
Zoning Board of Appeals Minutes 04/12/2017

MOTIONS Town of Old Saybrook Zoning Board of Appeals

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Old Saybrook at its Regular Meeting that was held on **Wednesday, April 12, 2017 at 7:00 p.m.** at the Town Hall, First Floor Conference Room, 302 Main Street, heard and decided the following appeals:

Seated for this evenings meeting and voting were the following members: Rexford McCall, Chairman, Dorothy Alexander, Vice Chairman, Adam Boyd, Philip Broadhurst, Carl VonDassel, Jr., alternate and Catherine Purcell, alternate

Present: Kim Barrows, Clerk

Absent: Robert McIntyre and Kevin Danby, alternate

The meeting was then called to order at 7:00 p.m. The following public hearings were conducted, as well as the decision making sessions. The meeting has been recorded and the following actions were taken:

The Chairman introduced the Board members who were seated for this evenings meeting. The Chairman then proceeded to read the Legal Notice into the record.

16/17-26 - Melissa M. and John P. O'Hara, seek a variance of Par 10.8.2 & 10.8.3 (nonconforming lot); Par 24.6.2 (maximum building/structure coverage/20% allowed/40.9 % proposed); and Par 24.6.1 (gross floor area/40% allowed/67.1% proposed); Par 24.5.1 as modified by 68.1.2B(4) (narrow street setback/30' required/6.6' proposed to steps/11.6 proposed to house); Par 24.5.3(other line setback/15' required/6' proposed to east and west) to permit the construction of a 2,816 s.f. house with attached garage at 35 Sea Breeze Road, Map 3/Lot 174, Residence A District, Coastal Area Management Zone.

Discussion with respect to the public hearing that closed this evening. The public hearing had been continued from last month in order to try and reduce the gross floor area. The applicants presented a new plan that eliminates the living area over the garage.

Three existing structures are being torn down and a new house with attached garage is being constructed. There will be some reductions in the existing nonconformities. The house is a 2,200 s.f. structure with a 1 ½ car garage. In order to meet the 20% maximum building/structure coverage allowed the house would only be 800 s.f. D. Alexander feels the 2,200 s.f. structure is too large. P. Broadhurst stated that the original structure was built prior to the enactment of the zoning regulations. He also stated that the applicants did what the Board requested last month by redoing the plans.

A **Motion** was made by P. Broadhurst, seconded by A. Boyd to **GRANT Application 16/17- 26 - Melissa M. and John P. O'Hara**. The property is a legally nonconforming lot and the existing structure predates the zoning regulations. The new construction reduces a number of nonconformities such as the streetline setback, building/structure coverage but a slight increase in the gross floor area. This reconstruction is within the spirit and intent of the zoning regulations. No discussion and a vote was taken: In favor: R. McCall, P. Broadhurst, A. Boyd, C. Purcell Opposed: D. Alexander Abstaining: None The motion passed. 4-1-0

16/17-27 - Aaron M. & Christina P. Deems, seek a variance of Par 10.7.1 & 10.7.2 (nonconformity enlargement/change); Par 24.5.3 (other yard setback/15' required/9' proposed); and Par 24.5.5.C (minor accessory setback/10' required/3' proposed) to permit the construction of a 344 s.f. deck and 80 s.f. shed at 63 Plum Bank Road, Map 6/Lot 12, Residence A District, Coastal Area Management Zone.

Discussion with respect to the public hearing that closed this evening. The lot is a long and narrow piece and the front of the house faces the water. Due to the property configuration the shed placement will be 3' off the property line. The proposed deck addition would be off to the side for shade from the existing trees. The deck stairs were changed so that they would be closer to the house and not intrude further into the sideyard setback. Board members were split as to whether there was a hardship for a deck in the shade and the placement of the shed in its proposed location.

A **Motion** was made D. Alexander, seconded by C. VonDassel to **GRANT Application 16/17- 27- Aaron M. & Christina P. Deems**. The location of the shed as shown on the newest plan revision dated March 21, 2017 is to be granted as well as the deck proposed with the stairs to be moved closer to the house. The hardship is the narrowness of the lot and preference to have the deck on the side of the house instead of on the water side. No discussion and a vote was taken: In favor: D. Alexander, A. Boyd, C.

