

# **August 21, 2008**

**Present:** Polly Roberts, Brad Sedito, Katharine Leab

**Alternates:** Peter Bowman, Roderick Wyant III

**Absent:** Todd Catlin, Randolph Snook, Alt. Georgia Middlbrook

**Staff:** Shelley White

**Others:** Rob Sanders, Architect, Brian Neff, Andrea Peters, Alan Organschi, Slate Mills

Brad Sedito, Chairman called the meeting to order at 7:32pm.

## **PUBLIC HEARING**

Mr. Sedito seated regular members Polly Roberts, Katharine Leab, himself, Alt. Rod Wyant and Alt. Peter Bowman.

ZBA-0815, Request of Pistone, 122 Blackville Road, application for special exception, Zoning Regulation 17.5.a.1 (setbacks), 11.6.1.b (interior lot) to reconstruct residence on existing foundation.

Rob Sanders of Rob Sanders Architects present to represent Mr. Dennis and Mrs. Nancy Pistone's application. Mr. Sander presented pictures of the current residence and a Site Plan dated July 16, 2008, titled Reconstructed Residence, 122 Blackville Road, Washington, CT, by Rob Sanders Architects, LLC. Mr. Sedito asked if the footprint of the dwelling would be changed. Mr. Sanders stated that it will not but there will be a volume change. Mr. Sanders stated that the existing house is 24' x 24' on a .93 acre non conforming lot and that the dwelling will go from 900 sq. ft. dwelling to a 1300 sq. ft. dwelling. Mr. Sedito asked if the existing dwelling foundation will be used. Mr. Sanders stated that it would but they would add another course of block to it. Ms. Roberts pointed out that the well is directly behind the house and the septic is in front of the house. Mr. Sedito asked why the house could not be moved back. Mr. Sanders stated that they did not want to move the foundation and cause more site disturbance as well as increasing cost of the project. Mr. Sedito asked for the current set back. Mr. Sanders stated it was 46 ft. Mr. Sanders and the Commissioners looked at Sheet A-2, titled Elevations, dated April 1, 2008 by Rob Sanders Architects. Mr. Sedito asked if there were anymore questions.

Motion: to close the public hearing to consider application ZBA-0815, Request of Pistone, 122 Blackville Road, application for special exception, Zoning Regulation 17.5.a.1 (setbacks), 11.6.1.b (interior lot) to reconstruct residence on existing foundation, by Mr. Wyant, seconded by Ms. Roberts, by a vote of 5-0

## **MEETING**

Mr. Wyant stated that he believes the applicant is trying to keep things affordable and not change the existing layout of the property and he supports the project. Mr. Bowman stated he has no objections to the project. He believes that moving the structure would cause more problems and that this seems to be the best plan. Ms. Leab stated that it seems to be a reasonable plan and it will not be a dramatic difference in looks and she is in favor of the project. Ms. Roberts agrees with Mr. Bowman and believes

it is best to not move the structure as it would cause more problems. Mr. Sedito stated that he is in favor and believes that it fits the definition of a special exception of the Zoning Regulations.

Motion: to approve ZBA-0815, Request of Pistone, 122 Blackville Road, application for special exception, Zoning Regulation 17.5.a.1 (setbacks), referencing 11.6.1.b (interior lot) to reconstruct residence on existing foundation, by a vote of 5-0.

Mr. Sedito seated regular members Polly Roberts, Katharine Leab, himself, Alt. Rod Wyant and Alt. Peter Bowman.

## **PUBLIC HEARING**

ZBA-0817, Request of Bol, 44 Slaughterhouse Road, application for variance, Zoning Regulation 11.6.1 (setbacks), 12.1.1 (wetlands/watercourse setback), to construct garage and deck.

