

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

AGENDA

Zoning Board of Appeals
Waterford Town Hall

November 6, 2024
5:30 PM

1. **CALL TO ORDER/APPOINTMENT OF ALTERNATES**
2. **APPROVAL OF THE October 2, 2024 MEETING MINUTES**
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.
4. **PUBLIC HEARING**
Appeal #ZBA-24-5 – Appeal of the Zoning Official's Order to Discontinue dated September 12, 2024 issued for the placement of an unauthorized Recreational Camping Vehicle and other unauthorized uses being conducted in violation of the Town of Waterford Zoning Regulations on property located at 10 Shore Drive, Waterford. Appeal is taken by Alex Mironovas.
5. **NEW BUSINESS**
 - Draft 2025 meeting schedule
 - Draft 2023/2024 ZBA Annual Report
 - Draft 2025 Budget
6. **CORRESPONDENCE**
7. **ADJOURNMENT**

RECEIVED FOR RECORD
WATERFORD, CT
2024 OCT 31 A 8:23
ATTEST: *[Signature]*
TOWN CLERK

MINUTES

Zoning Board of Appeals
Waterford Town Hall

RECEIVED FOR RECORD
WATERFORD, CT
October 2, 2024
2024 OCT - 8 30 PM 01

Members Present: Anne Darling, Michelle Kripps, John Morgan, William Herzfeld
Members Absent: 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 M. Kripps, to approve the minutes of the September 4, 2024 meeting as written.

VOTE: 3-0-2, G. Gallup and W. Herzfeld abstaining.

3. CONTINUED PUBLIC HEARING

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.

A. Darling read the following exhibits into the record:

- EXHIBIT 1 - Application and support material
- EXHIBIT 2 - Plan titled "Zoning Location Survey, Property of A Beautiful Real Estate LLC" dated July 15, 2024
- EXHIBIT 3 - Legal Notice of Public Hearing published in the Day newspaper on August 21, 2024 and August 28, 2024
- EXHIBIT 4 - Hearing notification letter sent to applicant dated August 14, 2024 along with certificates of mailing
- EXHIBIT 5 - Benham Avenue Lots
- EXHIBIT 6 - Plan titled "Plan of Building Lots of Harrison's" dated June 1932
- EXHIBIT 7 - List of house areas (acreage, living area & gross area)

Surveyor J. Bernardo presented this application to the Board. He reviewed the site plan submitted (Exhibit 6), noting that the property is not in the flood hazard area. He submitted into the record as Exhibit 8 a GIS map of the area. The applicant is proposing to construct a 1200 square foot house which will be placed in the middle of the lot. The length of the house has been reduced from what was proposed in the previous application (ZBA-24-3). It has also been moved further away from the front of the property.

J. Bernardo reviewed Exhibit 7, noting that the applicant has the smallest parcel in the area. The proposed house is in character with the rest of the neighborhood. He noted that the zoning

regulations require 2 parking spaces. He reviewed the requested variances, as well as Section 27.5 of the Zoning Regulations.

Acting Chairwoman Darling asked if there were any members of the public who wished to speak in favor of the application. No members of the public came forward.

Acting Chairwoman Darling asked if there were any members of the public who wished to speak against this application.

Craig Hart of 69 Benham Avenue stated that he doesn't feel that the lot is a building lot, and the house will be in his back yard.

Brian Taylor of 67 Benham Avenue stated concerns with the size of the proposed building and feels that it will affect his property value.

Corlyn Webster of 18 Bella Vista Street stated concerns with the size of the lot & the percentage of coverage.

Steve Logan of 73 Benham Avenue stated that the applicant knew that the lot is not a building lot, and he doesn't know what the hardship is.

JoAnn Records of 15 Bella Vista Street stated concerns with parking and the narrowness of the roads.

Craig Sechiaroli of 17 Bella Vista Street asked for clarification of the square footage. He also stated that the applicant knew the lot was not buildable.

Erin Saylor of 57 Benham Avenue stated concerns with the amount of coverage and stated that the house will impact her views.

J. Bernardo responded to some of the issues that were brought up. He noted that the applicant is not asking for a variance for lot coverage, and he can't fix the parking issues in the area. He noted that the perimeter of the building is the 1200 square feet, and the living area is 1600 square feet because it is a two story structure. He noted that the lot is an approved lot of record.

There being no further comments or questions, the public hearing was closed at 6:10.

4. NEW BUSINESS

Appeal #ZBA-24-5 – Appeal of the Zoning Official's Order to Discontinue dated September 12, 2024 issued for the placement of an unauthorized Recreational Camping Vehicle and other unauthorized uses being conducted in violation of the Town of Waterford Zoning Regulations on property located at 10 Shore Drive, Waterford. Appeal is taken by Alex Mironovas.

This public hearing will be opened at the November 6, 2024 meeting.

5. CORRESPONDENCE

No correspondence was received.

6. ADJOURNMENT

MOTION: Motion made by W. Herzfeld, seconded by M. Kripps, to adjourn the meeting at 6:11.

VOTE: 5-0

Respectfully Submitted,


Dawn Choisy
Recording Secretary

EXHIBIT LIST
Application #ZBA-24-4
10 Shore Drive
PUBLIC HEARING

- EXHIBIT 1 - Application for Appeal of the Zoning Official's Decision dated 9/25/24
- EXHIBIT 2 - email correspondence dated July 15, 2024 to Alex Mironovas from Wayne Scott
- EXHIBIT 3 - Order to Discontinue dated 9/12/2024
- EXHIBIT 4 - Legal ad run in the Day newspaper on 10/23/24 & 10/30/24
- EXHIBIT 5 - email dated May 15, 2024 from Jonathan Mullen to Wayne Scott (1 photo included)
- EXHIBIT 6 - Three photos of camper and boat trailer on site taken by W. Scott on 5 /15/24
- EXHIBIT 7 - Two photos of camper and unassembled dock components taken by M. FitzGerald on 5/15/24
- EXHIBIT 8 - Three photos of camper and unassembled dock components taken by W. Scott on 7/19/24
- EXHIBIT 9 - email dated July 20, 2024 from Alex Mironovas to Wayne Scott, RE: Town of Waterford regulation regarding trailers & Recreational Camping Vehicles Not Permitted
- EXHIBIT 10- Zoning Compliance Review dated 8/23/24
- EXHIBIT 11 - Three photos of camper and dock partially installed on site taken by W. Scott on 8/26/24
- EXHIBIT 12 - email contained 6 photos of activity over the weekend of August 25, 2024 at 10 Shore dr. (photos taken by neighbor, not included)
- EXHIBIT 13 - email from Wayne Scott to Kevin Zawoy dated August 29, 2024 Re: 10 Shore Drive Waterford CT dock permit inquiry
- EXHIBIT 14 - email dated August 29, 2024 from Wayne Scott to "Lisa R", RE: 10 Shore Drive 8/25/24

- EXHIBIT 15 - email dated September 11, 2024 from Alex Mironovas to Wayne Scott, Re: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted
- EXHIBIT 16 - email dated September 12, 2024 from Wayne Scott to Alex Mironovas RE: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted
- EXHIBIT 17 - email dated September 17, 2024 from Kathleen Perzanowski to Wayne Scott Subject: 10 Shore Drive, Waterford
- EXHIBIT 18 - email dated October 1, 2024 from Wayne Scott to Kathleen Perzanowski, Subject 10 Shore Drive, Waterford
- EXHIBIT 19 - Activity Log – 10 Shore Dr

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS (ZBA)

APPEAL OF THE ZONING OFFICIAL'S DECISION

TOWN OF WATERFORD
15 ROPE FERRY ROAD, WATERFORD, CT 06385
(860)-444-5813 FAX 860-444-5879

- (1) Variance # ZBA-24-5
- (2) Fee: Actual cost of the notice of public hearing published in The New London Day newspaper \$ N/A
- (3) Owner(s) of Record: Alex & Yuliya Mironovas Tel. # (508) 561-3500
Address: 25 Spyglass Hill Dr., Ashland, MA 01721 E-Mail alex.mironovas@gmail.com Cell # (508) 561-3500
- (4) Applicant: Alex Mironovas Tel. # (508) 561-3500
Address: 25 Spyglass Hill Dr., Ashland, MA 01721 E-Mail alex.mironovas@gmail.com Cell # (508) 561-3500
- (5) I/we hereby apply for an appeal of the Zoning Official's decision dated: 09/12/2024 ☐
- (6) Address of affected premises: 10 Shore Dr., Waterford, CT 06385
Unique I.D # _____ Zone(s) _____
Located on the E side of Shore Dr., 267 feet
(N,S,E,W) (STREET)
from the intersection of Peninsular Ave. and 10 Shore Dr.
(N,S,E,W)
- (7) Reason for the appeal: We need to have RV on the lot during ongoing construction for storage purposes.

- (8) Under what section(s) of the Zoning Regulations is the appeal based?
3.20.3
Also, Section 8-3K of GENERAL STATUTES OF CONNECTICUT

(attach additional sheet if necessary)

#ZBA-24-25
10 Shore Dr.
Exhibit 1

(9) Submit documentation on basis of appeal.

(10) Has/Have any previous appeal(s) been filed in connection with these premises during the past ten calendar years? Yes ☒ No ☐

If Yes, 05/07/2020 Z-20-1
Date(s) Appeal No(s).

(11) I/We hereby depose and say that all the above statements and the statements contained in any papers submitted herewith are true to the best of my knowledge and belief.

Alex Mironovas

Signature of Applicant

09/25/2024

Date

Wayne Scott

From: Wayne Scott
Sent: Monday, July 15, 2024 6:05 PM
To: 'Alex Mironovas'
Cc: Maureen Fitzgerald; Jonathan Mullen; Mark Wujtewicz
Subject: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted
Attachments: Section 3.9 & 3.20 regarding Trailers@ Recreational Campers.pdf

Tracking:	Recipient	Delivery	Read
	'Alex Mironovas'		
	Maureen Fitzgerald	Delivered: 7/15/2024 6:06 PM	
	Jonathan Mullen	Delivered: 7/15/2024 6:06 PM	Read: 7/16/2024 7:49 AM
	Mark Wujtewicz	Delivered: 7/15/2024 6:06 PM	

Mr. Mironovas,

This email is a follow up to our telephone conversation earlier today regarding the unauthorized use of the property located at 10 Shore Drive in Waterford Ct. As you were advised during our telephone conversation, It has brought to the attention of this office that an unauthorized Recreational Camping Vehicle is currently being used on the property referred to herein. An inspection of the property was performed on 7-15-2024 where it was discovered that a recreational vehicle is in fact parked and appears to be occupied. There was also a portable metal dock observed on the premises which appeared to be prepared for assembly. The property is located in the VR-7.5 Village Residential District where parking, storage and/or use of recreational vehicles is not permitted on any lot without a residential structure as the principle use on the same lot per The Town of Waterford regulation Section 3.9. Also see: 3.20 and 2.4. See the attached. Please also be advised that permits are required for the installation of a docking structure.

Pursuant to the authority vested in me by Section 26.2 of the Waterford Zoning Regulations you are hereby informed that you are in violation of the following Zoning Regulation(s): Section 3.9. Also see: 3.20 and 2.4

26.2 ENFORCEMENT These regulations shall be enforced by the Zoning Enforcement Officer or his agent who is hereby authorized to inspect or cause to be inspected any building, place, or use, and to order in writing the remedying of any condition found to exist in violation of these regulations

Corrective Actions

The owner of the property located at 10 Shore Drive in Waterford Ct. is required to remove the unauthorized Recreational Camping Vehicle and all other unauthorized uses from the property referred to herein.

This violation must be remedied forthwith. Please contact this office and advise of your plans to correct the situation in writing within ten (10) days of the receipt of this notice. Failure to respond to this notice may result in further actions and or penalties as prescribed in the Connecticut State General Statutes.

A copy of the section of the regulations is enclosed for your reference. A complete copy of the current Town of Waterford Zoning Regulations can be found online: <https://www.waterfordct.org/planning-development>

If you have any questions or concerns, please feel free to contact me at (860) 444-5813 or wscott@waterfordct.org

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



TOWN OF WATERFORD

CONNECTICUT

ZONING REGULATIONS

Revised Through Effective Date: March 22, 2024

Last comprehensive review of the Zoning Regulations:
Originally Adopted: December 18, 1978
Originally Effective: January 13, 1979

First Zoning Regulations Effective: June 1954
First Subdivision Regulations Effective: May 4, 1948

The Town of Waterford Zoning Commission was created on June 3, 1939 and the Planning & Zoning Commission was created on November 15, 1951

The Planning and Zoning Commission

Gregg Massad, Chairman
Timothy Bleasdale
Karen Barnett
Timothy Conderino
Victor Ebersole

Alternates:
Joseph DiBuono
Bertrand Chenard
Doris Crum

Staff

Jonathan Mullen, AICP
Mark Wujtewicz
Maureen FitzGerald
Wayne Scott
Katrina Kotfer

Planning Director
Planner
Environmental Planner
Zoning Official
Recording Secretary

2.4 PERMITTED USES

No buildings or land in any district shall be used for any purpose other than that which is specifically listed as a permitted use or is specifically listed as a use permitted subject to the approval of a special permit within the district in which the building or land is located. Any use not specifically listed as provided herein shall be prohibited.

