

ZONING BOARD OF APPEALS

TOWN OF CLINTON
54 East Main Street
Clinton, Connecticut 06413

MINUTES

Regular Monthly Meeting
April 16, 2008

Chair Mark Richards called the April 16, 2008 Regular Monthly Meeting of the Town of Clinton's Zoning Board of Appeals to order at 8:26 P.M. in the Green Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut.

Members present: Secretary George Doerrer, Eileen O'Connor, Chair Mark Richards and Alternates Donna Chrostowski and Mark Kiefer

Members absent: Noreen Braza and Martin Lane

Also present: Zoning Enforcement Officer Thomas W. Lane (ZEO Lane), applicants and members of the public

Richards **SEATED** Chrostowski for Braza and Kiefer for M. Lane.

Deliberation and Decision: ZBA 07-031: 131A Shore Road, Yacavone

Withdrawn Prior to the Start of the Public Hearing

Deliberation and Decision: ZBA SE & CAL 08-000A: "Ditty's Pit Stop", 316 East Main Street, Dittert/Simoncini

Withdrawn Prior to the Start of the Public Hearing

Deliberation and Decision: ZBA 08-007: Columbia Road, Sachs

Following the synopsis of the public hearing by Richards and discussion by the Board, Doerrer **MOVED** to grant **ZBA 08-007:** 7 Columbia Road, Karl Sachs (Applicant & Owner). Application for Variance of **Section 25.10.6 (Front Setback)** and **25.10.10 (Rear Setback)** for the construction of a 2-car garage with second-story storage/workshop. Assessor's Map 4 Block 2 Lots 144, 145 and 146. Zone: R-80, as requested, subject to the following conditions:

1. There shall be no living quarters in the garage;
2. There shall be no plumbing or heating in the garage; and
3. The existing well must be abandoned in accordance with the Well Driller's Code.

The hardship proven is the topography, the size of the lot and the property pre-dates zoning. The applicant will be **removing** two sheds. Kiefer seconded the motion. Voting in favor: Doerrer, O'Connor, Richards, Chrostowski and Kiefer.

Opposed: none. Abstentions: none. The variance was **carried**, 5-0-0.

Deliberation and Decision: ZBA 08-008: 35 Beach Road, Winger (After-the-Fact)

Public Hearing Postponed to May 21, 2008

Deliberation and Decision: ZBA 08-009: 32 James Vincent Drive, Gaudet

Following the synopsis of the public hearing by Richards and discussion by the Board, Chrostowski **MOVED** to grant **ZBA 08-009:** 32 James Vincent Drive. John Gaudet (Applicant) John and Erin Gaudet (Owners). Application for a Variance of **Section 25.10.8 (Side Setback)** for the construction of a detached two-car garage with second floor storage. Assessor's Map 27 Block 40 Lot 41. Zone: R-80, subject to the following conditions:

1. There shall be no living quarters in the garage;
2. There shall be no plumbing or heating in the garage; and
3. The garage shall be no closer than 15 feet from the side property line.

The hardship demonstrated being the topography, the exposed ledge and the wetlands. Kiefer seconded the motion. Voting in favor: Doerrer, O'Connor, Richards, Chrostowski and Kiefer. Opposed: none. Abstentions: none. The variance was **carried**, 5-0-0.

Deliberation and Decision: ZBA 08-010: 22 Merrill Road, Fedus/Steiner; and

Deliberation and Decision: CAM 08-010: 22 Merrill Road, Fedus/Steiner

Public Hearing Postponed to May 21, 2008

Minutes. Doerrer **MOVED** to accept and approve as presented the Minutes of the March 19, 2008 Public Hearing and Regular Monthly Meeting. O'Connor seconded the motion. Voting in favor: Doerrer, O'Connor, Richards, Chrostowski and Kiefer. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

Correspondence and Bills. None

Old Business/New Business

- **Notices to Abutters.** Members discussed the current procedure whereby the clerk notifies abutting property owners via certified mail of variance applications and ZBA special exceptions. Land Use Staff recommended that this procedure be discontinued due to potential legal issues should an abutter not receive the notification in a timely fashion. Following discussion, it was the consensus of the members that mailings to abutting property owners should be discontinued. In lieu of the mailing the subject property shall be posted in accordance with the zoning regulations. ZEO Lane noted that this change in procedure must be addressed by P&Z and it will be brought to their Regulations Committee. Any changes needed to the Rules of the ZBA will be addressed by the ZBA upon the effective date of the amendment to the Zoning Regulations.

Chair's Comments: none.

There being no further business, Doerrer **MOVED** to adjourn the meeting. O'Connor seconded the motion. Voting in favor: Doerrer, O'Connor, Richards, Chrostowski and Kiefer. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. The meeting was **adjourned** at 8:45 P.M.

Respectfully submitted,
Sherry Lee Hynes
Sherry Lee Hynes, Clerk

E-mail: Town Clerk
Board of Selectmen