Mr. Brian Neff, Engineer was present to represent Ms. Jennifer Bol's application. Mr. Neff and the commissioners looked at the Proposed Site Plan, revised date of May 3, 2008, titled Addition to the Bol Residence, by Brian Neff and a survey map of the property, prepared for James Fontaine and Phillip Manno, by Robert L. Hock Licensed Surveyor LLC, dated May 9, 2005. Mr. Neff pointed out that the majority of the site is wetlands. Mr. Sedito asked if the proposed garage is 13.5 ft. from the property line and stated that the existing garage is already non conforming. Mr. Neff said they plan to demolish the existing garage and are proposing a 1 car garage with a roof connector to the house. The proposed deck is on the inside eastern corner of the house. Mr. Neff said that the proposed deck is in the front setback and the wetlands setback. Mr. Neff stated that Inlands/Wetlands have approved both the plans for the garage and the deck. Mr. Neff stated that the garage is 36.5 ft. away from the wetlands and that the lot is unusual because of the wetlands on the property. Mr. Neff read the letter titled Explanation of Request for Variance, dated June 21, 2008 (on file in Land Use Office). Ms. Roberts pointed out the plans show an increase in the size of the house. Mr. Neff said that it is the same footprint with exception to the deck. He stated that the property owner would like to increase the size of the second floor but that is not part of this request. Mr. Sedito suggested that the proposed project should be brought to the Board as a special exception. Ms. Leab stated that she did not think the deck is a hardship. Mr. Sedito asked if there were any questions or comments from the public.

Motion: to close the public hearing to consider application ZBA-0817, Request of Bol, 44 Slaughterhouse Road, application for variance, Zoning Regulation 11.6.1 (setbacks), 12.1.1 (wetlands/watercourse setback), to construct garage and deck, by Ms. Roberts, seconded by Mr. Wyant, by 5-0 vote.

## **MEETING**

Mr. Sedito stated that he agrees that the connector to the garage and the deck should be part of a Petition for Special Exception. Ms. Roberts stated that there was no other place to put the connector. Mr. Bowman questioned the height of the garage, as an accessory building, in comparison to the house. Ms. Leab stated that the garage could not be considered an accessory building because it would be attached. Ms. Roberts said that she was in favor of the location of the new garage. She stated that the existing garage is right on the street and this would be an improvement. She said that the request is modest in that they are asking for a 1 car garage and that connecting it to the house is convenient and practical. She does not see the hardship in the proposed deck, but understands why they would want it. Ms. Leab agrees with

Ms. Roberts and believes that the new location is a safer option and is in favor of the proposed garage and the connector. Mr. Bowman and Mr. Wyant also are in favor of the garage and the connector. The Board agrees with the Inlands/Wetlands Commission's approval of the location. Mr. Sedito is not in favor of either of the proposed projects and would like to see the whole project come in front of the Board as a Special Exception.

Motion: to approve ZBA-0817, Request of Bol, 44 Slaughterhouse Road, application for variance, Zoning Regulation 11.6.1 (setbacks), 12.1.1 (wetlands/watercourse setback), to construct garage, by 4-1 vote. Mr. Sedito voted against.

Motion: to deny ZBA-0817, Request of Bol, 44 Slaughterhouse Road, application for variance, Zoning Regulation 11.6.1 (setbacks), 12.1.1 (wetlands/watercourse setback), to construct a deck, by 5-0 vote.

Mr. Sedito seated regular members Polly Roberts, Katharine Leab, himself, Alt. Rod Wyant and Alt. Peter Bowman.

## **PUBLIC HEARING**

ZBA-0819, Request of Laffont, 128 Calhoun Street, application for special exception, Zoning Regulation 12.14.1(noise generating equipment), installation of air conditioning condensing units.

Ms. Andrea Peters of Tittmann Design and Consulting, LLC, was present to represent the Laffont's application. Ms. Peters and the Board looked at the site plan titled Laffont Residence, revised August 5, 2008 by Brian Neff, Engineer. Ms. Peters stated that the condensing units have already been installed. The installation was done keeping aesthetics as well as noise reduction in mind. The units are dropped down about 6 ft. and are on a concrete bed with stone and plantings surrounding the area. Ms. Peters stated the lot is wooded and the units are over 100 ft. away from any neighbors. Mr. Sedito acknowledged that these particular units are extremely quiet. Ms. Leab requested that Tittman Design provide, for the file, a better mechanical description of the units. Ms. Peters said that they could provide that. Mr. Sedito asked if there were any questions from the public. Mr. Slate Mills of 144 Calhoun Street asked to look at the site map to see the location of the units.