2.5 LAND UNDER WATER

Each district shall include any land under any lake, pond, stream, river, or Long Island Sound, or other body of water located within such district to the extent that such land is within the Town of Waterford.

3.18 MUNICIPAL WATER AND SEWER FACILITIES

In accordance with the provisions of Section 23 of these regulations, the Planning and Zoning Commission may grant a Special Permit to the Town for the construction in any district of facilities such as pump stations, treatment and/or control installations and the like, reasonably necessary to provide for adequate water supply, sewerage, and drainage systems. Such permit may be granted after said Commission has determined that the plans for said construction have met all local and state requirements with regard to public health and safety. Such permit may be issued notwithstanding the fact that such use does not meet other regulations concerning road access, lot size, area, or yard requirements.

3.19 TEMPORARY FORMS OF OUTDOOR ENTERTAINMENT (Revised: 9/9/20)

The following temporary forms of outdoor entertainment may be allowed by Zoning Compliance Permit. No single activity may take place for more than 14 consecutive calendar days. The total of all activities permitted under this section on a single property shall not exceed 75 calendar days within a single year.

Such activities permitted under this provision shall include fairs, bazaars, concerts, dances, exhibitions, rodeos, circuses, carnivals, festivals, recurring performances, outdoor theater productions, or other similar activity.

An application for approval of such activity shall be submitted to the Zoning Enforcement Officer. The Zoning Enforcement Officer may require application submittal up to 21 days prior to the proposed start of the event. Prior to submitting and application, applicants shall contact the ZEO to ascertain any anticipated permit requirements and the amount of time necessary for review. Applications shall indicate the type of entertainment to be provided, the site of the event, and the period of time over which the event is to occur.

Such application shall be accompanied by a sketch of the site, to scale, indicating the location and method of sanitary facilities, provisions for off-street parking, provisions for traffic controls, provisions for fire safety, proposed seating arrangement, location of all temporary booths, canopies, and/or tents, and such other information as the Zoning Enforcement Officer may require in order to assure that the public health, safety, and welfare is addressed.

3.20 TRAILERS AND MANUFACTURED HOMES (Revised 7/5/11)

No manufactured home or trailer shall be permitted in any district except as follows:

- 3.20.1 At a location occupied by a manufactured home on September 1, 1966 except that if a manufactured home is removed from such location for a period of twelve months, it may not thereafter occupy such location.
- 3.20.2 A manufactured home or trailer of 150 square feet or less and belonging to the occupant of a house may be parked or stored in the rear of a house lot provided that it is located not less than 30 feet from any property line and is suitably screened so as to not be visible from any adjacent property line and further provided that it is not used in any way while so parked or stored.
- 3.20.3 The Zoning Enforcement Officer may issue a temporary zoning permit to an owner of a manufactured home or trailer who is engaged in constructing his own dwelling for which a building permit has been issued, to place one manufactured home or trailer on the property on which the dwelling is being constructed for a period of six months, which permit may be extended for two additional periods of three months each, but in no event shall the total period of time for such temporary zoning permit exceed one year. Permits shall be obtained from the Zoning Officer after the Town's Sanitarian has determined that correct and proper water and sanitary arrangements have been made.
- 3.20.4 When a lot contains at least 40,000 square feet of lot area and has a single family dwelling upon it, not more than one trailer or manufactured home of 150 square feet or less may be placed upon such lot by a guest of the occupant of the dwelling located on said lot, provided no compensation is received by any party as a result of the placement of such trailer or manufactured home and further provided that no trailer or manufactured home placed upon a lot under the provisions of

this section shall be permitted to stay on said property for more than 30 days in any 12 month period.

- 3.20.5 A manufactured home may be permitted in a General Commercial (C-G) District as part of a manufactured home park expansion as provided by Section 3.21.2 of these regulations.

3.21 TRAILER CAMPS OR MANUFACTURED HOME PARKS (Revised 7/5/11)

- 3.21.1 No parcel of land or premises in any district shall be used as a trailer camp or manufactured home park for the parking of two or more trailers, whether otherwise occupied or not, except in accordance with Section 3.21.2. (Effective Date: July 1, 1988)

- 3.21.2 Any trailer camp (or manufactured home park) existing at the time of the adoption of these regulations may not be expanded to permit the parking of a greater number of trailers (or manufactured homes) than at the time of the adoption of these regulations. Those manufactured home parks existing as of November 1, 1987 may expand to permit the parking of not more than twenty-five (25) additional manufactured homes, subject to the following general requirements, procedures, standards, and conditions: (Effective Date: July 1, 1988)

3.21.2.1 General

Any proposal to increase the number of manufactured homes existing in a manufactured home park shall be considered a manufactured home park expansion and shall conform to all the requirements contained herein. A manufactured home park expansion may be permitted in General Commercial (C-G) Districts provided that the expansion area shall be on property that is contiguous to the existing manufactured home park. For the purpose of these regulations, the expansion shall be considered as part of the existing manufactured home park.

3.21.2.2 Procedure

Each application for approval of a manufactured home park expansion shall require the submission of a site plan as provided for in Section 22 of these regulations. No construction shall be undertaken within any manufactured home park until a site plan has been approved by the Planning and Zoning Commission. All future use of the property shall be in accordance with the approved site plan.

3.21.2.3 Standards and Conditions

Each application for a manufactured home park expansion submitted in accordance with this Section shall meet each of the following standards and conditions. These standards and conditions shall apply only to the manufactured home expansion area unless specifically noted otherwise.

- A. Minimum Lot Area and Frontage - No manufactured home park expansion proposed under the provisions of Section 3.21.2 of these regulations shall be established on any lot unless the lot is at least 60,000 square feet in area and has a minimum frontage of 125 feet on a public street. The lot area shall include the existing manufactured home park and the expansion area.
- B. Density - In no case shall the total number of manufactured homes in any manufactured home park, including existing and expansion areas, exceed a total density of eight units per acre of total land area within the manufactured home park.
- C. Individual Space Size and Coverage - The limit of each individual manufactured home space shall be a minimum of 5,000 square feet in area and not less than 50 feet in width and 100 feet in depth. The maximum coverage of all buildings on each individual space shall not exceed 30 percent.

3.7 MODIFICATION OF ZONING REQUIREMENTS ADJACENT TO RAILROADS AND NAVIGABLE WATERS

Where a boundary of a lot is contiguous to a railroad right-of-way or navigable body of water, the rear and/or side yard requirements, buffer requirements, and road frontage requirements established within these regulations for that boundary abutting said right-of-way or body of water may be waived wholly or partially by the Commission upon finding that such waiver will not adversely affect adjacent property values and will not adversely affect the ability of fire and other emergency and public safety equipment to service and provide protection to the subject property.

3.8 MORE THAN ONE BUILDING ON A LOT (Revised 11/15/14)

Except as provided in Sections 3.17, 17a, 18, 18A.2.2 and Section 19 of these Regulations, no more than one principal building and the accessory buildings or uses customarily incident thereto shall be located on any single lot within the R-20, R-40, RU-120, OS, VR-7.5, VR-10 and VR-15 Zone Districts. More than one principal building and the accessory buildings or uses customarily incident thereto may be permitted on a lot for all other zoning districts pursuant to the districts building coverage provision.

3.9 ACCESSORY USES IN RESIDENTIAL ZONING DISTRICTS

An accessory building and an accessory use are defined in Sections 1.1 and 1.2 of these regulations and such shall not be permitted to be established on any lot unless a main use or building is located on the same lot. In a residential district, the following are deemed to be accessory uses:

- 3.9.1 Fully enclosed accommodations for passenger vehicles.
- 3.9.2 Garage or carport for one commercial vehicle, truck, tractor, piece of earth-moving equipment or commercial tools for personal or business use, provided that no such equipment or tools shall contain an engine of over 10 horsepower.
- 3.9.3 Open parking places for passenger vehicles belonging to the occupants of the dwelling units.
- 3.9.4 Trailers, manufactured homes, and recreational camping vehicles as permitted in Sections 3.20 and 3.22 herein.
- 3.9.5 Open or enclosed accommodations in the side or rear yard and 20 feet from a property line for one boat not more than 26 feet in length, one boat trailer, and one dinghy, used for pleasure purposes and belonging to the occupants of the dwelling unit. All boats over 26 feet in length shall be stored within an enclosure which shields the view of such boat from all adjacent property lines.
- 3.9.6 On lots of not less than 120,000 square feet which contain a single-family residence which is occupied by one family, a separate barn or structure to house a horse or other animal. Such barn or structure shall not be located closer than 150 feet from any lot line.
- 3.9.7 Private swimming pools.
- 3.9.8 Tool sheds, greenhouses, arbors, garden houses.
- 3.9.9 Boathouses, tennis courts.
- 3.9.10 Private antennae serving an individual dwelling provided the top of any such antennae shall not be more than 40 feet in height above the ground or more than 20 feet in height above the highest point on the dwelling's roof on which it is attached.
- 3.9.11 Accessory Dwelling Units in accordance with Section 3.36 of these Regulations. (Effective 5/24/23)

PROFESSIONAL OFFICE

Office for person or persons whose vocation or occupation requires advanced training in a liberal art or science, a State license or certification, and whose work usually involves non-manual work and services are rendered rather than goods offered for sale on the premises including doctors, dentists, other medical professionals, lawyers, engineers, and architects. The following similar uses are not professional offices: contractor, beauty parlor, insurance agent, medical testing laboratory, pest control, pharmacy, real estate agent, and financial institutions.

PUBLIC GARAGE

A building used for the storage, servicing, or repair of motor vehicles for compensation.

PUBLIC WAY (Effective: 3/2/21)

Any road, street, avenue, boulevard, highway, or other parcel of land that is open to the public as of right and permanently dedicated to the movement of vehicles and pedestrians.

QUARRYING (Effective: 4/5/18)

Excavating and maintaining an open or surface area for purposes of extraction of stone, rock, aggregate or other mineral materials

RAIN BARRELS (Effective: 4/5/18)

Barrels designed to retain small volumes of runoff for reuse in gardening and landscaping. They are applicable to residential, commercial, and industrial sites and can be incorporated into a site's landscaping plan. The size of the rain barrel is a function of the rooftop surface area and the design storm to be stored. Rain barrels capture runoff that would otherwise be lost to storm drains, divert water to the landscape, and conserve tap water. For large rain barrels see "Cistern".

RAIN GARDEN (Effective: 4/5/18)

Functional landscape elements that combine plantings and a specially designed planting soil bed in depressions that allow water to pool for only a few days after a rainfall then be filtered by and slowly absorbed by the soil and plantings. Rain gardens improve water quality by reducing the sediment, nutrients, bacteria and chemicals from flowing into water bodies.

RECREATION, ACTIVE (Effective: 4/5/18)

Activities engaged in for the purpose of relaxation, health and wellbeing, or enjoyment with the primary activity requiring physical exertion, and the primary focus on human activity. Such activities generally occur in areas that are intensively used and include but are not limited to playgrounds, ball courts, golf courses and swimming pools.

RECREATION, PASSIVE (Effective: 4/5/18)

Activities engaged in for the purpose of relaxation, health and wellbeing, or enjoyment with the primary activity requiring limited or no physical exertion. Such activities generally occur in areas that are intensively used or areas that are seldom used and include but are not limited to walking trails, picnic areas, or posts set for resting, enjoying views, bird watching and similar activities.

RECREATIONAL CAMPING VEHICLE

A mobile, vehicular structure mounted on wheels and designed as a temporary dwelling for travel, recreation, or vacation, including but not limited to self-propelled motor homes, travel trailers not exceeding 32 feet in length, collapsible tent trailers, and truck-mounted units.

RESPONSIBLE PARTY (Effective: 4/5/18)

The person or organization responsible for the construction and/or maintenance of a stormwater facility, erosion and sediment controls, or any another activity or site improvement as determined by the Commission.

RESTAURANT

A commercial enterprise whose primary function is the sale of food and/or beverages for on-premises consumption, excluding night clubs.

RETAIL SALES/SERVICE ESTABLISHMENT

An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Retail sales and services shall not include uses which may involve the retail sale of merchandise but are specifically allowed only in certain zoning districts.

TOPSOIL (Effective: 4/5/18)

The upper level of soil typically moved in cultivation, frequently designated as the Ap horizon.

TRAILER (Revised 7/5/11)

Any vehicle or object designed to be moved on wheels whether resting on wheels, jacks, or other foundation and whether or not having any motive power of its own, but which is drawn by, or used in connection with, a motor vehicle, and which is so designed and constructed and/or added to by means of such accessories, as to permit use and occupancy thereof for human habitation. This shall include the type of vehicle known as a manufactured home.

