

MINUTES

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WATERFORD, CT

2024 DEC -9 A 9:58

Zoning Board of Appeals
Waterford Town Hall

December 4, 2024

5:30 PM

ATTEST: *Dawn Choisy*
TOWN CLERK

Members Present: Anne Darling, Michelle Kripps, John Morgan,
William Herzfeld (5:45)
Members Absent: Chairwoman Cathy Gonyo
Alternates Present: Greg Gallup
Alternates Absent: Jason Kohl
Staff Present: Jonathan Mullen, Planning Director; Wayne Scott, Zoning
Official; Dawn Choisy, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Acting Chairwoman Darling called the meeting to order at 5:35. G. Gallup was appointed to sit for Chairwoman Gonyo.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Morgan, seconded by G. Gallup, to approve the minutes of the November 6, 2024 meeting as written.

VOTE: 4-0, C. Gonyo and J. Kohl abstaining.

3. OLD BUSINESS

Application #ZBA-24-4 - 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 July 15, 2024.

J. Mullen noted that at this time, only 4 Board members were present, and asked the applicant's agent James Bernardo if he wished to proceed. J. Bernardo agreed to the Board proceeding.

Acting Chairwoman Darling read the following motion, which was moved by J. Morgan.

Moved that the Town of Waterford zoning Board of Appeals grant the 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 July 15, 2024 based on the following findings:

1. The property at 14 Bella Vista Street is a lot of record, located in a Single Family Residential Zone serviced by Town water and sewer, on which there is no structure;
2. The requested variances provide reasonable relief to the applicant to allow use of the property as a single family residence.

The motion was seconded by G. Gallup.

J. Mullen stated that if no relief is granted, it would be a taken, meaning that the owner would not be allowed reasonable use of the land.

W. Herzfeld arrived at 5:45.

M. Kripps noted that a majority of the neighbors spoke against the application.

Acting Chairwoman Darling stated concerns with fire protection due to the narrow street, and referred to Section 27.5.h of the Zoning Regulations. G. Gallup noted that some neighbors stated that they park on the street.

W. Herzfeld stated that when someone invests in a property they assume that they can utilize it.

Acting Chairwoman Darling called for a vote on the motion.

VOTE: 3-2, A. Darling and M. Kripps voting against. Motion fails.

REASONS: 1. Too many variances are being requested
2. Concerns regarding being able to provide fire and/or police protection to the site in question or to adjacent properties in accordance with Section 27.5.h of the Zoning Regulations

4. NEW BUSINESS

There was no new business.

5. CORRESPONDENCE

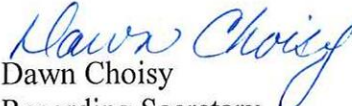
No correspondence was received.

7. ADJOURNMENT

MOTION: Motion made by W. Herzfeld, seconded by G. Gallup, to adjourn the meeting at 6:00.

VOTE: 5-0

Respectfully Submitted,


Dawn Choisy
Recording Secretary