map 3/Lot 2, Residence A District, Coastal Area Management Zone. On the grounds that there is no hardship for the front door overhang. **MADE:** K. Danby; **SECONDED:** C. Gadon; **VOTING IN FAVOR:** A. Wilcox, R. McIntyre, J. Prast, K. Danby, C. Gadon; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

IV. NEW BUSINESS

A. Minutes

MOTION to APPROVE May 12, 2021 Regular Meeting Minutes as presented. MADE: A. Wilcox; **SECONDED:** R. McIntyre ; **VOTING IN FAVOR:** R. McIntyre, K. Danby, D. Alexander, J. Prast, A. Wilcox; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

MOTION to APPROVE May 19, 2021 Special Meeting Minutes as presented. MADE: R. McIntyre; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** R. McIntyre, K. Danby, D. Alexander, J. Prast, A. Wilcox; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

- B. Correspondence & Announcements – None**
- C. Committee, Representative & Staff Reports – None**

VI. ADJOURMENT

MOTION to ADJOURN June 9, 2021 Regular Meeting of the Zoning Board of Appeals at 8:11 p.m.; **MADE:** R. McIntyre; **SECONDED:** A. Wilcox; **VOTING IN FAVOR:** R. McIntyre, K. Danby, D. Alexander, J. Prast, A. Wilcox; **OPPOSED:** NONE; **ABSTAINING:** NONE; **Motion Passes: 5-0-0.**

Respectfully submitted,

Sarah Makowicki, Recording Clerk

NEXT REGULAR MEETING

July 14 at 6:00 P.M.

Town Hall, 1st Floor Conference Room, 302 Main Street, Old Saybrook, CT

If the COVID19/Corona Virus State of CT Public Health Emergency remains effective, a dial in public meeting may be held. Check our website one week in advance for dial in information at

[Town of Old Saybrook Zoning Board of Appeals](#) or

Subscribe to www.oldsaybrookct.org for electronic delivery of land use agendas.