TRAILER CAMP

Any premises used or permitted to be used for the parking of more than one occupied trailer coach. This shall be synonymous with what is commonly called Manufactured Home Park or Trailer Park.

UNDERGROUND DETENTION FACILITIES (Effective: 4/5/18)

Vaults, pipes, tanks, and other subsurface structures designed to temporarily store stormwater runoff for water quantity control and to drain completely between runoff events. They are intended to control peak flows, limit downstream flooding and provide some channel protection.

UNDERGROUND INFILTRATION SYSTEMS (Effective: 4/5/18)

Structures designed to capture, temporarily store, and infiltrate the water quality volume over several days, including pre-manufactured pipes, vaults and modular structures. These are used as alternatives to infiltration trenches and basins for space limited sites and stormwater retrofit applications.

UNDERUTILIZED BUILDINGS(S) (Effective 9/1/14)

Structures which may or may not be located on a site that is classified as a Brownfield, which any portion of the structure is older than 50 years, which have remained vacant for more than five (5) years and which are demonstrated to not be suitable to meet the needs of the previously intended use either by the nature of their configuration, market economics, or are restricted by state regulations that govern its previous use. Buildings used for single family residential use shall not be considered an Underutilized Building unless it is an Historic Building.

VEGETATED BUFFER (Effective: 4/5/18)

An area or strip of land in permanent undisturbed vegetation adjacent to a water body or other resource that is designed to protect resources from adjacent development during construction and after development by filtering pollutants from runoff, protecting water quality and temperature, providing wildlife habitat, screening structures and enhancing aesthetics, and providing access for recreation.

VEGETATED FILTER STRIPS (Effective: 4/5/18)

A strip or area of vegetation for removing sediment, organic material, nutrients and chemicals from runoff or wastewater. They are typically located down gradient of stormwater outfalls and level spreaders to reduce flow velocities and promote infiltration and filtration.

VEGETATED LEVEL SPREADERS (Effective: 4/5/18)

Uniformly graded vegetated surfaces (i.e. grass or close growing native vegetation) located between pollutant source areas and downstream receiving waters or wetlands. A level spreader is usually located at the top of the slope to distribute overland flow or concentrated runoff evenly across the entire length of the filter strip.

VEGETATED ROOF COVERS (Effective: 4/5/18)

Multilayered, constructed roof systems consisting of a vegetative layer, media, a geotextile layer, and a synthetic drain layer installed on building rooftops. Rain water is either intercepted by vegetation and evaporated to the atmosphere or retained in the substrate before being returned to the atmosphere through transpiration and evaporation. Also referred to as green roofs.

WATER QUALITY FLOW (WQF) (Effective: 4/5/18)

The peak flow associated with the water quality volume calculated using the NRCS Graphical Peak Discharge Method, as defined in the 2004 CT Stormwater Quality Manual, as amended.

WATER QUALITY SWALES (Effective: 4/5/18)

Vegetated open channels designed to treat and attenuate the water quality volume and convey excess stormwater runoff. Dry swales are primarily designed to receive drainage from small impervious areas and rural roads. Wet swales are primarily used for highway runoff, small parking lots, rooftops and pervious areas.

No swimming pools shall be constructed or operated in any district as an accessory use unless it complies with the Town of Waterford's Building Code and the following conditions and requirements.

- 3.29.1 Exclusive Private Use in All Residential Districts if a swimming pool is located in any residential district. The pool shall be intended and used solely for the enjoyment of the occupants of the main building on the property on which it is located and their guests
- 3.29.2 Distance Requirements
The swimming pool, if accessory to a residential use, may be located anywhere on the premises except in a required front yard provided it shall not be located less than 10 feet from any street line or less than 6 feet from any side or rear lot line provided further that all pump and filter installations shall be located not closer than 10 feet to any property line.
- 3.29.3 Lighting
Any lighting used to illuminate the swimming pool area shall be so arranged so as to prevent the light from shining or reflecting on adjoining properties.

3.30 HOUSEBOATS

No houseboat as defined within Section 1 of these regulations may be docked or tied up at any location within the Town of Waterford except those areas in which a legally established marina or boat yard exists. As such, the permitted existence of a houseboat shall be allowed only as an accessory use to said marina or boat yard, and all houseboats shall be located strictly within the confines of said marina or boat yard.

3.31 TEMPORARY STRUCTURES

3.31.1 Construction Offices and/or Storage

A Zoning Compliance Permit shall be obtained from the Zoning Enforcement Officer for any of the following temporary structures or outdoor uses of land: Storage buildings or trailers, contractor's field offices, sales and marketing offices, and storage yards for construction equipment and earth materials. Said permit shall be in conjunction with and on the site of an approved planned group development, subdivision, or site plan, excepting sites to be used to support public projects.

The duration of the temporary use shall be approved by the Zoning Enforcement Officer based upon the project development schedule, contract duration, and phasing and occupancy schedule.

3.31.2 Outdoor Sales

A zoning compliance permit shall be obtained from the Zoning Enforcement Officer for the temporary outdoor use of land for the storage, display, and sale of goods in any commercial or industrial district for a period not to exceed 30 days during any calendar year. The proposed outdoor use of land shall be clearly accessory and related to the principal use of the site and located in such a manner as not to disrupt the operation of the principal use and traffic circulation on the lot.

3.31.3 Procedures and Violations

The Zoning Enforcement officer may modify and/or approve a Zoning Compliance permit for the temporary uses permitted herein. In his review of any application the Zoning Enforcement Officer shall refer said application for comment by applicable Town and State Agencies. In issuing a temporary Zoning Compliance Permit, the Zoning Enforcement Officer may attach such conditions as deemed necessary or requested by the commenting agencies. A bond in an amount established by the Zoning Enforcement Officer to ensure permit conditions are fulfilled, especially site clean up and restoration, may be required.

The Zoning Enforcement Officer may refer an application to the Planning and Zoning Commission with a recommendation for denial stating the reasons why the use as applied for should not be permitted. The Commission shall take action on the denial of any application or may refer it back with direction for administrative action. The failure to comply with any conditions imposed or to remove a temporary structure/outdoor use of land for which a permit has lapsed shall be considered a violation of these Regulations. The Zoning Enforcement Officer may withhold the issuance of

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

Permitting Department
ZONING ENFORCEMENT

ORDER TO DISCONTINUE

ORDER TO DISCONTINUE

DATE: 09/12/2024

MIRONOVAS ALEX & YULIYA
25 SPYGLASS HILL DRIVE
ASHLAND, MA 01721

Dear Mr./Ms. MIRONOVAS,

It was recently observed that property owned or under your control at **10 Shore Drive** continues to be in violation of Sections 2.4, 3.9, 3.20 & 3.22 of the Waterford Zoning Regulations. A copy of these sections of the regulations are enclosed for your reference. On July 15, 2024 you were informed that you were in violation of Sections 2.4, 3.9 & 3.20 and ordered to take corrective actions to remove the unauthorized Recreational Camping Vehicle and all other unauthorized uses from the property located at 10 Shore Drive by July 29, 2024. This is the last correspondence you will receive prior to turning this matter over to the Town's Attorney.

Authority:	8-12, Connecticut General Statutes 26.2, Waterford Zoning Regulations
Penalty:	8-12, Connecticut General Statutes 26.2.1, Waterford Zoning Regulations
Appeal:	8-7, Connecticut General Statutes 27.3, Waterford Zoning Regulations

A complete copy of the current Town of Waterford Zoning Regulations can be found online:
<https://www.waterfordct.org/planning-development>

REQUIRED CORRECTIVE ACTION:

- Remove the unauthorized Recreational Camping Vehicle and all other unauthorized uses from the property located at 10 Shore Drive.

YOU ARE HEREBY ORDERED TO CORRECT SAID VIOLATIONS

These violations must be remedied within ten (10) days of receipt of this notice. Failure to correct these violations within the stated time frame may result in the party being fined \$100.00 per day for each day the violations continue and/or may result in a civil penalty not to exceed \$2,500.00 and/or result in legal action to enforce the Order and to obtain penalties and fines accruing pursuant to Connecticut General Statutes Section 8-12.

Sincerely,



Wayne Scott
Zoning Official

860-444-5813
wscott@waterfordct.org

CERTIFIED MAIL # **9171 9690 0935 0296 0580 34**
ENFORCEMENT # **ZNG-24-09-12**

*Note: Appeals to reverse any order, requirement, or decision of the official charged with the enforcement of the Town of Waterford Zoning Regulations must be taken within **15 days** after such ruling was officially given. Forms to make an appeal can be picked up at the office of the Waterford Planning and Zoning Commission.*

ENCL: Sections 2.4, 3.9 3.20 & 3.22 of the Waterford Zoning Regulations

2.4 PERMITTED USES

No buildings or land in any district shall be used for any purpose other than that which is specifically listed as a permitted use or is specifically listed as a use permitted subject to the approval of a special permit within the district in which the building or land is located. Any use not specifically listed as provided herein shall be prohibited.

SECTION 3 - GENERAL PROVISIONS

3.1 COMPLIANCE WITH REGULATIONS

No land, building, or premises or part thereon shall hereafter be used, and no building or part thereof of other structure shall be constructed, reconstructed, extended, enlarged, moved or altered except in conformity with these regulations. Every lot shall have an area, width, and front, side, and rear yards at least as large as set forth in the applicable paragraphs of these regulations. No building or buildings shall occupy in the aggregate a greater percentage of the lot area nor be greater in height than as set forth in the applicable paragraphs of these regulations.

3.9 ACCESSORY USES IN RESIDENTIAL ZONING DISTRICTS

An accessory building and an accessory use are defined in Sections 1.1 and 1.2 of these regulations and such shall not be permitted to be established on any lot unless a main use or building is located on the same lot. In a residential district, the following are deemed to be accessory uses:

- 3.9.1 Fully enclosed accommodations for passenger vehicles.
- 3.9.2 Garage or carport for one commercial vehicle, truck, tractor, piece of earth-moving equipment or commercial tools for personal or business use, provided that no such equipment or tools shall contain an engine of over 10 horsepower.
- 3.9 Open parking places for passenger vehicles belonging to the occupants of the dwelling units.
- 3.9.4 Trailers, manufactured homes, and recreational camping vehicles as permitted in Sections 3.20 and 3.22 herein.
- 3.9.5 Open or enclosed accommodations in the side or rear yard and 20 feet from a property line for one boat not more than 26 feet in length, one boat trailer, and one dinghy, used for pleasure purposes and belonging to the occupants of the dwelling unit. All boats over 26 feet in length shall be stored within an enclosure which shields the view of such boat from all adjacent property lines.
- 3.9.6 On lots of not less than 120,000 square feet which contain a single-family residence which is occupied by one family, a separate barn or structure to house a horse or other animal. Such barn or structure shall not be located closer than 150 feet from any lot line.
- 3.9.7 Private swimming pools.
- 3.9.8 Tool sheds, greenhouses, arbors, garden houses.
- 3.9.9 Boathouses, tennis courts.
- 3.9.10 Private antennae serving an individual dwelling provided the top of any such antennae shall not be more than 40 feet in height above the ground or more than 20 feet in height above the highest point on the dwelling's roof on which it is attached.
- 3.9.11 Accessory apartments in accordance with Section 3.36 of these Regulations.
- 3.9.12 Accessory dwelling units in accordance with Section 3.39 of these Regulations.(Effective 6/30/13)

3.18 MUNICIPAL WATER AND SEWER FACILITIES

In accordance with the provisions of Section 23 of these regulations, the Planning and Zoning Commission may grant a Special Permit to the Town for the construction in any district of facilities such as pump stations, treatment and/or control installations and the like, reasonably necessary to provide for adequate water supply, sewerage, and drainage systems. Such permit may be granted after said Commission has determined that the plans for said construction have met all local and state requirements with regard to public health and safety. Such permit may be issued notwithstanding the fact that such use does not meet other regulations concerning road access, lot size, area, or yard requirements.

3.19 TEMPORARY FORMS OF OUTDOOR ENTERTAINMENT (Revised: 9/9/20)

The following temporary forms of outdoor entertainment may be allowed by Zoning Compliance Permit. No single activity may take place for more than 14 consecutive calendar days. The total of all activities permitted under this section on a single property shall not exceed 75 calendar days within a single year.

Such activities permitted under this provision shall include fairs, bazaars, concerts, dances, exhibitions, rodeos, circuses, carnivals, festivals, recurring performances, outdoor theater productions, or other similar activity.

An application for approval of such activity shall be submitted to the Zoning Enforcement Officer. The Zoning Enforcement Officer may require application submittal up to 21 days prior to the proposed start of the event. Prior to submitting an application, applicants shall contact the ZEO to ascertain any anticipated permit requirements and the amount of time necessary for review. Applications shall indicate the type of entertainment to be provided, the site of the event, and the period of time over which the event is to occur.

