

MINUTES

ZONING BOARD OF APPEALS

FEBRUARY 4, 2016

WATERFORD TOWN HALL

6:30 PM

Members Present: Chairman Joshua Friedman, Cathy Newlin, Anne Darling, Thomas Malley
Members Absent: Barbara Panciera
Alternates Present: Elizabeth Yother, Joseph Filippetti, Joshua Kelly
Staff present: Thomas Lane, Zoning Enforcement Officer and Carol Libby, Secretary

Chairman Friedman welcomed A. Darling and J. Kelly as newly elected members of the Zoning Board of Appeals.

1. CALL TO ORDER/APPOINTMENT OF ALTERNATES

Chairman Friedman called the meeting to order at 6:31 PM and appointed J. Filippetti to sit for B. Panciera.

2. APPROVAL OF THE NOVEMBER 5, 2015 MEETING MINUTES

MOTION: Motion made by T. Malley, seconded by C. Newlin to approve the November 5th, 2015 meeting minutes as written.

VOTE: 5-0

3. PUBLIC HEARING

Chairman Friedman read the hearing notice and exhibit list into the record.

Application #ZBA-Z-16-1. Appeal of Scott Gregory, owner and applicant at 6 Oil Mill Road, R-20 zone. Variances are requested from zoning regulations 24.4 non-conforming structure, 24.4.1 a & b, to allow expansion, modification or alteration of a non-conforming structure, 4.4.1 front yard, 4.4.3 rear yard, 4.4.2 south side yard. Variances are needed to demolish and rebuild new structure utilizing the same footprint and to comply with FEMA guidelines for structures in a special flood hazard area, CAM review.

Exhibit 1: Application and supporting documentation.

(Application; List of Property Owners Within 150'; Deed; Portion of Assessor's Map; Tax Assessor's Street Card; Certificates of Mailing; A-2 Site Plan, Aerial of property).

Exhibit 2: Notice of Public Hearing published in The Day newspaper on January 21st, and 29th, 2016.

Exhibit 3: Copy of notification letter to applicant dated January 12th, 2016 regarding the requirement to mail the notice of Public Hearing to property owners within 150' of the property.

Exhibit 4: Condensed comment sheet.

Exhibit 5: Letter dated 1/29/16 from John and Janet Hanney expressing approval for the variance request

Scott Gregory, owner and applicant came forward to present the variance application. He stated the existing lot and home are non-conforming and he wishes to demolish the existing home which was built in 1900. The new single family home will be built in the exact location as the existing home with minor changes to the stairways. The home will need to be raised 1.8 feet to be in compliance with the FEMA regulations, but will still meet the height requirements of the zoning regulations. The home has never flooded in the past, although water has come over the stone wall.

A. Darling raised concerns of the water table, during demolition of the home debris entering the water and heavy equipment and vehicles being stored on the property.

T. Lane explained that a silt fence would be installed not allowing debris to enter the water and also a stone pad would also be installed for the placement of equipment/vehicles. He and also the Environmental Planner, M. FitzGerald would be monitoring the construction at all times.

T. Lane stated he had received verbal approval regarding the CAM application with a condition from K. Kallenberg, Environmental Analyst 2 of DEEP. Her conditions require that native shrubs be planted to stabilize the slope on the north side of the property.

Chairman Friedman questioned on three occasions if anyone present wished to speak in favor or against the variance request.

J. Hanney of 5 Oil Mill Road came forward to express approval of the variance request.

No one came forward to speak against the variance request.

The public hearing closed at 6:45 PM.

4. APPLICATION REVIEW

Application #ZBA-Z-16-1. Appeal of Scott Gregory, owner and applicant at 6 Oil Mill Road, R-20 zone. Variances are requested from zoning regulations 24.4 non-conforming structure, 24.4.1 a & b, to allow expansion, modification or alteration of a non-conforming structure, 4.4.1 front yard, 4.4.3 rear yard, 4.4.2 south side yard. Variances are needed to demolish and rebuild new structure utilizing the same footprint and to comply with FEMA guidelines for structures in a special flood hazard area, CAM review.

Coastal Area Management

MOTION: Motion was made by C. Newlin, seconded by J. Filippetti to approve the Coastal Area Management application as presented with the condition that native shrubbery be planted on the north side of the property to prevent erosion.

VOTE: 5-0

REASON: The board finds that the proposed project as presented is consistent with the goals and policies set forth in the Coastal Management Act and will not have any adverse impacts on the natural resources.

Variance request

MOTION: Motion made by C. Newlin, seconded by T. Malley to approve the variance request with the condition stated in the CAM review.

CONDITIONS: Native shrubbery be planted on the north side of the property to prevent erosion.

VOTE: 5-0

REASON: The property is a non-conforming lot.

5. OLD BUSINESS

Discussion took place regarding the variance on The Strand and if a legal decision has been made.

6. NEW BUSINESS

2016 Election of the Chairperson, Vice-chairperson and Secretary

MOTION: Motion made by T. Malley to nominate C. Newlin as Chairperson, seconded by A. Darling

Chairman Friedman asked if there were any other nominations for chairperson.

VOTE: 4-0

MOTION: Motion made by C. Newlin, seconded by T. Malley to nominate J. Friedman as Vice-chairman.

VOTE: 4-0

MOTION: Motion made by C. Newlin, seconded by J. Friedman to nominate T. Malley as Secretary.

VOTE: 4-0

8. ADJOURNMENT

Motion made by T. Malley, seconded by C. Newlin to adjourn the meeting at 6:59

Respectfully submitted,

Carol Libby
Secretary