

**MINUTES
SPECIAL VIRTUAL MEETING**

Zoning Board of Appeals
Waterford Town Hall

RECEIVED FOR RECORD
WATERFORD, CT
2020 MAY 13 PM 2:35
TOWN CLERK
May 7, 2020
3:00 PM

Members Present:	Catherine Newlin, Chair, Joshua Friedman, Warren Mackenzie,
Members Absent:	Anne Darling, Michele Kripps
Alternates Present:	Jason Maryeski, Danielle McCarty
Alternates Absent:	Darcy Van Ness
Staff Present:	Jill Pisechko, Zoning Official; Mark Wujtewicz, Planner; Abby Piersall, Planning Director; Anna Scanlon, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chair Newlin called the meeting to order and appointed Jason Maryeski to sit for Anne Darling and Danielle McCarty to sit for Michele Kripps.

2. APPROVAL OF MINUTES

MOTION: Motion made by D. McCarty and seconded by J. Friedman to approve the minutes of the November 7, 2019 meeting as written.

VOTE: 5-0

3. PUBLIC HEARING

Application #Z-20-1 - Appeal of Robert P. Nauta, owner and James Bernardo, LS, applicant at 10 Shore Drive, VR-75 zone. Variances are requested from zoning regulations section 6A.6 – Lot Area, Setback and Building Regulations. Front yard setback variance of 10 feet. Building coverage variance of 3%. Variance is needed to Construct Single Family Dwelling on existing Foundation. A COASTAL SITE PLAN REVIEW IS REQUIRED IN ACCORDANCE WITH THE COASTAL MANAGEMENT ACT.

– Public Hearing must close by: Wednesday, June 10, 2020.

Exhibits #1 thru #16 were submitted into the record.

Applicant James Bernardo, LS, applicant presented the application to the board. Mr. Bernardo stated that the variances are needed in order to construct a single family dwelling on the existing foundation. He stated that the parcel contains a foundation of concrete piers that were located and installed in accordance with a previous survey. A subsequent survey revealed an error of 10 feet in the previous survey relative to the location of the front property line. That the correct location of the front property line resulted in an encroachment of the existing foundation piers into the required front yard setback by 10 feet. The corrected property line also revealed the area of the lot to be less than previously determined thereby resulting in an increase in lot coverage by 3%.

J. Bernardo also reviewed the CAM application with the Board.

Chairman Newlin asked if there was anyone in the audience who wished to speak regarding this application. Lisa Reveruzzi of 14 Shore Drive spoke against the application. Jill Johnson of 23 Shore Drive spoke in support the application. Marilyn Lusher of 6 Williamsburg Drive spoke in support of the application. She is also the realtor that has the property listed. Gwen Horsley of 11 Shore Drive made comments. There being no further comments or questions, the public hearing was closed at 3:52 PM.

4. APPLICATION REVIEW

Application #Z-20-1 - Appeal of Robert P. Nauta, owner and James Bernardo, LS, applicant at 10 Shore Road, VR-75 zone. Variances are requested from zoning regulations section 6A.6 – Lot Area, Setback and Building Regulations. Front yard setback variance of 10 feet. Building coverage variance of 3%. Variance is needed to Construct Single Family Dwelling on existing Foundation. A COASTAL SITE PLAN REVIEW IS REQUIRED IN ACCORDANCE WITH THE COASTAL MANAGEMENT ACT.

MOTION: Motion to approve made by J. Friedman and seconded by W. Mackenzie, to approve **Application #Z-20-1** with the following condition:

1. The lot coverage variance granted is based on the size of the footprint of the proposed structure in relation to the size of the lot. Based on this fact. There shall be no further enclosure or structures permitted on any portions of the open deck system and no accessory structures unless approvals are granted for any future proposals from the Zoning Board of Appeals. This condition also to be noted as a covenant restriction in the deed description of the property and on the final plans

VOTE: 5-0

REASON(S):

1. The placement and construction of the foundation piers were in accordance with a previously approved site plan and that a subsequent survey conducted after the piers were constructed identified an error in the previous survey relative to the location of the front property line.
2. The location of the foundation presents an exceptional and unusual hardship specific to the subject property and would justify the granting of a 10 foot front yard variance as requested.
3. The reduced area identified from the corrected survey and the location of the existing pier foundation presents an exceptional and unusual hardship.
4. The Board has examined the plans, the Coastal Site Plan Review Written Findings and Decision (Exhibit 9) and finds the application for Coastal Site Plan consistent with Section 25.4 of the Zoning Regulations. The proposal, as planned and presented, is consistent with stated Coastal Area Management policies.

5. OLD BUSINESS

No old business was discussed.

6. NEW BUSINESS

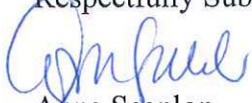
No new business was discussed.

7. ADJOURNMENT

MOTION: Motion made by J. Freidman and seconded by W. Mackenzie to adjourn the meeting
at 4:07 PM.

VOTE: 5-0

Respectfully Submitted,



Anna Scanlon
Recording Secretary