

MINUTES

ZONING BOARD OF APPEALS WATERFORD TOWN HALL

JULY 10, 2014
6:30 PM

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

1. CALL TO ORDER/APPOINTMENT OF ALTERNATES

Acting Chairwoman, Cathy Newlin called the meeting to order at 6:30 PM and appointed E. Yother to sit for Chairman J. Friedman.

2. APPROVAL OF MINUTES

MOTION: Motion made by F. Ribas, seconded by B. Panciera to approve the February 6, 2014 minutes as written.

VOTE: 5-0

3. PUBLIC HEARING

Application # Z-14-1. Appeal of David & Cynthia Anderson, owners & applicants at 4 Pennicott Road, R-20 zone. Variances are requested from Zoning Regulations Section 4.4.1, front yard, required 50 ft., proposed 18 ft., difference 32 ft., existing 26 ft. Section 4.4.2, side yard, required 20 ft., proposed 18 ft., difference 2 ft., existing 18 feet. Variances are needed to construct a 300 sq. ft. addition to front of house.

Acting Chairwoman C. Newlin read the hearing notice and the following exhibit list into the record:

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 June 26TH and July 3RD, 2014

Exhibit 3: Copy of notification letter to applicant dated June 10, 2014 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: Six letters from neighbors in support of this application.

James Bernardo and owners David and Cynthia Anderson were present to represent the variance request. J. Bernardo, agent stated the property is in an R-20 zone. J. Bernardo explained in detail each of the variances requested. The Anderson's purchased the property in 1994 and the house was built in 1953 prior to zoning regulations and is an existing non-conforming lot. The house is connected to city water and public sewer. A new 300 square foot addition is proposed, 8 feet x 36.5 feet. The Anderson's plan on purchasing approximately 3,000 square feet in the rear of the property. The existing house has a spiral staircase leading to the second floor which will be replaced by a traditional staircase.

J. Bernardo submitted Exhibit #6 – a map of Pennicott Road and Old Colchester Road.

J. Bernardo stated the hardship is due to the house being built prior to zoning regulations and there is also a brook and wetland area in the rear of the property which limits the buildable area.

J. Bernardo submitted Exhibits 7, 8, and 9 – front and side elevations of the residence and the layout including the proposed addition.

F. Ribas stated that purchasing the additional section of land in the rear of the property makes the lot more conforming to the zoning regulations.

Acting Chairwoman Newlin questioned on 3 occasions if anyone present wished to speak in favor of the variance request.

No one came forward.

Acting Chairwoman Newlin questioned on 3 occasions if anyone present wished to speak opposing the variance request.

No one came forward.

The public hearing closed at 6:40 PM.

4. APPLICATION REVIEW

Application # Z-14-1. Appeal of David & Cynthia Anderson, owners & applicants at 4 Pennicott Road, R-20 zone. Variances are requested from Zoning Regulations Section 4.4.1, front yard, required 50 ft., proposed 18 ft., difference 32 ft., existing 26 ft. Section 4.4.2, side yard, required 20 ft., proposed 18 ft., difference 2 ft., existing 18 feet. Variances are needed to construct a 300 sq. ft. addition to front of house.

MOTION: Motion made by F. Ribas, seconded by E. Yother to approve the variance request with conditions.

CONDITION: Mr. and Mrs. Anderson, owners will be required to purchase the additional property in the rear of the lot, 3,317 square feet, from the John and Jean Tillinghast which will make the lot more conforming to the zoning regulations in lot area.

VOTE: 5-0

REASON: The property is an existing non-conforming lot with wetlands and a watercourse in the rear of the property.

5. NEW BUSINESS

Zoning Official, T. Lane stated there is one variance request for the August meeting.

6. OLD BUSINESS

Zoning Official, T. Lane informed the commission members that the Durham case has been settled in court and he is waiting for a copy of the approved stipulated agreement

7. ADJOURNMENT

MOTION: Motion made by F. Ribas, seconded by P. Bendfeldt to adjourn the meeting at 6:45 PM.

VOTE: 5-0

Respectfully submitted,

Carol Libby, Secretary