VonDassel Opposed: R. McCall, P. Broadhurst Abstaining: None The motion failed to pass. 3-2-0 It takes four affirmative votes to grant a variance

D. Alexander recused herself for this application

16/17-28 - Robert & Lydia Regan, seek a variance of Par 10.7.1 & 10.7.2 (nonconformity enlargement/change); and Par. 24.5.1 as modified by 68.1.2B(4) (narrow street setback/30.5' required/26' proposed) to permit the construction of a 168 s.f. front porch and 32 s.f. connected utility shed, at 5 Cove Street, Map 24/Lot 70, Residence A District, Coastal Area Management Zone.

Discussion with respect to the public hearing that closed this evening. The applicants would like to make the existing structure more aesthetically pleasing. The proposal is to add a porch with a roof, it will not be enclosed fully. The hardship is the shape of the lot. The house is small and the proposal will conform with the comprehensive zoning plan.

A **Motion** was made P. Broadhurst, seconded by C. VonDassel to **GRANT Application 16/17- 28 - Robert & Lydia Regan**. The variances as requested are granted. Granting this variance would not be inconsistent with the other houses on the street which are situated closer to the street. The proposal is in conformance with the comprehensive zoning plan. No discussion and a vote was taken: In favor: R. McCall, P. Broadhurst, A. Boyd, C. VonDassel, C. Purcell Opposed: None Abstaining: None The motion passed. 5-0-0

16/17-30 - Liz & James Moss, seek a variance of Par 10.7.2 (nonconformity change); Par. 24.5.1 as modified by 68.1.2B(4) (narrow street setback/30' required(Cottage Rd) 40' required (Sea Lane)/20.11' proposed(Cottage Rd) & 33.4' proposed (Sea Lane) to permit construction of a 168 s.f. roof deck at 9 Sea Lane-1, Map 3/Lot 20, Residence A District, Coastal Area Management Zone.

Discussion with respect to the public hearing that closed this evening. The only change to the existing house is the roof. The applicants want to remove the gable roof and construct a flat roof for a deck. There is no change in the footprint at all. A reduction in the "cubic" volume of the structure.

A **Motion** was made R. McCall, seconded by P. Broadhurst to **GRANT Application 16/17- 30 - Liz & James Moss**. The applicants are reducing a nonconformity by changing a gabled roof to a flat roof. No discussion and a vote was taken: In favor: R. McCall, D. Alexander, A. Boyd, P. Broadhurst, C. VonDassel Opposed: None Abstaining: None The motion passed. 5-0-0

REGULAR MEETING

Minutes: A **Motion** was made R. McCall, seconded P. Broadhurst to **approve the March 8, 2017 Regular Meeting Minutes** with one correction as follows: on page 5 under Voting Session should read "A **Motion** was made by P. Broadhurst, seconded by D. Alexander to **DENY Application 16/17- 25 - Peter Budwitz, Trustee**. Sufficient hardship has not been shown." No discussion and a vote was taken: In favor: R. McCall, D. Alexander, P. Broadhurst, A. Boyd, C. VonDassel Opposed: None Abstaining: None The motion passed unanimously. 5-0-0

Adjournment: A **Motion** was made by R. McCall, seconded by C. VonDassel to adjourn the April 12, 2017 Regular Meeting of the Zoning Board of Appeals. No discussion and a vote was taken: In favor: R. McCall, D. Alexander, P. Broadhurst, A. Boyd, C. VonDassel Opposed: None Abstaining: None The motion passed unanimously. 5-0-0 The meeting was adjourned at 8:40 p.m.

Rexford H. McCall, Chairman

THE NEXT MEETING OF THE ZONING BOARD OF APPEALS IS
WEDNESDAY, MAY 10, 2017 AT 7:00 P.M., FIRST FLOOR CONFERENCE ROOM