

**THE CITY OF GROTON
ZONING BOARD OF APPEALS
MEETING MINUTES
TUESDAY, SEPTEMBER 26, 2006**



**MUNICIPAL BUILDING
COUNCIL CHAMBERS
7:30 P.M.**

I. ROLL CALL

Present: Rugh, Walker, Harkins
Alternate: Frucht, Casey
Also Present: Carlton Smith
Absent: Zeppieri, E. Gergen

Call to order: 7:35 p.m.

II. APPROVAL OF MINUTES

Zoning Board of Appeals Meeting Minutes of August 22, 2006
With exceptions: Harkins, regular member. Frucht, alternate.

Motion: R. Walker
Second: Casey
Decision: Unanimous

III. PUBLIC HEARING

#457- Sal Rizza

Exhibits presented:

- | | | |
|-------------------------------|---|---|
| 1. Agenda | 10. Goodrich, Planner | 18. Additional photographs |
| 2. Notice of Hearing | 11. Planning & Zoning Review | 19. Five (5) additional photographs |
| 3. Application | 12. Plot Plan | 20. Photographs before deck/pool |
| 4. Notice & Day | 13. 30 Circle Avenue Letter
Property owner | 21. Six more photographs |
| 5. Abutting Property
Owner | 14. Picture from property owner | 22. Property owner report of property |
| 6. Fax to Day | 15. Letter from Mr. Rizza | 23. Land record card- Town |
| 7. Review Sheets | 16. Eighteen (18) photographs
of property | 24. Land map by Town
Assessor's Office |
| 8. Pictures of Property | 17. More photographs | 25. Warranty Deed |
| 9. Police review sheet | | |

Discussion:

Without deck lot becomes safety hazard.

Sal Rizza: Presented picture and letter, was assured by Pfizer that he owned enough land to do what he wanted on property- not enough land for shed. Questions land coverage and Zoning Officer’s measurements.

Glen Orkney, 10 Circle Avenue: Representing his mother Ethel Orkney, confirms ledge and type of land. Property owner has to work with, and fine improvements made to property. “Beautiful neighborhood”, “encouraged approval”.

Zoning Official: Building Permit for pool, not deck. Deck put in without Permit and inspections. Deck puts him over lot coverage.

8:45 p.m. Mr. Rizza: Feels that deck was part of landscape. Regarding shed, Pfizer knew he would do shed- not wording in Warranty Deed. Doesn’t feel “over hang” on property should be considered land coverage. Supportive of Building Inspector, Assistant & Secretary.

Motion: Kathleen – To approve “Landscape Type” Deck as exists 26.6%
Denied request for shed

Second: Walker

Decision: Unanimous

Reason: Topography of property restricts permitted use of an accessory building.

PUBLIC HEARING- 9:05 p.m.

#458- Dominic Perrone

Exhibits presented:

- | | |
|-----------------------------|---|
| 1. Agenda | 8. Coastal Site Plan |
| 2. Notice of Hearing | 9. Property card/ location map |
| 3. Application | 10. Drawing of house |
| 4. Abutting property owners | 11. Engineer Survey |
| 5. Fax cover to The Day | 12. Letter- 99 Pine Island Road |
| 6. B. Goodrich, Memo | 13. Photographs |
| 7. Police review sheet | 14. Mildred Evan letter to be put in <u>this</u> packet |

Discussion:

Annette Perrone: Photographs, lives there six (6) months a year since 1998, last house to be replaced in Jupiter Point, have revised plans to fit land “physical hardships”.

Mildred Evan- 133 Jupiter Point Road: Wrote in August, letter in favor and spoke in favor.

Carlton Smith, Zoning Official: Our staff and applicant have presented best plan. Will be first house FEMA approved.

Motion: Walker to Approve – Request for variance of Section 4.66 from 25.00’ to 10.51’.
Also, approval of request for variance of Section 2.46 from 25% Lot coverage to 33%

Second: B. Frucht

Decision: Unanimous

Reason: FEMA regulations as well as water boundary make use of this property a hardship along with pre-existing non-conforming.

PUBLIC HEARING CLOSED AT 9:25 p.m.

IV. OTHER BUSINESS

There will be a hearing next month.

V. ADJOURNMENT

Motion to adjourn: Walker

Seconded by: Casey

Decision:

Meeting adjourned at 9:45 p.m.

Barbara Frucht, Temporary Secretary