Motion: to close the public hearing to consider application ZBA-0819, Request of Laffont, 128 Calhoun Street, application for special exception, Zoning Regulation 12.14.1(noise generating equipment), installation of air conditioning condensing units, by Ms. Roberts, seconded by Mr. Wyant, by 5-0 vote.

## **MEETING**

Mr. Wyant stated that he was in favor of the application. The units are already installed and there have not been any noise complaints. Mr. Bowman, Ms. Roberts, Ms. Leab and Mr. Sedito all feel they would have liked to approve before the installation but the units are quiet and already running and they are in favor.

Motion: to approve application ZBA-0819, Request of Laffont, 128 Calhoun Street, application for special exception, Zoning Regulation 12.14.1(noise generating equipment), installation of air conditioning condensing units, by 5-0 vote.

Mr. Sedito seated regular members Polly Roberts, Katharine Leab, himself, Alt. Rod Wyant and Alt.

Peter Bowman.

## **PUBLIC HEARING**

ZBA-0820, Organschi/Gray, 153-155 West Morris Road, application for special exception, Zoning Regulation 17.5.a.1 (setback), 17.4.a (increasing non conformity), to reconstruct house & barn.

Mr. Alan Organschi of Gray Organschi Architecture was present to represent this application. Mr. Organschi and the Board looked at the site plan and detail site plan, titled West Morris Road House; sheets AS1.0 & AS1.1, dated July 24, 2008, by Gray Organschi Architecture. Mr. Organschi gave some history of the house(s). They bought the property when their children were young. Their children are now teenage boy and girl and it is impractical for them to share a room so they would like to expand. He has aged parents that have difficulty accessing the home. He presented pictures of the two dwellings on the property. He stated that the white house has rotted and is on a substandard foundation. The property owners are proposing to rebuild on the existing stone foundation, take down the cottage and add approximately a small increase in square footage to the renovated house. They will not build a new foundation for the additional square footage as this section of the house will be built on columns. The proposed plan keeps all the services that exist. Mr. Organschi stated that their firm is mainly is an ecological/environmental design firm. He presented the elevation and floor plan drawings titled West Morris Road House, dated July 24, 2008, by Gray Organschi Architecture. Mr. Organschi and the Board discussed the differences in the existing structure and the proposed structure. Ms. Leab stated that the Board, when it approves a special exception, they approve the exact 'snap shot' of the proposed project and that is what the property owner is allowed to do. Mr. Sedito asked if there were any other questions.

Motion: to close the public hearing to consider application ZBA-0820, Organschi/Gray, 153-155 West Morris Road, application for special exception, Zoning Regulation 17.5.a.1 (setback), 17.4.a (increasing non conformity), to reconstruct house & barn, by Mr. Wyant, seconded by Ms. Roberts, by 5-0 vote.

## **MEETING**

Ms. Roberts stated that she was concerned about the 'modernity' of the proposed project. She said that she appreciates the preserving of the foundation of the old building and that the property owners are keeping it modest and reasonable in scope and it is a good consolidation of the structures that exist and she is in favor. Ms. Leab agrees with Mr. Roberts and stated that the plan 'makes sense'. Mr. Bowman stated that it meets the intent of the special exception, it's modest and it uses building products that will fit with the surrounding properties. Mr. Wyant agrees and states that it supports continued use and it will make the dwelling more accessible. Mr. Sedito stated that he is questioning whether or not it would fit in the neighborhood. He stated that the project is an example of a special exception and he is in favor.

Motion: to approve application ZBA-0820, Organschi/Gray, 153-155 West Morris Road, application for special exception, Zoning Regulation 17.5.a.1 (setback), 17.4.a (increasing non conformity), to reconstruct house & barn, by 5-0 vote.

## **OTHER BUSINESS**

Mr. Sedito discussed legal fees with the Board. Mr. Sedito approved legal fees. Mr. Sedito discussed the Zoning Regulations regarding windmills and handed out an information sheet to the commissioners. The commissioners discussed the Wetlands Setback regulations and whether or not there is a need for an

applicant to apply for a variance if they have already been approved by the Inlands/Wetlands Commission.

Motion: to adjourn at 9:20 pm by Ms. Leab, seconded by Mr. Wyant, by a 5-0 vote.

Submitted subject to approval,  
Shelley White, Land Use Clerk