Such application shall be accompanied by a sketch of the site, to scale, indicating the location and method of sanitary facilities, provisions for off-street parking, provisions for traffic controls, provisions for fire safety, proposed seating arrangement, location of all temporary booths, canopies, and/or tents, and such other information as the Zoning Enforcement Officer may require in order to assure that the public health, safety, and welfare is addressed.

3.20 TRAILERS AND MANUFACTURED HOMES (Revised 7/5/11)

No manufactured home or trailer shall be permitted in any district except as follows:

- 3.20.1 At a location occupied by a manufactured home on September 1, 1966 except that if a manufactured home is removed from such location for a period of twelve months, it may not thereafter occupy such location.
- 3.20.2 A manufactured home or trailer of 150 square feet or less and belonging to the occupant of a house may be parked or stored in the rear of a house lot provided that it is located not less than 30 feet from any property line and is suitably screened so as to not be visible from any adjacent property line and further provided that it is not used in any way while so parked or stored.
- 3.20.3 The Zoning Enforcement Officer may issue a temporary zoning permit to an owner of a manufactured home or trailer who is engaged in constructing his own dwelling for which a building permit has been issued, to place one manufactured home or trailer on the property on which the dwelling is being constructed for a period of six months, which permit may be extended for two additional periods of three months each, but in no event shall the total period of time for such temporary zoning permit exceed one year. Permits shall be obtained from the Zoning Officer after the Town's Sanitarian has determined that correct and proper water and sanitary arrangements have been made.
- 3.20.4 When a lot contains at least 40,000 square feet of lot area and has a single family dwelling upon it, not more than one trailer or manufactured home of 150 square feet or less may be placed upon such lot by a guest of the occupant of the dwelling located on said lot, provided no compensation is received by any party as a result of the placement of such trailer or manufactured home and further provided that no trailer or manufactured home placed upon a lot under the provisions of

this section shall be permitted to stay on said property for more than 30 days in any 12 month period.

- 3.20.5 A manufactured home may be permitted in a General Commercial (C-G) District as part of a manufactured home park expansion as provided by Section 3.21.2 of these regulations.

3.21 TRAILER CAMPS OR MANUFACTURED HOME PARKS (Revised 7/5/11)

- 3.21.1 No parcel of land or premises in any district shall be used as a trailer camp or manufactured home park for the parking of two or more trailers, whether otherwise occupied or not, except in accordance with Section 3.21.2. (Effective Date: July 1, 1988)

- 3.21.2 Any trailer camp (or manufactured home park) existing at the time of the adoption of these regulations may not be expanded to permit the parking of a greater number of trailers (or manufactured homes) than at the time of the adoption of these regulations. Those manufactured home parks existing as of November 1, 1987 may expand to permit the parking of not more than twenty-five (25) additional manufactured homes, subject to the following general requirements, procedures, standards, and conditions: (Effective Date: July 1, 1988)

3.21.2.1 General

Any proposal to increase the number of manufactured homes existing in a manufactured home park shall be considered a manufactured home park expansion and shall conform to all the requirements contained herein. A manufactured home park expansion may be permitted in General Commercial (C-G) Districts provided that the expansion area shall be on property that is contiguous to the existing manufactured home park. For the purpose of these regulations, the expansion shall be considered as part of the existing manufactured home park.

3.21.2.2 Procedure

Each application for approval of a manufactured home park expansion shall require the submission of a site plan as provided for in Section 22 of these regulations. No construction shall be undertaken within any manufactured home park until a site plan has been approved by the Planning and Zoning Commission. All future use of the property shall be in accordance with the approved site plan.

3.21.2.3 Standards and Conditions

Each application for a manufactured home park expansion submitted in accordance with this Section shall meet each of the following standards and conditions. These standards and conditions shall apply only to the manufactured home expansion area unless specifically noted otherwise.

- A. Minimum Lot Area and Frontage - No manufactured home park expansion proposed under the provisions of Section 3.21.2 of these regulations shall be established on any lot unless the lot is at least 60,000 square feet in area and has a minimum frontage of 125 feet on a public street. The lot area shall include the existing manufactured home park and the expansion area.
- B. Density - In no case shall the total number of manufactured homes in any manufactured home park, including existing and expansion areas, exceed a total density of eight units per acre of total land area within the manufactured home park.
- C. Individual Space Size and Coverage - The limit of each individual manufactured home space shall be a minimum of 5,000 square feet in area and not less than 50 feet in width and 100 feet in depth. The maximum coverage of all buildings on each individual space shall not exceed 30 percent.

3.22 PARKING OF RECREATIONAL CAMPING VEHICLES

No recreational camping vehicle may be parked on any lot unless such lot contains a dwelling as the primary use of said lot and no recreational camping vehicle shall be parked on any lot within the Town of Waterford except in compliance with the following provisions:

- 3.22.1 Not more than one recreational camping vehicle may be parked on any single residential lot, except as provided in Section 18.4 of these regulations, at any given time by a guest of the owner or occupant of the residence on such lot, and such parking of a recreational camping vehicle shall not result in compensation to any party. Furthermore, no such vehicle shall be allowed to be parked on any such lot for more than 30 days and no single lot shall be used for more than a total of 30 days for the parking of such recreational vehicles in any 12 month period.
- 3.22.2 Furthermore, nothing in these regulations shall prohibit the storage of not more than one recreational camping vehicle at any given time on the property of the owner or occupancy of the residence which is located on such lot provided that it is not used in any way while stored, and that it is kept at least 10 feet from any side or rear property line or within a completely enclosed building.

SECTION 27 - ZONING BOARD OF APPEALS

27.1 GENERAL

There shall be a Zoning Board of Appeals consisting of five regular members and three alternates elected in accordance with Town Ordinance. Such Board shall act in accordance with the applicable provisions of Chapter 124 of the Connecticut General Statutes.

27.2 POWERS AND DUTIES

The Zoning Board of Appeals shall have the following powers and duties:

- 27.2.1 To hear and decide appeals where it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer or any other official charged with the enforcement of these Regulations.
- 27.2.2 To hear and decide all matters upon which it is required to pass by the specific terms of these Regulations.
- 27.2.3 To determine and vary the application of provisions of these Regulations, in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not generally affecting the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.

27.3 APPEALS

As provided by a rule established by the Zoning Board of Appeals, any party aggrieved by a ruling of the Zoning Enforcement Officer or any other official charged with the enforcement of these Regulations, shall file such appeal in accordance with the procedures established herein, within 15 days after the date of which such ruling was officially given. Such appeal shall be filed in accordance with the provisions of Section 8-7 of the State Statutes (see appendix to these Regulations) using a form providing by the Board, which specifies the grounds for such appeal and includes such other information as may be required.

27.4 SPECIAL TREATMENT OF USE VARIANCES

It is recognized that variances of the use provisions of these Regulations present special problems not occurring in the case of variances of other types, and as such, Section 8-6 of the State Statutes provides that these regulations may specify the extent to which use variances may be granted. Therefore, the following provisions shall control with regard to any application made hereafter for a use variance.

- 27.4.1 No application for a variance from the use provisions of these Regulations (as distinguished from the area, frontage, yard, coverage, height, etc. provisions hereof) shall be voted upon until a report with recommendations thereon has been received from the Planning and Zoning Commission, or if no such report has been received, until 20 days after a copy of such application has been sent to the Planning and Zoning Commission for its recommendations. In order to meet this requirement, the Zoning Board of Appeals shall transmit a copy of each application requesting a Use Variance to the Planning and Zoning Commission at least 20 days prior to the date on which a public hearing is to be conducted on the subject application.
- 27.4.2 The Board shall not grant any use variance unless each of the following findings can be substantiated by the Board and written basis for such determination by the Board shall be entered into the minutes of the meeting at which such variance request is acted upon:
 - a. The subject parcel of land cannot be reasonably developed for any permitted use within the district in which it is located because of reason peculiar to the parcel in question and not applicable to the area as a whole.

- b. The use proposed is the minimum variance necessary in order to allow a reasonable use of the property; and
 - c. This use will not impair the essential existing character of the area nor conflict with the general purpose and intent of these Zoning Regulations.
- 27.4.3 The Board shall not grant any use variance for the establishment of a Medical Marijuana Production Facility. (Amended 5/31/2015)

27.5 CRITERIA FOR DECISIONS

In addition to other requirements established within these Regulations, the Zoning Board of Appeals, prior to making its decision regarding any application for a variance or any other matter requiring Board action in accordance with the provisions of these Regulations, shall consider, at a minimum, the following factors:

- a. The size and intensity of the proposal under consideration and its potential impact on the surrounding neighborhood including consideration of past ownership patterns involving the property in question and adjacent properties and changes in the Zoning Regulations which have occurred since the lot in question was created.
- b. The existence of conditions of the same kind and/or character on other properties within the surrounding neighborhood.
- c. The impact the proposed request will have on the capacity of adjacent streets to handle peak traffic loads without causing congestion and without creating any traffic hazards.
- d. The possible obstruction of light or air, or the emission of noise, light, smoke, odor, gas, dust, or vibration in noxious or offensive quantities which might be caused by the proposal under consideration and the impact such conditions might have on adjacent properties.
- e. The resultant effect the proposal under consideration would have on the value and utilization of other properties within the surrounding neighborhood.
- f. The existence of unusual topography on the property in question and the nature, location and height of all existing and proposed buildings, walls, fences, and landscaping on the site in question.
- g. The extent, nature and arrangement of all existing and proposed parking facilities, driveways and roadways on the site in question.
- h. Any problems which might be created with regard to providing fire and/or police protection to the site in question or to adjacent properties.
- i. The preservation of the character of the neighborhood.
- j. The location of existing water and sewerage systems serving the subject site and the adequacy of such systems to support any additional construction on the property.
- k. All other standards prescribed by these Regulations.

27.6 TERMS AND CONDITIONS

In granting any variance under these Regulations, the Board may attach such additional terms, conditions and safeguards as are deemed necessary to protect the neighborhood such as, but not limited to, the following:

- a. Requirement of front, side or rear yards greater than the minimum required by these Regulations.
- b. Requirement of screening of parking areas or other parts of the premises from adjoining premises or from the street by walls, fences, planting or other devices.
- c. Modifications of the exterior features or appearance of any structure, where necessary to preserve property values.
- d. Limitation of size, number of occupants, method of time of operation or extent of facilities.

- e. Regulation of number, design, and location of access drives or other traffic features.
 - f. Requirement of off-street parking or other special features beyond the minimum required by these Regulations or other applicable codes or regulations.
- 27.6.1 Failure to comply with any such condition or safeguard shall constitute a violation of these Regulations.

27.7 NOTICE TO CONTIGUOUS MUNICIPALITIES OF VARIANCE APPLICATIONS

Whenever the Board of Appeals has before it for consideration an application for a variance in the use of property any portion of which lies within 500 feet of a contiguous municipality, the Board shall, at least one week prior to the hearing thereon, notify the clerk of such municipality, in writing, of the fact of such application and of the date fixed by it for such hearing.

27.8 APPLICATION FOR VARIANCES

Application for a variance shall be made on a form provided by the Zoning Enforcement Officer indicating the property in question, the Section or Sections of the Zoning Regulations which are requested to be varied, the reason for the requested variance and the nature of the unusual hardships or exceptional difficulty existing with regard to the property involved. Such application shall be delivered to the Zoning Enforcement Officer. In addition, all variance requests shall be accompanied by a map and list showing the subject property and all adjacent property owners within 150 feet of all boundaries of the subject property and a sketch showing the existing and proposed conditions of the subject property.

27.9 NOTIFICATION OF ADJACENT PROPERTY OWNERS

The applicant for a variance or any party filing an appeal shall prepare a list of the names and addresses of the owners of all properties within the site addressed in the appeal or variance application and of all properties 150 feet or less distance therefrom, all as shown on the latest grand list of the Town of Waterford in the Assessor's Office (or the actual owners of record if otherwise known to the applicant). Such list and a map indicating all described properties, prepared also by the applicant, shall be submitted to the Zoning Enforcement Officer along with the required application. The applicant shall mail notification of said pending application to at least one owner of each such property not more than 30 days or less than 10 days before the date set for the public hearing, by transmitting the text of the public hearing notice. Evidence of such mailing shall be submitted in the form of United States Post Office Certificates of Mailing to the Zoning Enforcement Officer at least five days prior to the hearing date.

27.10 FEES

An application fee specified in Section 26.6 shall accompany each appeal and/or variance request. Such fee shall be paid by check or money order payable to the order of the Town of Waterford and shall be used to defray the costs of the publication of required legal notices. Such fee shall be non-refundable. Furthermore, if the actual costs of legal advertising are estimated to be more than the application fee, the applicant shall pay such additional money as may be required to cover all legal advertising costs to the Town of Waterford prior to the Board's taking action on the applicant's request.

27.11 THE POSTING OF A BOND

The Zoning Board of Appeals may require the posting of a surety bond or other acceptable surety in an amount sufficient to cover the cost of all work required under the conditions and/or terms of any variance which they may grant. Such surety shall be in a form acceptable to the Board, payable to the Town of Waterford, and shall be accepted with the express condition that all work covered by such surety shall be completed within the time period specified by the Board or such surety shall be forfeited to the Town of Waterford.

