



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
September 11, 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
Jacqueline Prast
Brenda Dyson – seated
Catherine Purcell – seated
Charles Gadon – seated

Absent Members

Adam Boyd
Kevin Danby

Staff & Representatives

Bridget Riordan, Recording Clerk

R. McIntyre began by reading through the agenda and informing the audience that the Arcesi and Budwitz applications were probably not going to be heard and that Atty. Ed Cassella would be along shortly to confirm in person according to proper procedure.

P. Karalelas: 27 Billow Rd and F. Wilcox: 19 West Shore Dr. were in attendance for the Arcesi application and requested clarification. There was some discussion and questions about whether the application was going to be withdrawn or not, would we wait or not, etc.

R. McIntyre continued reading through the agenda mentioning that Atty. Ed Cassella would also address the Budwitz application when he arrived and asked Agent for Wakim application for his permission to begin in Atty. Cassella's absence.

IV. PUBLIC HEARINGS

19/20-09 James Wakim, seeks a variance of Par. 10.7.1/10.7.2 (non-conformity enlargement/change) and Par. 24.5.1 (street line setback/25' required/18' proposed) of the Zoning Regulations to permit the construction of a 389 roofline extension over an existing second story deck at 5 Woodland Drive, Map 4/Lot 49, Residence A District, Coastal Area Management Zone.

Alternates seated: C. Purcell and C. Gadon

Atty. H. Gould (agent) stated that the basis for the variance application is the hardship of 2 front yard side backs w/ a square house on a triangular lot. He submitted a map of the property with the proposed roofline extension highlighted to show the roof line in comparison to the setback. The proposed open air canopy will not cause any obstructions and it will look good and enhance property values. He the Board for approval.

R. McIntyre greeted Atty. Cassella and asked how long he would need to address the Board regarding the Arcesi and Budwitz applications.

Atty. Cassella stated that the Arcesi application was being withdrawn and the Budwitz application was being continued until next month.

P. Karalelas: 27 Billow Rd interrupted, then excused himself, to ask what it meant that the Arcesi application “be withdrawn”, wanted confirmation that a new application would not come back directly to the ZBA and but would include a new plan that will go through all proper steps of the process and that his comments would be in the minutes.

R. McIntyre confirmed and assured him that the meeting was being recorded.

Atty. H. Gould concluded by asking if there were questions.

C. Gadon asked for clarification on plan notes re: maximum gross floor area coverage. Mr. Wakim explained that the overall Floor Area Ratio did not increase due to increase in roof area, ie: the umbrella effect.

Chairman invited additional questions by the Board: None

Chairman invited Public Opinion:

Speaking in FAVOR – Direct neighbor, Judy Chase

Chairman read into record letter of support from Christine & Tom Harley: 13 Woodland Dr.

Speaking AGAINST – None

Public Comment was closed

D. Alexander asked the applicant to reiterate the hardship and Atty. H. Gould did.

Public Hearing was closed

A **MOTION** was made by C. Gadon, **SECONDED** by C. Purcell to **APPROVE** appeal #19/20-09 based on the shape of the lot justifying the increase in non-conformity. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, C. Purcell and C. Gadon. **OPPOSED:** None **ABSTAINING:** None, the motion passed unanimously, 5-0-0.

III. CONTINUED PUBLIC HEARING

19/20-06C David & Jennifer Arcesi, seek a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.3 (side yard setback/15’ required/8.2’ proposed to south and 6.2’ proposed to north); Par 24.6.2 (building structure coverage/20% allowed/33.8% proposed); and Par 10.11(flood plain compliance/elevate to 500 year required/elevate above 500 year proposed) of the Zoning Regulations to permit the elevation of existing 2,088 s.f. home to meet FEMA requirements, roof line modifications and creation of foyer, garage and other storage areas on lower level at 21 West Shore Drive, Map 1/Lot 102, Residence A District, Coastal Area Management Zone, VE-15 Flood Zone.

Application withdrawn by agent Atty. Ed Cassella

19/20-10C Peter Budwitz, Trustee, seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.3 (side yard setback/15’ required/6.06’ proposed to south and 13.53’ proposed to north) and Par 24.6.1 (gross floor area/40% allowed/43.5% proposed) of the Zoning Regulations to permit the construction of a 308 s.f. second story addition and 463 s.f. second story deck at 6 West Shore Drive, Map 1/Lot 142, Residence A District, Coastal Area Management Zone.

