

MINUTES RECEIVED FOR RECORD
WATERFORD, CT

Zoning Board of Appeals
Waterford Town Hall

2025 MAR 19 1A 9:37 March 12, 2025
5:30 PM

ATTEST: *David L. Campos*
TOWN CLERK

Members Present: Chairwoman Cathy Gonyo, Michelle Kripps (5:37), John Morgan, William Herzfeld
Members Absent: Anne Darling
Alternates Present: Greg Gallup, Jason Kohl
Staff Present: Jonathan Mullen, Planning Director; Wayne Scott, Zoning Official; Dawn Choisy, Recording Secretary
Also Present: Town Attorney Robert Avena

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairwoman Gonyo called the meeting to order at 5:30. G. Gallup was appointed to sit for M. Kripps and J. Kohl was appointed to sit for A. Darling.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Morgan, seconded by W. Herzfeld, to approve the minutes of the December 4, 2024 meeting as written.

VOTE: 5-0

3. PUBLIC HEARING

Application #ZBA-25-1 - Appeal of A Beautiful Real Estate LLC, owner and applicant for property located at 14 Bella Vista Street, R-20 zone. Variances are requested from zoning regulations: Section 4.4.1 - front yard setback, 4.4.2 - side yard setback and 4.4.3 - rear yard setback as shown on plans titled "Zoning Location Survey" dated February 3, 2025.

The following exhibits were previously submitted:

EXHIBIT 1 - Application and support material
EXHIBIT 2 - Plan titled "Zoning Location Survey, Property of A Beautiful Real Estate LLC" dated February 3, 2025.
EXHIBIT 3 - Legal Notice of Public Hearing published in the Day newspaper on February 26, 2025 and March 5, 2025
EXHIBIT 4 - Hearing notification letter sent to applicant dated August 14, 2024
EXHIBIT 5 - Staff Report dated March 5, 2025

Chairwoman Gonyo opened the public hearing.

Land Surveyor James Bernardo, representing the applicant, addressed the Board. He reviewed the Staff Report (Exhibit 5) and site plan (Exhibit 2). He noted that there was a typo on the Zoning Compliance Chart on the site plan. The coverage should be 22%, not 23.5%.

J. Bernardo reviewed the differences between this application and the previous application, which was denied. He reviewed the plan for Harrison's Landing (included in Exhibit 1), noting that the site has been a valid building lot for 90 years. The applicant has paid a sewer assessment

fee on the property. He stated that the hardship being claimed is that the property is an existing residential building lot that existed since 1932, prior to the first effective Zoning Regulations in 1954. He reviewed the variances being requested, noting that the variances requested are the minimum necessary to allow for a reasonable use of the land.

J. Bernardo submitted into the record as Exhibit 6 e-mail correspondence from Fire Marshal Dubicki, and as Exhibit 7 a spreadsheet showing existing acreage, living area and gross area of properties in the area.

Board members had comments and questions regarding the size of the proposed house.

Attorney Avena asked for clarification regarding the difference in living area as shown in Exhibit 7 and that noted in the Staff Report (Exhibit 5). J. Bernardo clarified.

Chairwoman Gonyo asked if there was anyone in the audience who wished to speak regarding this application.

Bryan Saylor of 67 Benham Avenue read into the record a statement opposing the application. This was entered into the record as Exhibit 8.

Corlyn Webster of 18 Bella Vista Street spoke in opposition to the application.

Steve Logan of 73 Benham Avenue stated concerns that no setbacks are being met, and is against the proposal.

Sara Hart of 69 Benham Avenue spoke in opposition.

Erin Saylor of 67 Benham Avenue stated that she would welcome a smaller house.

Warren Avery of 12 Bella Vista Street spoke in opposition to the application.

J. Bernardo noted that the property owner had met with Town Staff prior to purchasing the property.

Warren Avery of 12 Bella Vista Street had concerns regarding the 1932 issue.

Erin Saylor of 67 Benham Avenue stated that a smaller house could be put on the lot.

MOTION: Motion made by W. Herzfeld, seconded by J. Morgan, to close the public hearing at 6:25.

VOTE: 5-0

4. NEW BUSINESS

There was no new business.

5. CORRESPONDENCE

No correspondence was received.

Chairwoman Gonyo excused herself from the next agenda item and left the meeting room.

MOTION: Motion made by W. Herzfeld, seconded by G. Gallup to enter Executive Session at 6:26.

VOTE: 5-0

6. EXECUTIVE SESSION

Discussion of the following pending litigation:

Maryse Callard, Trustee C/O (George Szdlowski) v. Zoning Board of Appeals of The Town of Waterford and the Town of Waterford; Docket Number KNL-CV-23-6063980-S

MOTION: Motion made by W. Herzfeld, seconded by J. Kohl, to exit Executive Session at 6:50.

VOTE: 5-0. No votes were taken during Executive Session.

7. ADJOURNMENT

MOTION: Motion made by J. Kohl, seconded by M. Kripps, to adjourn the meeting at 6:57.

VOTE: 5-0

Respectfully Submitted,


Dawn Choisy
Recording Secretary