



TOWN OF OLD SAYBROOK  
**Zoning Board of Appeals**

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

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**Alternate Members**  
*Vacant  
Charles Gadon  
Brenda Dyson*

**MINUTES  
REGULAR MEETING  
January, 8th 2020 at 6:00 p.m.**  
Town Hall, 1<sup>st</sup> Floor Conference Room  
302 Main Street, Old Saybrook

**I. CALL TO ORDER 6:00pm**

**II. ROLL CALL**

**Attendant Members**

Robert McIntyre  
Dorothy Alexander  
Jacqueline Prast  
Alfred Wilcox  
Brenda Dyson  
Chuck Gadon

**Absent Members**

Kevin Danby

**Staff & Representatives**

Bridget Riordan, Recording Clerk

There were 4 members of the public in attendance. R. McIntyre began by reading through the agenda.

**III. CONTINUED PUBLIC HEARINGS**

**19/20-21 Kenneth F. & Nanette Navarro** seek a variance of Par 10.8.3 (non-conforming lot/12,500 s.f. required/7,434 s.f. proposed); Par 9 (definition of story, half/no doors or balconies allowed/uncovered balconies proposed); and Par 24.6.2.a (structure coverage/15% allowed/16% proposed) of the Zoning Regulations to permit the construction of a 2,769.5 s.f. house at 17 Fenwick Street, Map 24/Lot 82-1, Residence A District, CAM Zone.

Atty. Cassella and D. Von Dassel presented the revised application and submitted a summary of the proposed plan including photos of 2 ½ story homes w/balconies in the vicinity. The new plan includes a 530 sq. ft. “true half story” on the 3<sup>rd</sup> level at 16% coverage. Atty. Cassella stated that the overlap of regulations related to the Residence A District and Gateway Conservation District applied to a lot that is one of the smallest in the zone is a hardship.

Chairman invited questions/comments from the Board.

D. Alexander - commented that the homes on Cove St. included in D. VonDassel’s handout are in the Marine District not the Residence A District.

B. Dyson – asked how much of the proposed 530sq.ft. third level ½ story falls w/in the 6ft ceiling height requirement. D. Von Dassel replied that all of the 530 sq.ft. is within the 6ft ceiling height requirement w/the remaining to be used for storage.

Chairman invited Public Opinion – In Favor – None

Opposed – Janet Hooper/ Robert Skeels, 25 Fenwick St. Commented that all the other houses on Fenwick St. are 1 story or 1.5 story and that Bridge St. is the Marine District unlike Fenwick St. A discussion about the height and scale of the neighboring houses followed.

Chairman closed Public Hearing and invited the Applicant to Comment.

Atty. Cassella asked the Board to consider the application as 2 separate requests; 1) lot area and coverage and 2) the top story and balconies.

Chairman read into the record a letter from Deputy Director of Ct River Gateway Commission. In the letter Mr. and Mrs. Navarro were mistakenly referred to as “Contract Purchasers”.

Chairman invited comments/questions from the Board.

Alfred Wilcox – asked for the definition of a “habitable attic” vs. “1/2 story”. A discussion of regulations, building code compliance and procedure following approval/denial of variance requests followed.

Chairman Re-Opened the Public Comment

R. Steel – commented on the garage.

B. Dyson – in regards to the garage and the additional 75 sq. that pushes coverage to 16%, she asked if there were changes that could be made to achieve 15% coverage. A discussion followed about other possible locations for the garage.

D. Alexander – commented that a garage is not a “necessity”; her survey of the houses on the street showed that 50% do not have garages; the size of the lot is a self-created hardship because the proposed home is too large for the land.

A. Wilcox- commented that he is troubled by the fact that the house looks like a 3 story house.

R. McIntyre – summarized his thoughts by stating that the proposed garage under the house would be a reduction in non-conformity, The Ct River Gateway Commission is not opposed to the 16% coverage, and no questions about the decks have been asked therefore he wouldn’t have a problem granting a variance for them. He made a motion to grant the three requested variances. There was no second to the motion.