27.12 VOIDING OF DECISION

Failure to initiate action with regard to any decision rendered by the Board in accordance with the provisions of Section 27 herein, within six months after the effective date of such decision, shall cause such decision of the Board to become null and void, except if requested at the time of application, such six

month period may be extended by the Board for not more than an additional six month period, at the time the Board's decision is rendered if evidence is provided to the Board that such additional time is required by the applicants.

27.13 VARIANCES REGARDING FLOOD PLAIN REGULATIONS

Any application submitted to the Zoning Board of Appeals requesting a variance of any of the provisions of Section 25.3 of these Regulations shall, in addition to other requirements of Section 27 herein, be also limited by the requirements of Section 25.3.6 of these regulations.

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

October 4, 2024

The Day Publishing Co.
Eugene O'Neill Drive
New London, CT 06320

Attention: Legal Advertising

Please publish the following notice of Public Hearing in your newspaper on Wednesday, October 23, 2024 and Wednesday, October 30, 2024 charged to #92967, Zoning Board of Appeals, and please forward me a Publisher's Certificate.

Town of Waterford Zoning Board of Appeals Notice of Public Hearing

The Zoning Board of Appeals will hold a Public Hearing on November 6, 2024. The meeting will begin at 5:30 pm and held in Town Hall to consider the following: **Appeal #ZBA-24-5** – Appeal of the Zoning Official's Order to Discontinue dated September 12, 2024 issued for the placement of an unauthorized Recreational Camping Vehicle and other unauthorized uses being conducted in violation of the Town of Waterford Zoning Regulations on property located at 10 Shore Drive, Waterford. Appeal is taken by Alex Mironovas.

Cathy Gonyo, Chairwoman

#ZBA-24-25
10 Shore Dr.
Exhibit 4

Wayne Scott

From: Jonathan Mullen
Sent: Wednesday, May 15, 2024 9:47 AM
To: Wayne Scott
Subject: RE: 10 Shore Drive
Attachments: Image 5-7-24, 12.55.11 PM.jpg

Hi Wayne,

Here's the right picture.

Jonathan E. Mullen, AICP
Planning Director
Town of Waterford, CT 06385
jmullen@waterfordct.org
860 444-5813



PRIVILEGED AND CONFIDENTIAL: This communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited. If you're not the intended recipient, please notify the sender immediately by return email and delete this communication and destroy all copies.

From: Wayne Scott <wscott@waterfordct.org>
Sent: Wednesday, May 15, 2024 8:15 AM
To: Jonathan Mullen <jmullen@waterfordct.org>
Subject: FW: 10 Shore Drive

I'll follow up on the 10 Shore Drive complaint however I think you may have attached the wrong photo. I believe the attached is of the construction site on Rope Ferry.

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



#ZBA-24-25
10 Shore Dr.
Exhibit 5

From: Jonathan Mullen <jmullen@waterfordct.org>
Sent: Wednesday, May 15, 2024 8:10 AM
To: Wayne Scott <wscott@waterfordct.org>
Subject: 10 Shore Drive

Hi Wayne,

Please see the attached picture of a camper parked on the lot at 10 Shore Drive.

Please look into this.

Thank you.

Jonathan E. Mullen, AICP
Planning Director
Town of Waterford, CT 06385
jmullen@waterfordct.org
860 444-5813

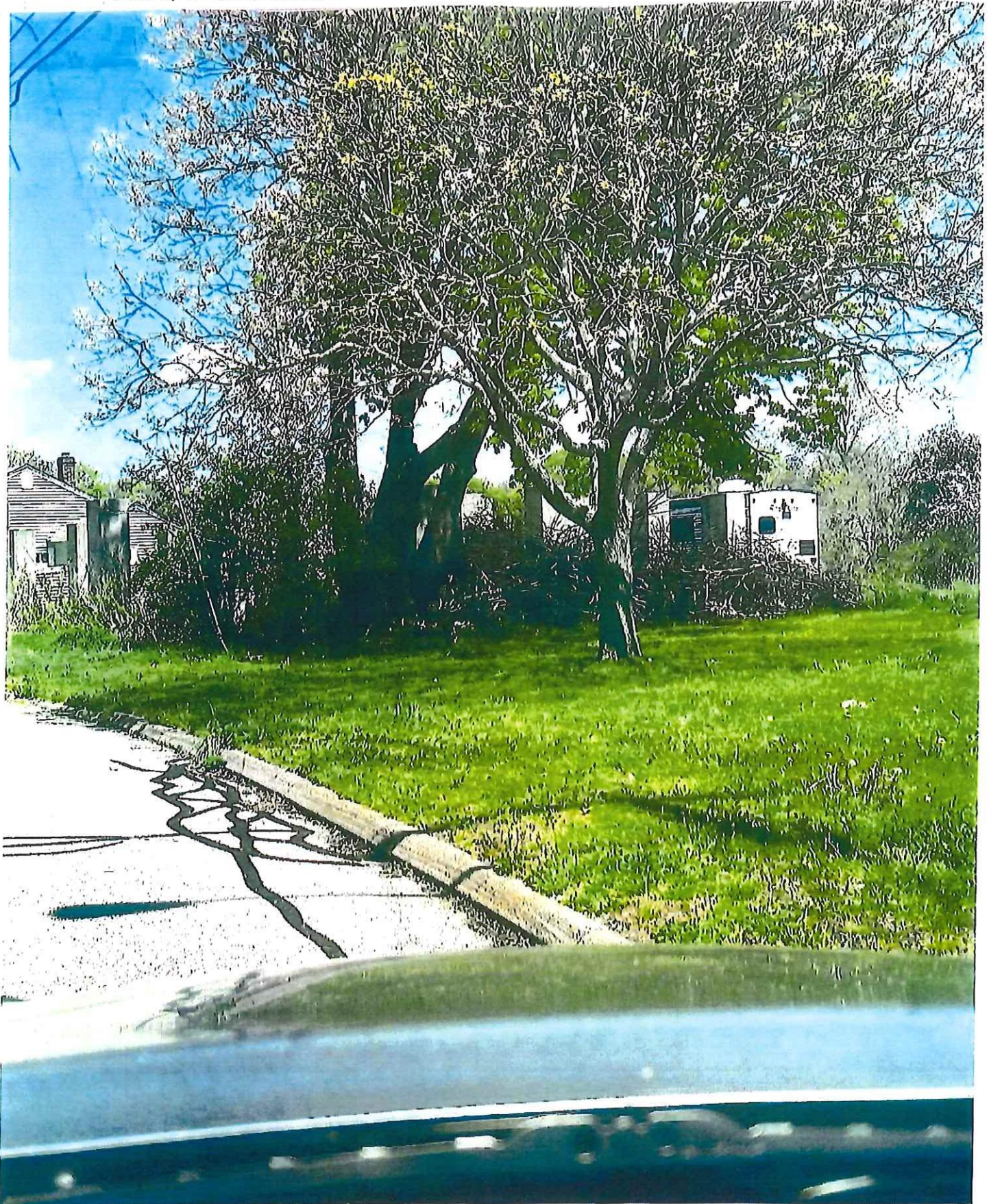


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Location: 10 Shore Drive

Photo taken: 5-7-2024

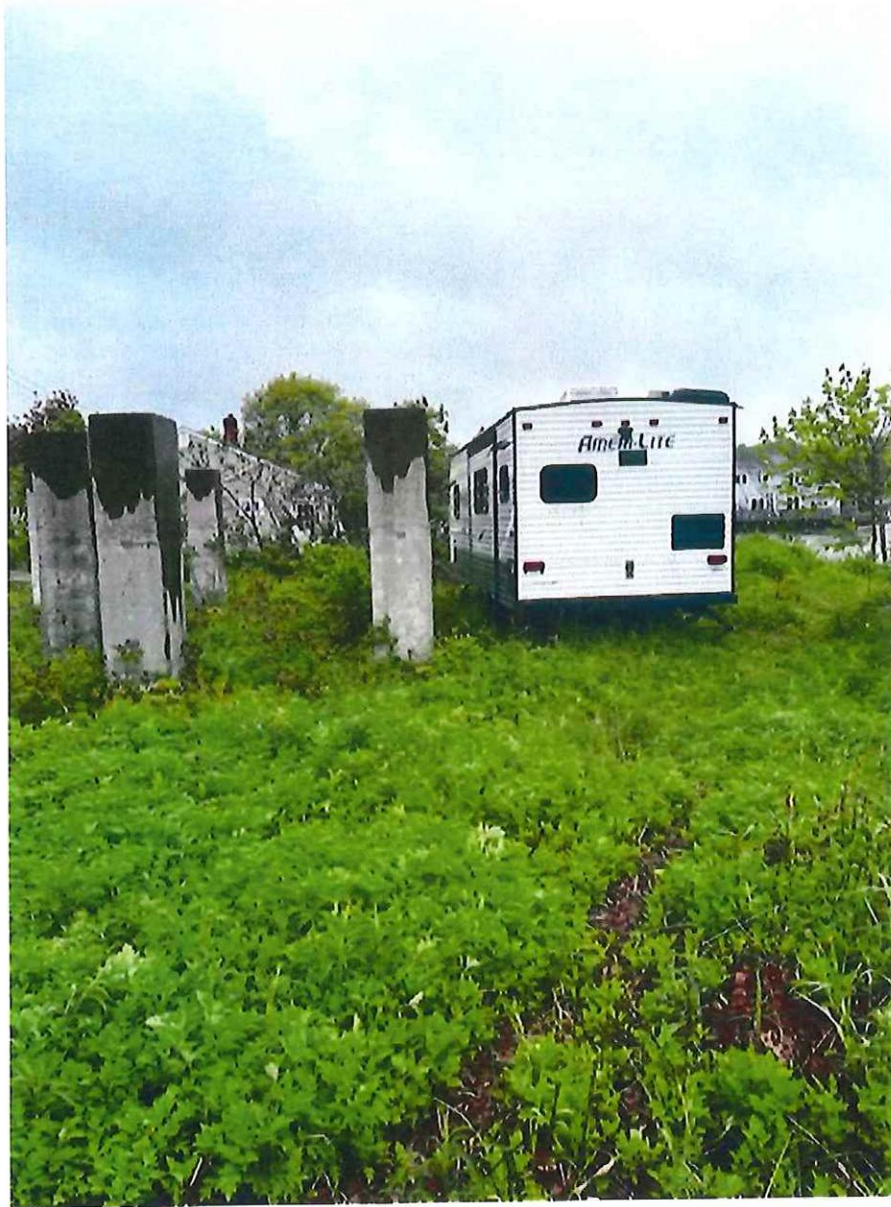
Taken by: J. Mullen, Planning and Development Director



