

## MINUTES

ZONING BOARD OF APPEALS

NOVEMBER 5, 2015

WATERFORD TOWN HALL

6:30 PM

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

### 1. CALL TO ORDER/APPOINTMENT OF ALTERNATES

Chairman Friedman called the meeting to order at 6:32 PM and appointed T. Malley to sit for P. Bendfeldt and E. Yother to sit for F. Ribas.

### 2. APPROVAL OF THE OCTOBER 1<sup>ST</sup>, 2015 MEETING MINUTES

**MOTION:** Motion made by C. Newlin, seconded by T. Malley to approve the October 1<sup>st</sup>, 2015 meeting minutes as written.

**VOTE:** 4-0-1. Chairman Friedman abstained as he was not present at the meeting.

### 3. PUBLIC HEARING

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

Application #ZBA-15-7. Appeal of Bernard Braithwaite, owner and applicant at 45 Clark Lane, R-20 zone. Variances are requested from zoning regulation for two front yard setbacks, (Clark Lane and Monroe St.), a south side yard and the expansion of a non-confirming structure for construction of the east side 2 story addition.

- 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 October 22<sup>nd</sup>, and October 29<sup>th</sup>, 2015.
- Exhibit 3: Copy of notification letter to applicant dated October 9<sup>th</sup>, 2015, regarding the requirement to mail the notice of Public Hearing to property owners within 150' of the property.
- Exhibit 4: Condensed comment sheet.

Bernard Braithwaite came forward to represent the variance request. He stated he wished to expand his home and spoke regarding the sections 24.2, 24.3, 24.3.1 and 4.4 – 4.4.3 of the zoning regulations. The existing home was built in 1915 prior to zoning regulations. The corner lot is non-confirming and only 45 feet wide. Being a corner lot, per zoning regulations, it has 2 front yards and 2 side yards which makes it impossible to add an addition to his home without approved variances. The existing home is 740 square feet and Mr. Braithwaite is

proposing a two story, 200 square foot addition. The hardship claimed is the property is a non-conforming corner lot.

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

No one came forward.

The Public Hearing closed at 6:40 PM.

#### **4. APPLICATION REVIEWS**

Application #ZBA-15-7. Appeal of Bernard Braithwaite, owner and applicant at 45 Clark Lane, R-20 zone. Variances are requested from zoning regulation for two front yard setbacks, (Clark Lane and Monroe St.), a south side yard and the expansion of a non-conforming structure for construction of the east side 2 story addition.

**MOTION:** Motion made by C. Newlin, seconded by B. Panciera to approve the variance request.

**VOTE:** 5-0

**REASON:** The property is a non-conforming corner lot, the home was built prior to zoning regulations and it conforms to the neighborhood.

#### **5. OLD BUSINESS**

None

#### **6. NEW BUSINESS**

None

#### **7. ADJOURNMENT**

**MOTION:** Motion made by T. Malley, seconded by E. Yother to adjourn the meeting at 6:42 PM.

**VOTE:** 5-0

Respectfully submitted,

Carol Libby  
Secretary