

November 17, 2005

Present: Edmund White, Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts

Alternate: Georgia Middlebrook

Guests: Gene Wrabel, Dirk Sabin, Jacqueline Henning, David Behnke, Lindsay Gruson, Willie Connolly, Jim & Joanne Kelly

Mr. White, Chairman called the meeting to order at 7:30pm and read the legal notice for tonight's meeting. Mr. White went on to congratulate reelected regular member Polly Roberts alternate members Georgia Middlebrook and Todd Catlin. Members also congratulated Mr. White on his reelection.

PUBLIC HEARING - CONTINUED

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0516 Request of Wykeham Partners, 240 Wykeham Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations. Gene Wrabel of Shepaug Valley Electric was present to represent this application. Pamela Osborne noted for the record that the correct certified mail notice had been completed for this application. Mr. Wrabel stated that he has spoken with the owner and builder who both agreed that the generator could be enclosed. There is an existing stone wall on the north side of the generator. Ms. Roberts made a site inspection and felt that because of the terrain the noise from the proposed generator was shielded from the house but would echo to the south and west. Members requested that a stockade fence be placed around the generator. Mr. Wrabel said he would convey the ZBA request to the applicant. Mr. White asked for further questions or comments from the public.

MOTION: to close ZBA-0516 request of Wykeham Partners, 240 Wykeham Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations was made by Mr. Sedito, seconded by Ms. Leab, by a 5-0 vote.

Meeting

Katharine Leab felt that with the requested stockade fence she was just fine with granting the special exception. Mr. Snook and Mr. Sedito agreed. Ms. Roberts also agreed adding that taking into consideration the terrain the proposed location is better than placing it according to the Zoning Regulations, less noise impact. Mr. White was in favor of granting the special exception.

MOTION: to approve ZBA-0516 request of Wykeham Partners, 240 Wykeham Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations by a 5-0 vote.

PUBLIC HEARING-CONTINUED

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0518 Request of Arthur Sachs & Susan Lerner, 104 Kielwasser Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations. Dirk Sabin was present to represent this application. Mr. Sabin submitted two new documents; a letter addressing the three issues that arose from last month's hearing and a map with measurements from the proposed generator to location of adjacent homes. Mr. Sabin reported that the applicant will be installing a 12kw unit. Dirk added that they will also enclose the proposed generator in a wood shed, enclosed on all four sides with a roof; the exhaust will go out the top. Mr. Sabin stated that the closest home to the proposed generator site is 480'-500' away, if they were to move the generator to within 25' of the house it would be closer to the nearest residence. Secretary, Pamela Osborne has spoken to Jay Morton, an adjacent property owner who is Ok with the proposed location for the generator. The db level for this generator is 65db at 7 meters. James Kelly another adjacent property owner has no objection to this application. Mr. White asked for further questions and comments from the public.

MOTION: to close ZBA-0518 Request of Arthur Sachs & Susan Lerner, 104 Kielwasser Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations was made by Mr. Sedito, seconded by Mr. Snook, by a 5-0 vote.

MEETING

Ms. Leab was very pleased to see the work done on this proposal since the last meeting; enclosing the generator in a shed is an improvement and makes sense. Mr. Snook and Mr. Sedito agreed and had nothing to add. Ms. Roberts also agreed the shed will cut noise impact to neighboring properties. Mr. White agreed.

MOTION: to approve ZBA-0518 Request of Arthur Sachs & Susan Lerner, 104 Kielwasser Road, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations by a 5-0 vote.

PUBLIC HEARING-CONTINUED

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0519 Request of Jacqueline Henning, 1 New Preston Hill Road, for a variance from Zoning Regulations 12.1.2 (set back from the E. Aspetuck River), and 11.6.1.c (setback from front yard and side yard), for additions to existing dwelling. David Behnke and Jacqueline Henning were present to represent this application. Mr. Behnke submitted an A-2 survey showing the western boundary line in question at the October meeting. The proposed addition of the 8'x11' porch is 4.21' to 4.31' from the property line. The other proposed stoop measure 6'x 5'. Mr. Behnke also submitted two letters from Josephine Johnson and Brooke & Peter Duchin. Mr. White asked for further questions or comments from the public.

MOTION: to close ZBA-0519 Request of Jacqueline Henning, 1 New Preston Hill Road, for a variance from Zoning Regulations 12.1.2 (set back from the E. Aspetuck River), and 11.6.1.c (setback from front yard and side yard), for additions to existing dwelling was made by Ms. Roberts, seconded by Mr. Sedito, by a 5-0 vote.

MEETING

Mr. Sedito stated that the applicant did what was asked and verified the property line; he is in favor of granting the variance. Mr. Snook agreed his concern was with the property line also. Ms. Leab added that the changes are minimal and the egress from the bedroom is a safety factor. Ms. Roberts agrees as does Mr. White.

