



TOWN OF OLD SAYBROOK
Zoning Board of Appeals

Robert J. McIntyre, Chairman
Kevin Danby, Vice Chairman
Dorothy T. Alexander, Secretary
Adam Boyd
Jacqueline Prast

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Alternate Members
Catherine J. Purcell
Charles Gadon
Brenda Dyson

MINUTES
REGULAR MEETING

July 10, 2019 at 6:00 p.m.

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

I. CALL TO ORDER 6:00pm

II. ROLL CALL

Attendant Members

Robert McIntyre
Dorothy Alexander

Absent Members

Adam Boyd
Catherine Purcell

Staff & Representatives

Bridget Riordan, Recording Clerk

Jacqueline Prast

Kevin Danby

Brenda Dyson – seated

Charles Gadon – seated (recused from 19/20-02C)

III. PUBLIC HEARINGS

PEOPLE IN ATTENDANCE 14

19/20-01C Ken & Beata Tumolo seek a variance of Par. 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.1 (street line setback/25' required/16' propose to garage & 19' to covered front porch) and Par 68.1.2B (tidal wetlands setback/50' required/45' proposed) of the Zoning Regulations to permit the construction of a 408 s.f. detached garage, 30 s.f. addition and 95 s.f. front porch at 65 Knollwood Drive, Map 8/Lot 38, Residence A District, Coastal Area Management Zone.

M. Reeves submitted a photo of the existing house and presented 4 proposed changes; 1) remove portico/replace w/ front porch (within current foot print), 2) square off existing storage to make living space, 3) add 408 sq ft. 1 car garage, 4) remove existing shed (located closer to wetlands than proposed garage). C. Gadon asked, re: Hardship, and given proposed plan is at 19.9% coverage, would existing parking suffice? A discussion about garage being used for storage for lawn equipment, etc and being greater distance from wetlands followed.

B. Dyson question re: septic – 2 on property, both are in compliance.

D. Alexander referred to DEEP letter including detail on wetlands specific plantings that should be a condition of approval.

R. McIntyre read DEEP letter into the record.

Chairman invited Public Opinion – None.

Public Hearing was closed.

A **MOTION** was made by D. Alexander, **SECONDED** by B. Dyson to **APPROVE** appeal #19/20-01C **(with conditions)** based on the proposed garage being further away from the wetlands than the existing shed which will be removed. A new plan including appropriate planting suggested by Marcy Balint, DEEP in her letter dated 7/8/2019 must be approved by ZEO. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson, C. Gadon. **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously. 5-0-0

19/20-02C Thomas & Christine Harley seek a variance of Par. 10.7.1 & 10.7.2 (non-conformity enlargement/change); Par 24.5.3 (side yard setback/15' required/8.1' proposed); and Par 24.5.1 (street line setback/25' required/19.3' proposed to steps and 20.1' to overhang) of the Zoning Regulations to permit the construction of 796 s.f. in additions, front overhang and 2nd story deck at 13 Woodland Drive, Map 4/Lot 051, Residence A District, Coastal Area Management Zone.

E. Cassella submitted photos and presented 2 variance requests, 1) 105 ft of existing porch to becomes part of house & front entry, 2) remove steps from side entry and enclose it making a 18 sq ft room.

R. McIntyre questioned note on plan re: removal of shed. E. Cassella confirmed that Applicant agrees to remove the shed as was recommended by DEEP.

J. Prast questioned the location of bilco. G. Echtman, Point 1 Architects, confirmed bilco will be relocated off the rear of the addition and is conforming.

There was discussion about a future garage that would bring total lot coverage to 19%. E. Cassella verified that Applicant is willing to remove the shed whether they ultimately build the garage or not.

Chairman invited Public Opinion – None

Chairman read into record three letters of support submitted by, James & Donna Wakim- 5 Woodland Dr., Ron & Karen Selines – 69 Woodland Dr. & Paula Kay – 87 Cypress Rd.

E. Cassella closed by stating that the hardship is the implementation of the Residence A District regulations on this non-conforming lot, particularly the structure in its non-conforming location in close proximity to the side yard setback – 8.1 ft – and front yard setback – approximately 20.4ft

Chairman closed the Public Hearing.

A **MOTION** was made by R. McIntyre, **SECONDED** by D. Alexander, to **APPROVE** appeal #19/20-02C based on reduction in non-conformity, hardship of the implementation of the Residence A District regulation on this non-conforming lot, removal of shed currently located near tidal wetlands, proposed plan meets all requirements of CAM and the improvements being in character with the neighborhood. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson **OPPOSED:** None, **ABSTAINING:** None, the motion passed 4-0-0 (C. Gadon recused himself).