Location: 10 Shore Drive

Photo taken: 5-15-2024

Taken by: Wayne Scott, Zoning Official



#ZBA-24-25
10 Shore Dr.
Exhibit 6

Location: 10 Shore Drive

Photo taken: 5-15-2024

Taken by: Wayne Scott, Zoning Official



Location: 10 Shore Drive

Photo taken: 5-15-2024

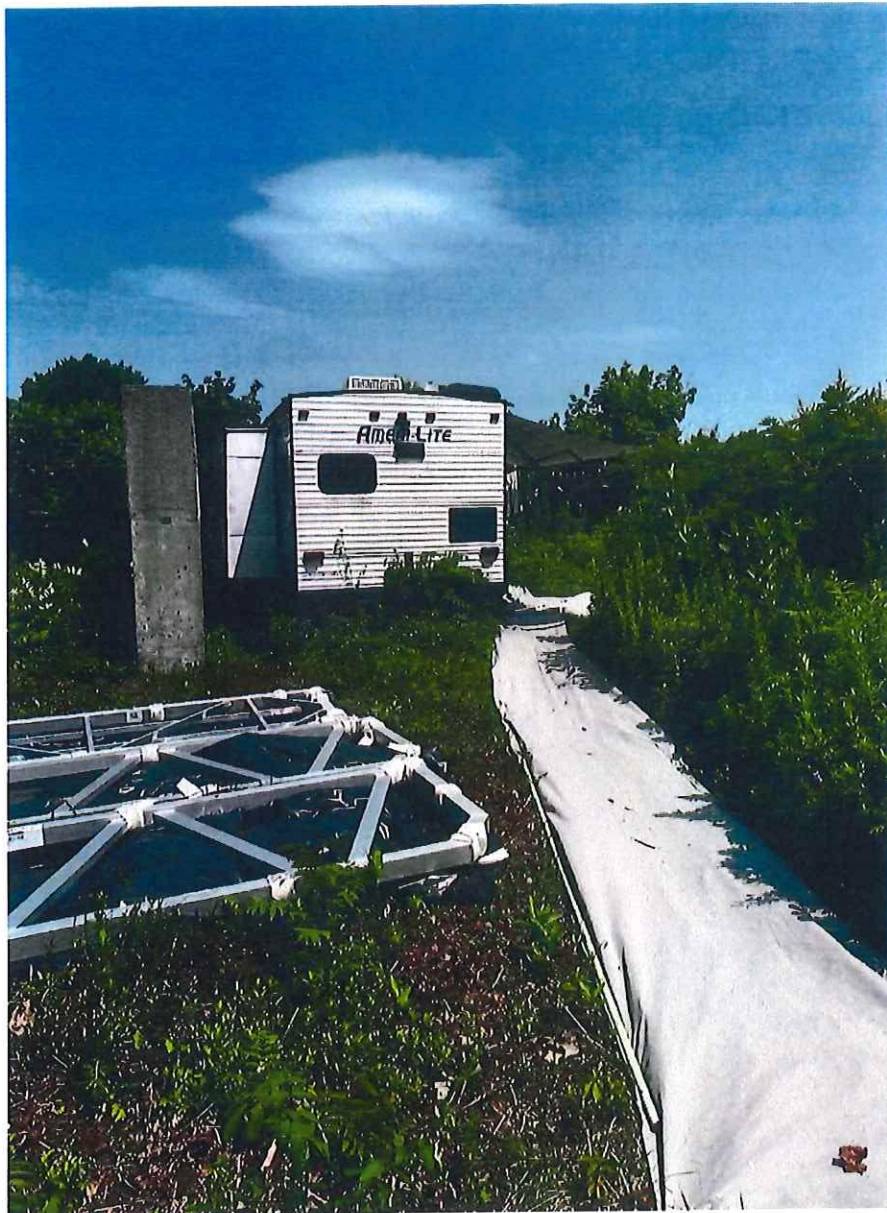
Taken by: Wayne Scott, Zoning Official



Location: 10 Shore Drive

Photo taken: 7-15-2024

Taken by Maureen Fitzgerald, Environmental Planner

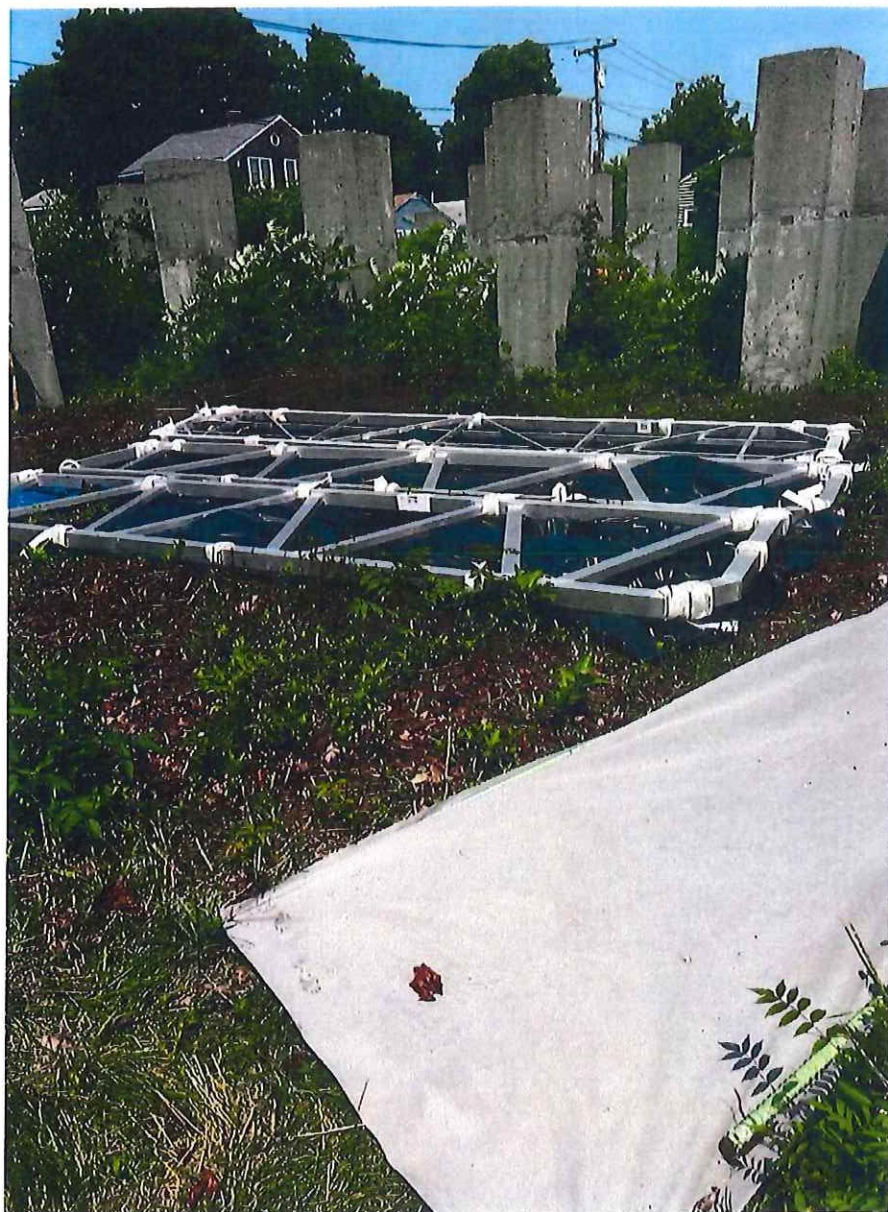


#ZBA-24-25
10 Shore Dr.
Exhibit 7

Location: 10 Shore Drive

Photo taken: 7-15-2024

Taken by Maureen Fitzgerald, Environmental Planner



Location: 10 Shore Drive

Photo taken: 7-19-2024

Taken by: Wayne Scott, Zoning Official



#ZBA-24-25
10 Shore Dr.
Exhibit 8

Location: 10 Shore Drive

Photo taken: 7-19-2024

Taken by: Wayne Scott, Zoning Official



Location: 10 Shore Drive

Photo taken: 7-19-2024

Taken by: Wayne Scott, Zoning Official



Wayne Scott

From: Alex Mironovas <alex.mironovas@gmail.com>
Sent: Saturday, July 20, 2024 9:59 PM
To: Wayne Scott
Subject: Re: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted

**CAUTION: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.**

Dear Mr. Scott,

I could not imagine such a regulation existed and was absolutely not aware of it. Thank you for bringing this to my attention.

We put the RV on our land to help maintain landscaping and prepare the lot for construction. As you are aware, we applied for the construction permit. The intent is to use the RV only for storage purposes, and not for living. I was glad to discover in the regulations that temporary placement of RV can be considered in such circumstances. Without the ability to track the progress of the application, I would like to ask you to make an exception and issue an RV permit ahead of the building permit, while the latter is pending. This would really help us, since we live 2 hours away from Waterford.

As for the dock, the previous land owner has obtained all required permits, but never finished building it. I hope for your understanding and help in resolving this issue to everybody's satisfaction.

Sincerely,
Alex Mironovas
Current land owner and future Waterford resident.

On Mon, Jul 15, 2024 at 6:05 PM Wayne Scott <wscott@waterfordct.org> wrote:

Mr. Mironovas,

This email is a follow up to our telephone conversation earlier today regarding the unauthorized use of the property located at 10 Shore Drive in Waterford Ct. As you were advised during our telephone conversation, It has brought to the attention of this office that an unauthorized Recreational Camping Vehicle is currently being used on the property referred to herein. An inspection of the property was performed on 7-15-2024 where it was discovered that a recreational vehicle is in fact parked and appears to be occupied. There was also a portable metal dock observed on the premises which appeared to be prepared for assembly. The property is located in the VR-7.5 Village Residential District where parking, storage and/or use of recreational vehicles is not permitted on any lot without a residential structure as the principal use on the same lot per The Town of

#ZBA-24-25
10 Shore Dr.
Exhibit 9

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

Permitting Department

Zoning Compliance Review

Date: 08/23/2024

Location: 10 Shore Drive

Owner: MIRONOVAS, ALEX & YULIYA
25 SPYGLASS HILL DRIVE
ASHLAND, MA 01721

Contractor/ Agent: SAME

Permit #: B-23-610

Zone: VR-7.5

Flood Zone: AE (EL10)

The subject application to construct a new single family home on existing foundation (pier) has been reviewed for Zoning Compliance. The following items will need to be addressed in order to approve the application:

- **Per Town of Waterford zoning regulation Section 1 – DEFINITIONS: BUILDING HEIGHT**

Building Height is defined as follows: The vertical distance from the average finished grade within 10 feet of the walls of the building to the highest point of flat or mansard roofs including the top of a parapet or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. Buildings located in an F.E.M.A Designated Flood Zone AE and VE or both, the height shall be measured from the Base Flood Elevation (BFE) plus Two (2) feet as shown on the latest version FIRM (Flood Insurance Rate Map).

- The maximum building height in the VR- 7.5 district is 20 feet. The proposed building height as indicated on the Elevation Drawings is 25'-6 ^{1/4}' above the base flood elevation of 10'. Elevation Drawings must be revised to indicate proposed building height at 20' or less above base flood elevation.

A complete review of zoning compliance cannot be completed at this time without the requested revisions and information. Please contact this office for further clarification and to discuss any options that may be available to you in order that the review of this pending application can proceed.

If you have any questions, please feel free to contact me at 860-444-5813 or e-mail wscott@waterfordct.org