A **MOTION** was made by A. Wilcox, **SECONDED** by J. Prast to **APPROVE the variances of Par 10.8.3** (non-conforming lot ) **and Par 24.6.2.a** (for additional lot coverage) and **DENY the variance of Par 9** (definition of story, half/no doors or balconies allowed/uncovered balconies proposed) A vote was taken. **IN FAVOR:** R. McIntyre, J. Prast and A. Wilcox. **OPPOSED:** D. Alexander and B. Dyson. **ABSTAINING:** None, the motion was **DENIED**, 3-2-0.

*\*The motions for this meeting filed with the Town Clerk on 1/15/20 contain a typographical error. The vote on application #19/20-21 as recorded herein stands and the motion was denied.*

#### IV. PUBLIC HEARINGS

**19/20-24 Sara A. & Henry A. Frick** seek a variance of Par. 10.7.1 & 10.7.2 (non-conformity enlargement/change), Par 24.5.1 (street line setback/25’ required/11.4’ proposed to deck) and Par 24.5.2 as modified by Par 68.1.2.b.4 (narrow street setback/30’ required/15.9’ to deck and 16.9’ to addition proposed) of the Zoning Regulations to permit the construction of a 213 s.f. 2<sup>nd</sup> story deck and 100 s.f. 2<sup>nd</sup> story addition at 370 Maple Avenue, Map 3/Lot 358, Residence A District, CAM Zone.

Atty. Cassella and Architect Bryan Buckley presented the proposed improvements to expand the 2<sup>nd</sup> fl bedroom and add a deck to the existing porch within the existing footprint. The hardship is corner lot side yard limitations based on and current location of the house on the lot.

Chairman invited questions from the Board. A few questions were asked to clarify the presentation.

Chairman invited Public Opinion –

Dan and Carol Moran – 5 Oakwood – had comments and questions about the integrity of the supports of existing porch and sunporch that had been previously enclosed. It was agreed that the building codes would insure the safety of the renovations.

Chairman closed Public Hearing.

Chairman invited questions from the Board.

A. Wilcox – commented that as you drive down Maple Ave the house sticks out more than any other house and that adding a deck to the porch (w/deck furniture, etc.) the visual impact even more jarring. He had no issue with the proposed improvements to the rear of the house.

Chairman Closed the Public Hearing.

A **MOTION** was made by D. Alexander, **SECONDED** by R. McIntyre to **APPROVE** appeal #19/20-24 based the hardship of being a corner lot, the proposed improvements not enlarging the current footprint and being in keeping with the neighborhood. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast and B. Dyson. **OPPOSED:** A. Wilcox **ABSTAINING:** None, the motion passed, 4-1-0.

#### IV. REGULAR MEETING

A. **New Business** – None

B. **Minutes**

A **Motion** was made by R. McIntyre, **SECONDED** by A. Wilcox to **APPROVE** the December 11, 2019 Regular Meeting Minutes. A vote was taken: **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, A. Wilcox, B. Dyson and C. Gadon, **OPPOSED:** None **ABSTAINING:** None. The motion passed unanimously. 6-0-0

C. **Correspondence & Announcements** – None

D. **Committee, Representative & Staff Reports** – None

#### V. ADJORNMENT

A **Motion** was made by R. McIntyre, **Seconded** by D. Alexander to adjourn the December 11th, 2019 Regular Meeting of the Zoning Board of Appeals. No discussion and a vote was taken: In favor: R. McIntyre, D. Alexander, J. Prast, A. Wilcox, B. Dyson and C. Gadon. Opposed: None. Abstaining: None. The motion passed unanimously. 6-0-0. The meeting was adjourned at 8:35p.m.

Bridget Riordan, Recording Clerk



#### WORKSHOP

**Wednesday, February, 12, 2020 at 6:00 P.M.**

NEXT REGULAR MEETING

**Wednesday, March 11, 2020 at 6:00 P.M.**

Town Hall, 1<sup>st</sup> Floor Conference Room

302 Main Street

Old Saybrook, CT

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