

**MINUTES
REMOTE ACCESS**

Zoning Board of Appeals
Town Hall

June 2, 2021
6:30 PM

Members Present: Joshua. Friedman, Chair; Catherine Newlin, Vice Chair; Anne Darling, Secretary; Michele Kripps; Warren Mackenzie

Members Absent:

Alternates Present: Jason Maryeski; Darcy Van Ness

Alternates Absent: Danielle McCarty

Staff Present: Jill Pisechko, Zoning Official; Robert A. Avena, Town Attorney; Anna Scanlon, Recording Secretary

2021 JUN -8 PM 3:24

RECEIVED FOR RECORD
JUN 8 2021

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chair Friedman called the meeting to order at 6:33 PM.

2. APPROVAL OF MINUTES

MOTION: Motion made by Anne Darling, seconded by Catherine Newlin, to approve the minutes of the April 7, 2021 meeting as written

VOTE: 5-0

3. RECEIPT OF APPLICATIONS

4. PUBLIC HEARING

Application #ZBA-21-3 - Appeal of Robert and Grace Kyne Jr., owners and Grace Kyne, applicant and Brian Florek, LS, agent at 18 Dimmock Road, R-40 zone.

Variances are requested from zoning regulations sections 5.4.2 – Side yard setback variance of 10 feet to allow a side yard of 15 feet and 25.2.1 – Septic system construction within 50 feet of a wetland. Variances are required to construct an addition to the existing home and convert the existing non-conforming garage to a home office space as shown on the plan entitled "Site Improvement Survey Land Belonging to Robert, Jr. & Grace Kyne, 18 Dimmock Road Waterford, Connecticut" revised through March 13, 2021.

Exhibits #1-11 were previously submitted into the record.

Property owners Robert and Grace Kyne Jr.; owners and Grace Kyne, applicant; agent, Brian Florek, LS Brian Florek Surveying, LLC; and David Cooley, PE of David Cooley Engineering Services were present.

Brian Florek, LS, Agent addressed the board. Mr. Florek stated that a variance is needed to construct an addition on their existing garage and convert the garage to a home office and install a new septic system in their rear yard. Because of the wetlands on the property, it constricts the use of the property. The new septic system will bring the current antiquated system up to date. The Conservation Commission has approved the location and addition to the house.

David Cooley, DLC Engineering Services, LLC, designer of new septic system addressed the board. In relation to the wetlands and a code compliant system that will be a greater distance than the current system from the wetlands; the current system is antiquated but not in a failing condition.

W. Mackenzie, asked if there was sewer and public water available at this area. Discussion ensued.

Applicant, Grace Kyne read the following exhibits into the record.

EXHIBIT 12. Letter of support from abutter, Sue Smith, 14 Dimmock Road, dated May 23, 2021

EXHIBIT 13. Letter of support from abutter, Shawn Cervera and Melanie Smith-Cervera, 20 Dimmock Road, dated May 20, 2021

EXHIBIT 14. Letter of support from abutter, Richard and Wendi Pettit, 16 Dimmock Road, dated May 20, 2021

EXHIBIT 15. Letter of support from abutter, Ivy Plis, 21 Dimmock Road, dated May 21, 2021

EXHIBIT 16. Letter of support from abutter, Lopa Pandya and Saurabh Puri, 19 Dimmock Road, dated May 21, 2021

Chairman Friedman asked if there was anyone in the audience who wished to speak regarding this application. No public comments were received.

Chairman Friedman asked if there was any staff comments or questions regarding this application?

A. Darling asked for clarification on the leeching fields to where they are? Discussion ensued. The plans in the application submittal packet were referred to.

W. Mackenzie asked what the life span of the septic is? David Cooley replied that most systems last between 25-30 years.

Town Attorney, Rob Avena, asked if there was approval from the Conservation Commission? Brian Florek replied approval was obtained for both the proposed addition and septic location.

C. Newlin asked if Ledge Light Health District approved the application? David Cooley replied Yes.

Town Attorney, Robert Avena asked if the 10-foot side yard variance is related to the existing non-conformity of the garage and addition to it, closest to the north property line? Brian Florek answered, yes.

Chairman Friedman asked, where is the building line on the south side? Brian Florek answered there is a 50 foot wetland setback shown on the plan which was more of a concern. Brian Florek stated that he should have shown the 25 foot side yard setback off the south property line.

W. Mackenzie asked if the existing structure goes into the 50 foot wetlands buffer? Brian Florek answered, yes and we already have Conservation Commission approval.

Chairman Friedman asked if there are there any members of the public opposed to the

application that wish to speak? No public comments were received.

There being no further comments or questions, the public hearing was closed at 7:01 PM.

5. OLD BUSINESS

There is no Old Business to discuss.

6. NEW BUSINESS

a. The Zoning Official cannot attend the scheduled meeting on September 1, 2021.

Motion to move the meeting to September 8, 2021 by Catherine Newlin and seconded by Michele Kripps.

VOTE: 5-0

b. Town Attorney, Robert Avena, discussed the importance of protocols and procedures regarding viewing applicant's property and/or discussing the application with the property owner.

7. CORRESPONDENCE

There was no correspondence to discuss.

8. ADJOURNMENT

MOTION: Motion made by Catherine Newlin seconded by Ann Darling to adjourn the meeting at 7:07 PM

VOTE: 5-0

Respectfully Submitted,

Anna Scanlon
Recording Secretary