Sincerely,

Wayne Scott
Zoning Official

#ZBA-24-25
10 Shore Dr.
Exhibit 10

Location: 10 Shore Drive

Photo taken: 8-26-2024

Taken by: Wayne Scott, Zoning Official

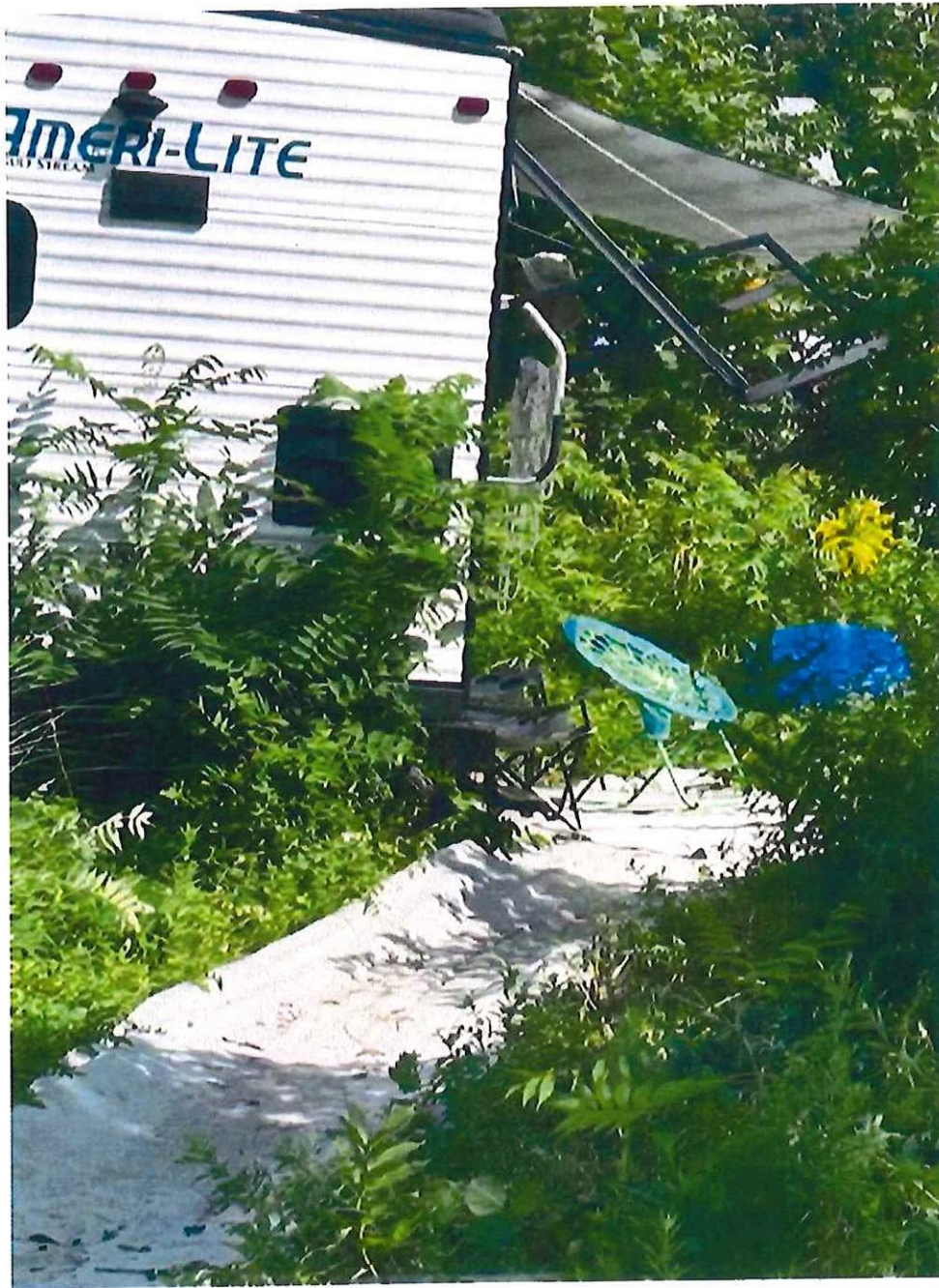


#ZBA-24-25
10 Shore Dr.
Exhibit 11

Location: 10 Shore Drive

Photo taken: 8-26-2024

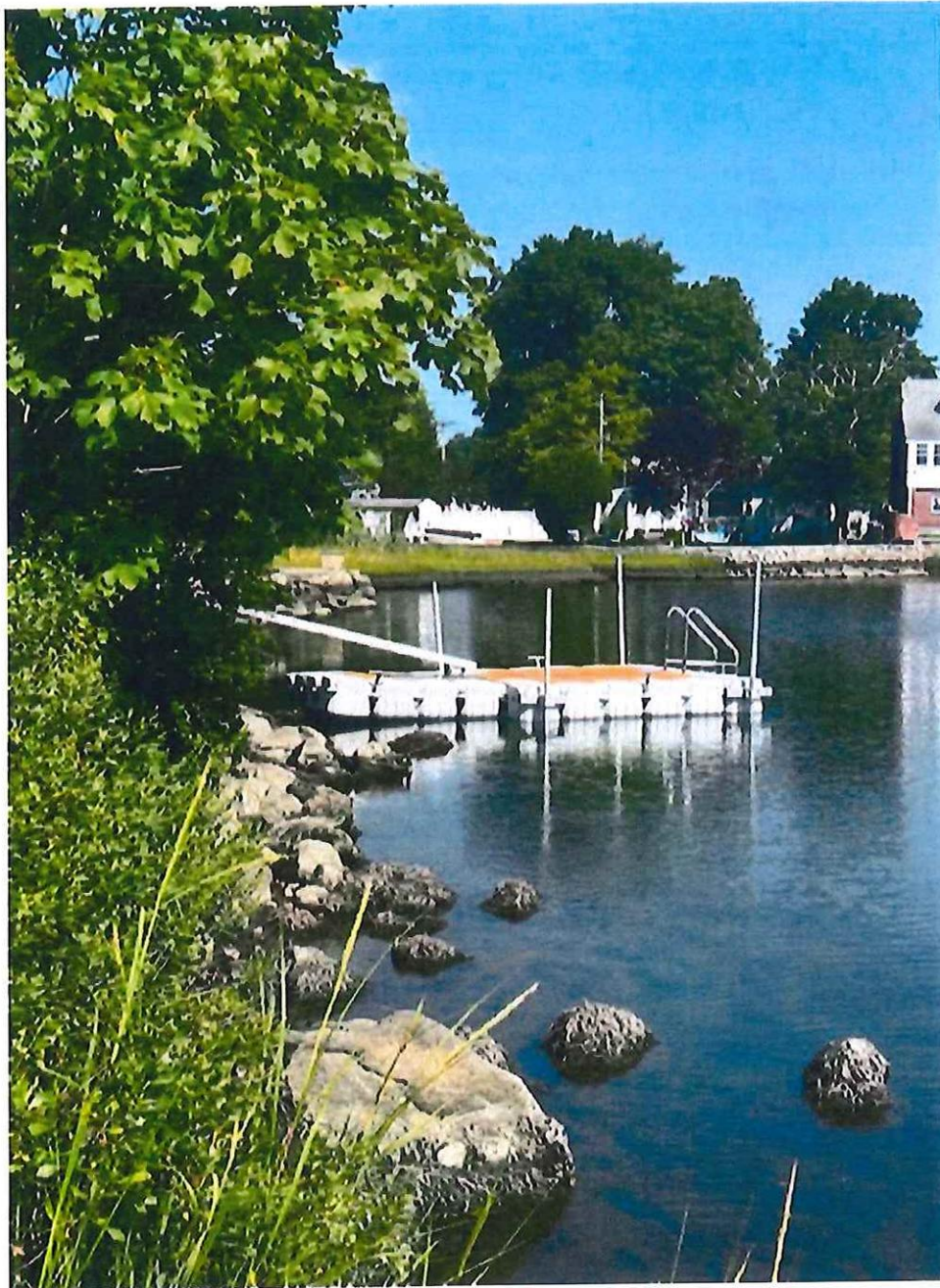
Taken by: Wayne Scott, Zoning Official



Location: 10 Shore Drive

Photo taken: 8-26-2024

Taken by: Wayne Scott, Zoning Official



Wayne Scott

From: Lisa R <lisaarev@gmail.com>
Sent: Wednesday, August 28, 2024 4:35 PM
To: Wayne Scott
Subject: 10 Shore Drive 8/25/24

CAUTION: This email originated from outside of the organization.

Do not click links or open attachments unless you recognize the sender's email address and know the content is safe.

Wayne Scott

From: Wayne Scott
Sent: Thursday, August 29, 2024 8:57 AM
To: 'kevinzawoy@ct.org'; 'kevin.zawoy@deep.gov'
Cc: 'Karen.Michaels@ct.gov'; Mark Wujtewicz; Jonathan Mullen (jmullen@waterfordct.org); Maureen Fitzgerald
Subject: 10 Shore Drive Waterford CT dock permit inquiry
Attachments: 10 Shore Drive photo 7-19-2024.jpg; 10 Shore Drive photos IV 8-26-2024.jpg; 10 Shore Drive photos V 8-26-2024.jpg; 10 Shore Drive photos VI 8-26-2024.jpg; 10 Shore Drive photos VII 8-26-2024.jpg

Hello Kevin,

I was given your contact info by Karen Michaels. This office has recently received complaints from neighboring residence in the vicinity of unauthorized use of the property located at 10 Shore Drive. Site inspections of 10 Shore Drive were conducted on 7-17-2024 and again on 7-19-2024 when it was confirmed that an unauthorized camper was present on the property in noncompliance with the Town of Waterford zoning regulation Section 3.9 prohibiting an accessory use on a residential lot without the existence of a principal use (an approved residential structure) on the same lot. The unassembled components of an aluminum deck were also discovered to be present on the premises at that time. Following the initial site visits the property owner was notified that the property was in violation of the zoning regulations. In addition the property owner was also informed that DEEP approvals are required before installing a dock and advised to contact DEEP before any installation was to be performed. A subsequent inspection of the property was conducted on 8-26-2024 in response to an additional complaint when it was discovered that the zoning violations were still in place and moreover that the dock was installed. I have attached photos taken during the inspections for your review. Kindly respond whether appropriate approvals have been issued.

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



Wayne Scott

From: Wayne Scott
Sent: Thursday, August 29, 2024 10:04 AM
To: 'Lisa R'
Subject: RE: 10 Shore Drive 8/25/24

Good morning Lisa,

Thank you for forwarding the photos for my review. Although legally I would not be able to submit them as evidence, the photos are a tremendous help to me in reaffirming the information you already provided that people have indeed been using the property. I have reached out to the local DEEP representative providing photos of the trailer and dock which were taken by me. The Senior Environmental Analyst at DEEP responded informing me that the complaint has been forwarded on to their enforcement division to look into the matter and follow up with enforcement action if probable cause is found. I have also sent correspondence to the owner to the effect that cease and abate all violations.

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



From: Lisa R <lisaarev@gmail.com>
Sent: Wednesday, August 28, 2024 4:35 PM
To: Wayne Scott <>wscott@waterfordct.org>
Subject: 10 Shore Drive 8/25/24

CAUTION: This email originated from outside of the organization.
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#ZBA-24-25
10 Shore Dr.
Exhibit 14

Wayne Scott

From: Alex Mironovas <alex.mironovas@gmail.com>
Sent: Wednesday, September 11, 2024 10:36 PM
To: Wayne Scott
Subject: Re: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted

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Dear Scott,

I spoke to several neighbors, and all of them expressed preference for the dwelling to be put on top of the existing 9' piers.

The reason is the ground level visibility for pedestrians towards the cove, which will be significantly obstructed if the building is lowered to the current BFE level.

You can look via Google maps and confirm that the current view neighbours got used to will be significantly jeopardized.

Would this reason be enough to request a variance from the zoning regulations?

Please advise.

Sincerely,
Alex Mironovas

On Wed, Aug 28, 2024 at 12:39 PM Wayne Scott <wscott@waterfordct.org> wrote:

Mr. Mironovas,

Please see the attached revised Zoning Compliance Review Comments.

Thank you,

Wayne Scott

Zoning Official

#ZBA-24-25
10 Shore Dr.
Exhibit 15

Wayne Scott

From: Wayne Scott
Sent: Thursday, September 12, 2024 4:50 PM
To: 'Alex Mironovas'
Cc: Jonathan Mullen (jmullen@waterfordct.org); Mark Wujtewicz; Maureen Fitzgerald; 'Nicholas Kepple'
Subject: RE: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted
Attachments: Section 27 Zoning Board of Appeals.pdf; 10 Shore Drive Order to Discontinue 9-12-2024.pdf; RE: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted

Mr. Mironovas,

In my professional opinion as Zoning Official for The Town of Waterford I do not believe a variance would be granted for the reason you have stated. Although neighboring property owners are able to attend hearings and express their opinions during public hearings of the Board of Appeals, only board members vote on matters brought before the Board. When contemplating their vote specific criteria for decisions are to be used by the Board members. The previously approved plans for 10 Shore Drive proposed a single story house to be constructed on the existing piers. The house you have proposed in your most recent application is a two story structure which when placed on the existing piers exceeds the maximum building height of 20 feet allowed in the VR-7.5 zoning district. The granting of a variance is based on hardship. Your decision to increase the height of the structure could be considered a self-imposed hardship.

Also please see the attached Order To Discontinue regarding the unauthorized use of a trailer and other unauthorized uses on the property without there being a dwelling as the primary use of the same lot. on the same lot. A copy of the Order To Discontinue has been mailed to your attention at your home address.

Please contact me in person or via telephone upon receipt to discuss your plans to correct this violation.

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



From: Alex Mironovas <alex.mironovas@gmail.com>
Sent: Wednesday, September 11, 2024 10:36 PM
To: Wayne Scott <wscott@waterfordct.org>
Subject: Re: Town of Waterford regulation regarding Trailers & Recreational Camping Vehicles Not Permitted

Wayne Scott

From: Perzanowski, Kathleen <Kathleen.Perzanowski@ct.gov>
Sent: Tuesday, September 17, 2024 1:35 PM
To: Wayne Scott
Subject: 10 Shore Drive, Waterford
Attachments: 10 Shore Road Waterford 4-40 Dock GP.pdf

CAUTION: This email originated from outside of the organization.
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Hi Wayne,

Following up with you regarding 10 Shore Drive, Waterford. The owner was issued a 4/40 dock general permit in 2007, however, #5 of the special terms and conditions of the permit required the submission of a Certificate of Permission application to retain the existing stone riprap which they never followed through on. Also, the work was to be completed within 3 years of issuance, so it technically expired in 2010. I'm going to be heading out to see the site, probably sometime next week, thinking Monday afternoon, to see what is currently there that is waterward of the Coastal Jurisdiction Line. We most likely will follow up with a Notice of Noncompliance if everything is as it appears to be.

If you'd like to further discuss, just let me know and I can schedule a time for a phone call or a time when we can both visit the site.

Thank you,
Katie

Kathleen Perzanowski

Environmental Analyst II
Land and Water Resources Division
Bureau of Water Protection & Land Reuse
Connecticut Department of Energy & Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
Kathleen.Perzanowski@ct.gov



Connecticut
Department of Energy &
Environmental Protection

*Conserving, improving, and protecting our natural resources and environment;
Ensuring a clean, affordable, reliable, and sustainable energy supply.*



portal.ct.gov/DEEP

Wayne Scott

From: Wayne Scott
Sent: Tuesday, October 1, 2024 3:25 PM
To: 'Kathleen.Perzanowski@ct.gov'
Cc: Jonathan Mullen (jmullen@waterfordct.org); Mark Wujtecicz; Maureen Fitzgerald; 'Nicholas Kepple'; Robert Avena
Subject: FW: 10 Shore Drive, Waterford
Attachments: 10 Shore Road Waterford 4-40 Dock GP.pdf; 10 Shore Drive Waterford CT dock permit inquiry

Hello Kathleen,

Thank you for the follow up regarding the recent unauthorized installation of a dock on the property located at 10 Shore Drive Waterford, CT. I was out of the office over the past two weeks and just reviewed your email response today. Please feel free to reach out to me via email regarding your findings and course of action regarding this matter.

