

August 16, 2012

Present: Polly Roberts, Todd Catlin, Rod Wyant, Kathy Leab, Peter Bowman

Alternates: Chip Wildman, Todd Peterson, Joan Kaplan

Absent:

Staff: Shelley White

Also Present: Mr. Worcester, Architect, Mr. Bedini, First Selectman Lyon, Ms. Bouyea, Mr. Duke, Residents

Ms. Roberts called the meeting to order at 7:30 pm.

Seated: Roberts, Catlin, Leab, Wyant, Bowman.

PUBLIC HEARING

ZBA-0928 – Request of Casey, 6 Old North Road for Variance, Zoning Regulation(s) 11.6.1 (Rear Yard Setback), to construct garage and storage area.

Ms. White stated that 15 notices were sent out to neighbors and 14 green return receipt cards are in the file for this application. Mr. Worcester, Architect was present to represent the property owner, Mr. Casey, for this application. Mr. Worcester stated that his client would like to build a one-car garage with an attached covered storage area and they are requesting a variance for the rear yard setback. He stated that having a garage is a common thing for most people in this area and it would be difficult and unaesthetic to locate the proposed structure elsewhere on the property because of the steep slope and the proximity of the public water line.

The Commissioners and Mr. Worcester looked at the drawing titled Site Plan for Garage – Casey Residence, sheet SP-1, by William W. Worcester Architect, dated 7-17-12. There was a brief discussion regarding the right-of-way located on drawing SP-1. Mr. Worcester stated that he tried to retain a bare minimum turn around area and wanted to only have to pour a minimum of concrete for the foundation for the proposed garage. The Commissioners looked at the elevation drawings titled Floor Plans and Elevations for Garage – Casey Residence, sheet A-1, by William W. Worcester, dated 7-17-12. Mr. Worcester stated that the area labeled “Garden Storage” would be used for storing sports and outdoor equipment and would not be closed-in.

Mr. Worcester stated that the current parking is supported by a stone mortared retaining wall that is in good shape and quite secure. He stated that from the edge of the driveway to the area below is approximately 5-6 feet.

The Commissioners looked at the Site Plan. Mr. Worcester stated that the closest corner of the proposed garage to the closest point of the Judea Water Company waterline is approximately 27 feet.

Mr. Catlin asked if the garden storage area was a porch and if it would eventually be closed in. Mr. Worcester stated that he did not think so. Mr. Catlin stated that there is a very steep hill and this is a difficult driveway to park in.

Ms. White read a letter that was addressed to the ZBA from Eileen Hearn, dated August 9, 2012 (on file in the Land Use Office) that stated that they are concerned about tree clearing, the lack of privacy and visibility of another building.

Ms. White read a letter that was addressed to the ZBA from William W. Worcester, Architect, dated 8-15-12 (on file in the Land Use Office) that stated as a result of a conversation he had with Ms. Bass the property owners have agreed to plant three evergreen trees to screen the proposed garage from Ms. Bass's view.

The Commissioners looked at the photos of the proposed location of the structure (on file in the Land Use Office). Mr. Worcester stated that there would not be any clearing on the south or east side of the proposed building. He stated that the proposed garage would be 4' 2.5" to the nearest property line and it would angle off to 7' 3.5". Mr. Catlin asked if it could be moved 5 feet south. Mr. Worcester stated that moving the proposed structure 5 feet south would require pouring more concrete for the foundation, deprive the owners of the covered storage, and would be closer to the retaining wall that he does not think should be disturbed.

Ms. Bouyea, adjoining neighbor, looked at drawing sheets A-1 and SP-1. She and Mr. Worcester had a brief discussion regarding the materials that would be used for the proposed garage. There was a brief discussion regarding planting more trees for screening purposes.

Motion:

to close ZBA-0928 – Request of Casey, 6 Old North Road, for Variance, Zoning Regulation(s) 11.6.1(Rear Yard Setback), to construct a garage and storage area, by Mr. Wyant, seconded by Mr. Catlin passed by 5-0 vote.

MEETING

Mr. Bowman stated that he visited the site and feels that there is no other logical place to locate the proposed garage. He stated that this plan is modest and he does not have any issues with it. Ms. Leab stated that she agreed with Mr. Bowman. Mr. Catlin stated that there is a land-based hardship with the steep hill and most people in Connecticut do need a garage. He encouraged Mr. Worcester to work with the neighbors and their request for screening. Ms. Roberts stated that the property does have a steep hill and the proximity of the water line is a concern. She stated that she feels the proposed garage should not be located close to the retaining wall and that this is a modest plan. Ms. Roberts stated that she agrees with Mr. Catlin that the architect should work with the neighbors. Mr. Wyant stated that he concurs with the other Commissioners and feels that this is the best location for the proposed garage.

Motion:

to approve ZBA-0928 – Request of Casey, 6 Old North Road, for Variance, Zoning Regulation(s) 11.6.1(Rear Yard Setback), to construct a garage and storage area, passed by 5-0 vote.

Mr. Duke stated that deciduous trees were removed from the slope between the Hearn and Casey properties and replaced with hemlocks that have not quite matured but will eventually provide year round screening.

OTHER BUSINESS

Preliminary Discussion Re: Replacing Burned Building at Town Garage:

First Selectman Lyon stated that he would like to get the ZBA's input on a potential variance that the Town may need to apply for when replacing the town highway garage that burnt down. He stated that they are considering relocating the replacement garage to the previously approved location designated for material storage. The Commission and Mr. Lyon looked at a conceptual plan. Mr. Lyon stated that the conceptual plan honors the commercial zone setbacks but it also has to be considered a residential zone since the line bisects the property. He stated that there would be an increase in lot coverage of approximately 600sq. ft. and the replacement building would be an 'L' shaped structure attached to the existing garage.

Mr. Lyon stated that the foundation of the garage that burnt down would accommodate material storage but if a new building were to be put in that location the foundation would have to be completely demolished and rebuilt because the extreme heat from the fire damaged the concrete. There was a brief discussion regarding drainage on the site.

There was a brief discussion regarding the height of the new building.

Mr. Lyon stated that the Highway Department would gain two drive-in bays and more floor space and the tools would be centrally located. He stated that they are currently installing alarm systems. Mr. Lyon stated that the pre-engineered building would be abutting the existing building and would have a passage door between the two structures.

The Commissioners and Mr. Lyon discussed the lot coverage, the ability to turnaround in the garage area and the width of the driveway. Mr. Catlin stated that he felt the plan looked constricting. Mr. Lyon stated that the site engineer recommended 21 feet wide and the drivers stated that 18 feet would be wide enough for the 8-foot wide trucks.

There was a brief discussion regarding insurance and a construction timetable.

Ms. Roberts asked that a plan showing the rooflines be included with the application. Mr. Bowman asked that the size and shape of the existing garage be considered when designing the addition. Mr. Lyon thanked the Commissioners for their feedback and stated that the Town would be submitting an application for the regularly scheduled ZBA Meeting in September (9-20-12).

Consideration of the Minutes:

The Commission considered the Minutes of the July 19, 2012 Regular Meeting of the Zoning Board of Appeals.

Motion:

to approve the Zoning Board of Appeals Regular Meeting Minutes of July 19, 2012 and as submitted,
by Mr. Catlin, seconded by Mr. Wyant, passed by 5-0 vote.

Adjournment

Motion:

to adjourn at 8:27 pm,
by Mr. Catlin, seconded by Ms. Roberts.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,
Shelley White, Land Use Clerk