MOTION: to approve ZBA-0519 Request of Jacqueline Henning, 1 New Preston Hill Road, for a variance from Zoning Regulations 12.1.2 (set back from the E. Aspetuck River), and 11.6.1.c (setback from front yard and side yard), for additions to existing dwelling by am5-0 vote.

PUBLIC HEARING-CONTINUED

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0520 Request of Lindsay & Jane Gruson, 61&62 Frisbie Road, for a variance from Zoning Regulation 11.6.1 (front yard setback), to construct a porch on existing dwelling. Lindsay Gruson was present to represent his application. Mr. Gruson submitted a revised A-2 survey showing the measured distance from the proposed porch, a foundation plan for the proposed porch and pictures of the property. The existing porch is 6'3" and the proposed porch will be the same 6'3". Mr. Gruson stated that there will be no foundation under the porch just footings. The A-2 survey shows the proposed porch addition to be 20.5' to 21.5' from the right-of-way. A letter from Roger Cannavaro, Forman for the Town Highway Department was submitted to the file. Mr. Gruson ended by stating that he was continuing his pursuit of the Town of Washington abandoning this section of Frisbie Road. Mr. White asked for further questions and comments from the public.

MOTON: to close ZBA-0520 Request of Lindsay & Jane Gruson, 61&62 Frisbie Road, for a variance from Zoning Regulation 11.6.1 (front yard setback), to construct a porch on existing dwelling was made by Ms. Roberts, seconded by Mr. Sedito by a 5-0 vote.

MEETING

Mr. Snook has no objection to this request. Ms. Leab is pleased with the results of getting the revised A-2 and plans, now we have the specifics. Mr. Sedito is satisfied, his questions have been answered. Ms. Roberts feels the request is modest and the hardship is with the right-of-way for a road that no longer exists. Mr. White agrees.

MOTION: to approve ZBA-0520 Request of Lindsay & Jane Gruson, 61&62 Frisbie Road, for a variance from Zoning Regulation 11.6.1 (front yard setback), to construct a porch on existing dwelling by a 5-0 vote.

MOTION: to accept the minutes of the September 15, 2005 and the October 20, 2005 meeting of the Zoning Board of Appeals was made by Mr. Snook, seconded by Ms. Roberts, by a 5-0 vote

MOTION: to elect Edmund White as Chairman and Polly Roberts as Vice Chairperson was made by Ms. Leab, seconded by Mr. Sedito, by a 5-0 vote.

PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0522 request of Joanne R. Kelly, 80 Kielwasser Road, for a variance from Zoning Regulation

11.6.1 (front yard setback), to construct a stoop & overhang. Jim & Joanne Kelly were present to represent their application. Mr. Kelly explained that at present there exists a door accessed by a 3'x5' stone stoop which is partially within the front yard setback. He is proposing to move the door 3' to the east and construct a 6'x5' wood frame stoop with 6'x3' roof overhang. Mr. Kelly states that the proposed stoop and overhang will lessen the non conformity by 8 sq. ft. of structure and 2sq. ft. of footprint, because of moving the existing door to the east. This entry way is designed to be an informal/kids entrance to the house. Mr. White asked for further questions or comments from the public. Neighboring property owners Jay Morton and Patricia Fowler submitted documentation that they have no objection to the Kelly application.

MOTION: to close ZBA-0522 request of Joanne R. Kelly, 80 Kielwasser Road, for a variance from Zoning Regulation 11.6.1 (front yard setback), to construct a stoop & overhang was made by Ms. Roberts, seconded by Mr. Snook, by a 5-0 vote.

MEETING

Mr. Snook has no objection to this request. Ms. Leab felt the proposed was modest and felt the overhang was a safety issue for the entryway. Mr. Sedito is in favor of the application, they are decreasing the non conformity. Ms. Roberts and Mr. White agree.

MOTION: to approve ZBA-0522 request of Joanne R. Kelly, 80 Kielwasser Road, for a variance from Zoning Regulation 11.6.1 (front yard setback), to construct a stoop & overhang, by a 5-0 vote.

PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0521 Request of David Connolly, 86 Calhoun Street, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations. Willie Connolly, son of the applicant, was present to represent this application. Mr. & Mrs. Connolly were both out of town. Mr. White asked Willie Connolly if the area where the proposed generator was to be situated was level, Willie stated that it was. It was unclear if the Connolly's were going to enclose the proposed generator with shrubs. Members requested the following information: the proposed generator location be drawn to scale on the survey map with exact measurements to the house, what their plans were for keeping the noise level down, what the db level was for the proposed generator and if it had a sound enclosure.

MOTION: to continue ZBA-0521 Request of David Connolly, 86 Calhoun Street, a petition for special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations was made by Ms. Roberts, seconded by Mr. Snook, by a 5-0 vote.

Members were given a calendar of meeting dates for 2006.

Meeting adjourned at 8:50pm.

Submitted subject to approval,

Pamela L. Osborne, Secretary