A request for continuance was submitted by agent Atty. Ed Cassella

IV. PUBLIC HEARINGS (cont'd)

19/20-11 Susan Marino, seeks a variance of Par 24.5.1 as amended by 68.1.2b4 (narrow street setback/45' required/ 30' proposed) and Par 24.6.2 (building structure coverage/20% allowed/27.2% proposed) of the Zoning Regulations to permit the construction of a 288 s.f. detached garage at 42 Vincent Avenue, Map 20/Lot 52, Residence A District, Coastal Area Management Zone.

Alternates seated: C. Purcell and B. Dyson

Atty. Ed Cassella (agent) summarized by stating that the property consists of a 6300 square foot lot with a 1200 square foot house on it. The application is to add a single car garage that because of the location of the septic system must be located 30 ft. from the street vs. the 45ft accessory structure set back. Proposed plan includes removing both 201 square feet (more than half) of the existing deck and the existing shed to bring overall coverage to 27.2% including the proposed garage. Updated zoning data table was included in the application. There was some discussion about the attic space above the proposed garage and the location of the stairs to access the attic.

B. Dyson asked Ed Cassella to restate the basis for the request for variance.

Ed. Cassella reiterated the hardship as being the location of the septic system together with the narrow street setback as well as the reduction in coverage and non-conformities.

D. Alexander asked for confirmation of existing vs. proposed coverage.

Ed. Cassella confirmed existing coverage is 24.5%, proposed is 24.2%

Chairman invited additional questions by the Board: None

Chairman invited Public Opinion:

Speaking in FAVOR – Linda Collins: 28 Vincent Ave

R. McIntyre read into the record letters from Alan Horton; 18 Pelton Ave. & letter signed by 18 neighbors.

Speaking AGAINST – None

Public Comment was closed

Public Hearing was closed

A **MOTION** was made by D. Alexander, **SECONDED** by C. Purcell to **APPROVE** appeal #19/20-11 based on the hardship of the location of septic which prevents proposed garage from being located further from the road and efforts taken to reduce total coverage from 24.5 to 24.2. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson, C. Purcell. **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously, 5-0-0.

19/20-12 Marsha G. Finkeldey, seeks a variance of Par 10.7.1/10.7.2 (non-conformity enlargement/change); Par 24.5.3 (other line setback/15' required/13' proposed) of the Zoning Regulations to permit the construction of a 196 s.f. three season room at 22 Shepard Street, Map 22/Lot 254, Residence A District, Coastal Area Management Zone.

Alternates seated: C. Purcell and C. Gadon

Marsha Finkelday presented the proposed 12.5 ft x 16 ft three season room to be built on the foot print of the deck which required a 4 ft variance when it was extended in 2008. The hardship is that the current set

back is 15 ft. and the deck is at 13ft. Overall coverage will be reduced because 230 square feet of existing deck will be removed.

Chairman invited additional questions by the Board: None

Chairman invited Public Opinion:

Speaking in FAVOR – None

Speaking AGAINST – None

Public Comment was closed

Public Hearing was closed

A **MOTION** was made by C.Gadon, **SECONDED** by R. McIntyre to **APPROVE** appeal #19/20-12 based on the reduction in non-conformities and total coverage and project being in harmony w/the neighborhood A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, C. Gadon and C. Purcell. **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously. 6-0-0

V. REGULAR MEETING

Minutes: A Motion was made by R. McIntyre, seconded by C. Purcell to **APPROVE** the August 14th, 2019 Regular Meeting Minutes. A vote was taken: **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, B. Dyson, C. Purcell, **OPPOSED:** None **ABSTAINING:** None. The motion passed unanimously. 5-0-0

VI. NEW BUSINESS

Atty. Ed Cassella submitted a letter requesting a one year extension of the Linda and Lawrence Moses, 35 Cypress Road application due to the applicant's illness.

A **MOTION** was made by R. McIntyre, **SECONDED** by D. Alexander to **APPROVE** a continuance of one year. A vote was taken. **IN FAVOR:** R. McIntyre, D. Alexander, J. Prast, C. Gadon, B. Dyson and C. Purcell. **OPPOSED:** None, **ABSTAINING:** None, the motion passed unanimously. 5-0-0

D. Correspondence & Announcements None

E. Committee, Representative & Staff Reports None

VII. ADJOURNMENT

A Motion was made by R. McIntyre, **SECONDED** by C. Purcell to adjourn the September 11th, 2019 Regular Meeting of the Zoning Board of Appeals. No discussion and a vote was taken: **In FAVOR:** C. Purcell, J. Prast, R. McIntyre, B. Dyson, D. Alexander **OPPOSED:** None **ABSTAINING:** None The motion passed unanimously. 5-0-0 The meeting was adjourned at 6:55p.m.

Bridget Riordan, Recording Clerk

NEXT REGULAR ZBA MEETING
Wednesday, October 9, 2019 at 6:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street
Old Saybrook, CT

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