19/20-03 Alan Cantor seeks a variance of Par 10. 7.1 & 10.7.2 (non-conformity enlargement/change) and Par 24.5.3 (side yard setback/15' required/6.3' proposed) of the Zoning Regulations to permit the construction of a peaked roof and 336 s.f. of storage space on existing garage at 385 Main Street, Map 22/Lot 242, Residence A District, Coastal Area Management Zone.

Applicant/owner Alan Cantor referred to photos submitted with application to describe condition and location of the existing garage relative to the side yard setbacks, the septic and the grade of the driveway. As

is, all water from the property ends up in the garage. Proposed project will raise the floor of the garage 1ft increasing total height from 169” to 215”(which includes storage space) making the garage even with the driveway. Eventually the driveway will be repaved. House is listed on the Chamber of Commerce walking tour.

C. Gadon asked how run off will be influenced by the proposed height increase.

There was discussion about the new asphalt driveway.

D. Alexander suggested that sloping the new driveway toward the septic be a stipulation of approval.

A **MOTION** was made by R. McIntyre, **SECONDED** by B. Dyson to **APPROVE** appeal #19/20-03 **(with conditions)** based on improvement being on existing foot print with no ability to relocate because of location of septic. Condition is that when driveway is repaved it will intentionally be pitched towards septic. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson, C. Gadon. **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously 5-0-0

19/20-04C Pam Wertheim seeks a variance of 10.8.3 (non-conforming lot size/12,500 s.f. required/ 9,519 s.f. proposed) of the Zoning Regulations to permit the construction of an 1,803 s.f. residence at 120 Sea Lane-2, Map 13/Lot 79, Residence A District, Coastal Area Management Zone.

Joe Wren introduced the variance application related to a Site Plan that was approved by Inlands Wetlands 5/2019, with one change, to demolish the house and rebuild it. Elevations on site are 3-4ft., the property is in the flood zone and house is currently in the High Velocity Zone. Arial photos of property were submitted. Driveway will be moved to the right and made of permeable material reducing impervious coverage by 48%. Proposed plan is 100% FEMA compliant and will reduce overall lot coverage to 19.4%.

C. Gadon questioned the proposed 500 yards of fill related to the new septic and location of new house and the impact on surrounding properties. There was extensive discussion on the topic.

R. McIntyre, Chairman suggested that the Board had reservations about the fill and drainage and may want to have legal input.

Peter Springsteel, Architect – commented that the fill is pervious and would provide “storage area” for water above ground water.

Chairman invited Public Opinion

In Support – Tim & Suzanne Arborio – 122 Sea La-2

Opposed – Raymond & Lori Hackling – 116 Sea La-2 – concerned w/ loss of view, new location of driveway being close to their patio and referred to DEEP letter re: retaining wall and run off.

Opposed – Rose Ziegler, Indiantown Association –concerned about new location of the driveway related to property owned by Indiantown Association and run off from 500 yards of fill.

Chairman closed Public Hearing and there were no other questions from Board.

R. McIntyre, Chairman stated that the issue of run off related to 500 yards of fill should have clarification and will base their decision on the continued communication between J. Jacobson, Town Flood Engineer and J. Wren regarding the review of the site plan. C. Costa, ZEO will also be consulted.

A **MOTION** was made by R. McIntyre, **SECONDED** by C. Gadon to **CONTINUE** appeal #19/20-04C to the next regularly scheduled meeting in order to get clarity on the 500 yards of fill/run off and to allow for Jacobson's review of site plan and applicant's response to review. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson, C. Gadon **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously 5-0-0.

IV. **REGULAR MEETING**

- A. **New Business** None
- B. **Minutes**

MOTION was made by R. McIntyre, **SECONDED** by C. Gadon to **APPROVE** the June 12th, 2019 Regular Meeting Minutes **IN FAVOR:** R. McIntyre, J. Prast, C. Purcell, B. Dyson, C. Gadon, D. Alexander **OPPOSED:** None **ABSTAINING:** None **The motion passed unanimously. 5-0-0**

- D. **Correspondence & Announcements** None
- E. **Committee, Representative & Staff Reports** None

V. **ADJOURNMENT**

MOTION was made by R. McIntyre, **SECONDED** by C. Gadon to **Adjourn** the July 10, 2019 meeting at 8:45p.m. to the next regularly scheduled meeting on **Wednesday, August 14th at 6p.m.** **IN FAVOR:** R. McIntyre, D. Alexander, C. Gadon, J. Prast, B. Dyson **OPPOSED:** None **ABSTAINING:** None **APPROVED: 5-0-0**

NEXT REGULAR MEETING
Wednesday, August 14th, 2019 at 6:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street
Old Saybrook, CT

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