Thank you,
Wayne Scott
Zoning Official
Town of Waterford
15 Rope Ferry Rd
Waterford, Ct 06385
(860) 444-5813



From: Perzanowski, Kathleen <Kathleen.Perzanowski@ct.gov>
Sent: Tuesday, September 17, 2024 1:35 PM
To: Wayne Scott <wscott@waterfordct.org>
Subject: 10 Shore Drive, Waterford

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Hi Wayne,

Following up with you regarding 10 Shore Drive, Waterford. The owner was issued a 4/40 dock general permit in 2007, however, #5 of the special terms and conditions of the permit required the submission of a Certificate of Permission application to retain the existing stone riprap which they never followed through on. Also, the work was to be completed within 3 years of issuance, so it technically expired in 2010. I'm going to be heading out to see the site, probably sometime next week, thinking Monday afternoon, to see what is currently there that is waterward of the Coastal Jurisdiction Line. We most likely will follow up with a Notice of Noncompliance if everything is as it appears to be.

**TOWN OF WATERFORD
PLANNING DEPARTMENT**

ACTIVITY LOG

COMPLAINT

Location: 10 Shore Drive

Date	
5/15/2024	Received email from Planning & Development Director, Jonathan Mullen
ENTRY 1	regarding complaint of camper parked on the lot at 10 Shore Drive.
	One (1) photo of camper on site included in email. Photo taken by J. Mullen
5/15/2024	I conducted initial site visit at 10 Shore Drive
ENTRY 2	Discovered an unauthorized camper and boat trailer on 10 Shore Drive property
	Three (3) photos of camper and boat trailer on site taken by W. Scott 5-15-2024
7/15/2024	Received second complaint referred by Planning & Development Director, Jonathan Mullen
ENTRY 3	regarding complaint of camper parked on the lot at 10 Shore Drive.
7/15/2024	Conducted second site visit at 10 Shore Drive with Environmental Planner M. Fitzgerald
ENTRY 4	Discovered same unauthorized camper and components of an unassembled dock on 10 Shore Drive property
	Two (2) photos of camper and unassembled dock components taken by M. Fitzgerald
7/15/2024	Contacted owner of 10 Shore Drive via telephone to notify owner that the camper being present
ENTRY 5	on the lot without there being a main use or building on the same lot is a violation of Section 3.9
7/15/2024	Issued written Notice of Violation to owner of 10 Shore Drive via email
ENTRY 6	
7/19/2024	Conducted third site visit at 10 Shore Drive
ENTRY 7	Discovered same unauthorized camper and other items on 10 Shore Drive property
	Three (3) photos of camper and unassembled dock components taken by W. Scott 7-19-2024
7/20/2024	Received email response from owner of 10 Shore Drive
ENTRY 8	In the email the owner of 10 Shore Drive requested an exception to permit use of the camper
8/23/2024	Issued Zoning Compliance Review comments to owner of 10 Shore Drive via email
ENTRY 9	Notifying owner that the proposed plans were denied by Zoning due to building height
	Maximum building height in VR-7.5 is 20'. Applicant proposed 25' 6 1/4" building height

#ZBA-24-25
10 Shore Dr.
Exhibit 19

8/26/2024	Received complaint from neighbor via telephone regarding camper and active use of 10 Shore Drive
ENTRY 10	Neighbor complaint is that camper is being used without permits and possible health issues
	Neighbor advised that she will be sending email with photos she took of the activity over the weekend
8/26/2024	I conducted fourth site visit at 10 Shore Drive
ENTRY 11	Discovered same unauthorized camper and other items including installed dock at 10 Shore Drive property
	Three (3) photos of camper and dock partially installed on site taken by W. Scott 8-26-2024
8/28/2024	Received email From: neighbor 'Lisa R' dated Wednesday August 28, 2024 Re: 10 Shore Drive 8/25/24
ENTRY 12	Email included Six (6) photos of activity at 10 Shore Drive weekend of August 25, 2024 taken by neighbor
	Photos are not included with report
8/28/2024	Contacted Karen Michaels, Land & Water Resources DEEP, via tel regarding partial installation of dock
ENTRY 13	Inquired whether applications were submitted and approvals granted by DEEP for installation of dock
	I was referred to contact Kevin Zawoy Environmental Analyst Enforcement Team DEEP
8/29/2024	Sent email to Kevin Zawoy Environmental Analyst Enforcement Team DEEP regarding 10 Shore Drive
ENTRY 14	Inquired whether applications were submitted and approvals granted by DEEP for installation of dock
	Attached Five (5) photos to email of unauthorized camper and dock installed at 10 Shore Drive
8/29/2024	Responded to neighbor's email received on August 28, 2024 From: 'Lisa R' Re: 10 Shore Drive 8/25/2024
ENTRY 15	
9/12/2024	Received email from owner of 10 Shore Drive requesting information pertaining to possibility of variance
ENTRY 16	in respect to height requirement regulation
9/12/2024	Responded to email from owner of 10 Shore Drive via email
ENTRY 17	
9/12/2024	Issued Zoning Enforcement Order To Discontinue Notice to owner of 10 Shore Drive via certified email
ENTRY 18	CERTIFIED MAIL # 9171 9690 0935 0296 0580 34
	ENFORCEMENT # ZNG-24-09-12
9/17/2024	Received email from Kathleen Peranowski Environmental Analyst Land and Water Resources Division
ENTRY 19	Connecticut Department of Energy & Environmental Protection DEEP
10/1/2024	Responded to email from Kathleen Peranowski Environmental Analyst DEEP
ENTRY 20	

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

October 2, 2024

David Campo, Town Clerk
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

RE: ZONING BOARD OF APPEALS - 2025 SCHEDULE OF MEETINGS

Dear Mr. Campo:

In accordance with Connecticut General Statute 1-21, please be advised of the following 2025 schedule of meetings for the Zoning Board of Appeals:

2025	
DATE OF MEETING	
	01/08/2025
	02/05/2025
	03/12/2025
	04/02/2025
	05/07/2025
	06/04/2025
	07/02/2025
	08/06/2025
	09/03/2025
	10/01/2025
	11/05/2025
	12/03/2025

All meetings will begin at 5:30 PM and will be held in the Waterford Town Hall or as posted.

Respectfully Submitted,

Dawn Choisy
Recording Secretary
Zoning Board of Appeals

cc: Zoning Board of Appeals Members



ZONING BOARD OF APPEALS 2023/2024 ANNUAL REPORT

The Zoning Board of Appeals (ZBA) operates under the authority of the Connecticut General Statutes and Waterford's Zoning Regulations. Five regular and three alternate members are elected to serve 4-year terms. These terms are staggered, which helps the ZBA maintain consistency, expertise, and experience as they perform their duties. During their service, ZBA members are tasked with three main responsibilities. They are:

- To hear and act on appeals of enforcement decisions. In Waterford, the Zoning Enforcement Officer (ZEO) is the official charged with interpreting and enforcing the Zoning Regulations. There are times when someone may disagree with the ZEO's decision and choose to appeal. The ZBA evaluates evidence and determines whether to uphold or modify the ZEO's decision. Appeals are quite rare, however having a formal way to appeal decisions is an important part of maintaining a fair enforcement process for all.
- To hear and act on requests to vary the standards in the Zoning Regulations. The Zoning Regulations are adopted by the Planning and Zoning Commission and include standards for how land is used in Waterford. There are some unique circumstances when the literal enforcement of the Zoning Regulations would cause an exceptional hardship in developing or using a property. In these cases, property owners may apply for a variance and present their case to the Board. The ZBA evaluates the variance request according to strict standards. The ZBA may vote to deny, approve, or approve a variance with conditions.
- The ZBA also has the responsibility to approve or deny certificates of location for motor vehicle dealers and repairers licenses.

The Zoning Board of Appeals held 8 regular meetings during the 2023-2024 Fiscal Year and heard 6 applications for residential variances.

The Zoning Board of Appeals received \$1406.00 for application fees. Expenditures amounted to \$1,610 of which \$1463.00 was associated with public hearing advertisements. The remaining \$147.00 was spent on postage, office supplies and the cost of attending the Connecticut Land Use Law Seminar. Application fees are applied to the general fund which helps defray the cost of postage and advertising as required by law. Application fees are set forth in Section 16.08.030 of the Waterford Code of Ordinances. At this time, the cost of legal notice advertisements for variances is not listed as an item to be paid by the applicant. In the future, the ZBA may consider requesting an amendment to this Ordinance to required applicants to pay for legal notices.

MEMBERS

Cathy Gonyo , Chair
Anne Darling, Vice Chair
Michele Kripps, Secretary
William Herzfeld
John Morgan

ALTERNATE MEMBERS

Jason Kohl
Greg Gallup

STAFF

Wayne Scott, Zoning Enforcement Officer

Dawn Choisy, Recording Secretary

Respectfully submitted,

Cathy Gonyo, Chair
Zoning Board of Appeals

TOWN OF WATERFORD FY2026 BUDGET REQUEST Zoning Board of Appeals



BUDGET FUNCTION

The Zoning Board of Appeals has three primary functions, as defined in Connecticut State Statute:

- To hear and make decisions concerning requests to vary standards in the Waterford Zoning Regulations
- To hear appeals of decisions made by the Zoning Enforcement Officer
- To review certificates of location for motor vehicle uses, including dealer/repairer licenses

The following proposal represents 0% increase over the approved FY 25 budget.

MEMBERS

Cathy Gonyo, Chair
Anne Darling, Vice Chair
Michele Kripps
John Morgan
William Herzfeld

ALTERNATES

Jason Kohl
Greg Gallup

**TOWN OF WATERFORD
FY2026 BUDGET REQUEST
Zoning Board of Appeals**



BUDGET SUMMARY

ZONING BOARD OF APPEALS: Proposed Fiscal Year 2026

SERVICES:

10115-52010-101-010-15-00-52 ADVERTISING	3,700
10115-52020-101-010-15-00-52 POSTAGE	160
10115-52050-101-010-15-00-52 DUES, CONFERENCES & EDUCAT	400

TOTAL	\$ 4,260
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MATERIALS & SUPPLIES:

10115-53010-101-010-15-00-53 OFFICE SUPPLIES	50
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TOTAL	50
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TOTAL	\$ 4,310
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Advertising Line 10115-52010

\$ 3,700 Requested

The ZBA is required under the Connecticut General Statutes to advertise notice of public hearings and Board actions. The cost of each advertisement depends on the complexity of the actual applications. Average advertising costs for individual applications in the last five years ranged from \$215 to over \$600. Total annual advertising costs can vary significantly from year to year based on the number of applications the ZBA receives.

TOWN OF WATERFORD FY2026 BUDGET REQUEST Zoning Board of Appeals



Postage Line 10115-52020

\$ 160 Requested

All ZBA public hearing notices and actions are sent via certified mail to the applicants. Property owners and agents also receive these mailings. Each certified letter costs approximately \$6.75. The department has seen an increase in ZBA applications over the last several years. \$160.00 is requested, which matches the FY25 funding request.

Dues, Conferences, Education Line 10115-52050

\$ 400 Requested

Current and new ZBA members benefit from several educational opportunities throughout the fiscal year. The State of Connecticut offers a training seminar specifically targeted to ZBA members that is held annually in the spring. The CT Association of Zoning Enforcement Officers (CAZEO) hosts monthly meetings that address relevant topics and current issues in zoning practice. The annual CT Bar Association conference also typically includes sessions geared toward zoning practice and current legal matters. Access to these training opportunities helps ZBA members at all states of their service to the Town to maintain an understanding of relevant zoning issues. \$400 is requested in FY26.

Office Supplies Line 10115-53010

\$50 Requested

The ZBA historically maintains \$50 in this line to pay for items that are not supplied by the Planning Department or Finance Office. Board member name plates and updated Zoning Regulation binders are funded through this line.

TOWN OF WATERFORD

FY2026 BUDGET REQUEST

Zoning Board of Appeals



Zoning Board of Appeals 5 Year History of Expenditures										
	FY 2024 ORIGINAL BUDGET	FY 2024 ACUTAL	FY 2023 ORIGINAL BUDGET	FY 2023 ACUTAL	FY 2022 ORIGINAL BUDGET	FY 2022 ACUTAL	FY 2021 ORIGINAL BUDGET	FY 2021 ACUTAL	FY 2020 ORIGINAL BUDGET	FY 2020 ACUTAL
ZONING BOARD OF APPEALS										
SERVICES:										
10115-52010-101-010-15-00-52 ADVERTISING	3700	1462	3700	3343	3700	2667	3700	2908	3700	2406
10115-52020-101-010-15-00-52 POSTAGE	160	67	160	109	160	116	160	1555	160	53
10115-52050-101-010-15-00-52 DUES, CONFERENCES & EDUCATION	400	80	400	225	400	50	400	200	400	0
Total SERVICES	4260	1609	4260	3677	4260	2833	4260	4663	4260	2459
MATERIALS & SUPPLIES:										
10115-53010-101-010-15-00-53 OFFICE SUPPLIES	50	0	50	0	50	26	50	85	50	0
Total MATERIALS & SUPPLIES	50	0	50	0	50	26	50	85	50	0
TOTAL	4310	1609	4310	3677	4310	2859	4310	4748	4310	2459