

Zoning Board of Appeals

Regular Meeting

September 24, 2015

- 1. CALL TO ORDER:** Chairman Stuart Wood called the meeting to order at 7:00 p.m.
- 2. ATTENDANCE:** All members were present
- 3. PUBLIC HEARING**

Appeal #1068 – Donald & Gail Sama, 19 Beach Road, requesting a variance of Section 10.1 of the East Haddam Zoning Regulations in order to construct an addition to the existing house 17' from the front property line where 25' is required, and requesting a variance of Section 24.1.1 of the East Haddam Zoning Regulations – Minimum Lot Area – in order to convert a seasonal cottage to year-round use. Assessor's Map 67, Lot 137.

First date: September 24, 2015

Last date: October 28, 2015

Donald and Gail Sama addressed the board. Mr. Sama explained that they would not go out any further than they are. They would also like to convert to a year-round residence.

Mr. Daigle asked if it was 17.7 feet. Mr. Sama stated they are not going any further out than they are now. The house is at an angle, and is 19-feet now. He explained that this property is totally surrounded by road. The front is only 5-feet from the road.

It was noted that some people call the road Birch Road, and some call it Beach Road. Mr. Sama stated their address is Beach Road. Mr. Daigle asked if the roads were all paved roads, to which Mr. Sama responded affirmatively. Mr. Daigle asked if this parcel is on a body of water. Mr. Sama stated they were near the Moodus Reservoir but not on it. Mrs. Sama added they are located on the upper reservoir side.

Mr. Smith asked if the existing garage belongs to them, to which Mr. Sama responded affirmatively. Mr. Smith asked if this was a one-story addition, to which Mr. Sama also responded affirmatively. The roof lines will be changed in order to keep it as a rectangle.

Mr. Sama distributed copies of photographs to the board.

Ms. Quinn asked who lives across the street, and who will be affected, on Birch Road. Mrs. Sama stated the neighbor's name is Forsythe.

Mr. and Mrs. Sama submitted the green certified receipt cards to the board. Upon request of Ms. Quinn, they also submitted the white certified mailing slips.

Mr. Daigle asked if there would be a cellar. Mr. Sama stated it would probably be a slab. Mrs. Sama stated they have a crawl space.

Ms. Cindy Raymond and William Raymond, neighbors, supported what the applicants wanted to do. Mr. Raymond stated the applicants have given a lot of their time to this area. Ms. Raymond believed it would add value to have more year-round people there.

Motion by Mr. Daigle to close the public hearing for Appeal #1068. Motion seconded by Ms. Alt, and passed by unanimous vote.

Motion by Mr. Daigle to approve Appeal #1068 – Donald & Gail Sama, 19 Beach Road, requesting a variance of Section 10.1 of the East Haddam Zoning Regulations in order to construct an addition to the existing house 17’ from the front property line where 25’ is required, and requesting a variance of Section 24.1.1 of the East Haddam Zoning Regulations – Minimum Lot Area – in order to convert a seasonal cottage to year-round use, on the grounds that there will be no further enhancement of the existing non-compliance, and there was no objection from the neighbors. Mr. Smith seconded the motion. The motion passed by unanimous vote.

Mr. Wood explained the 15-day waiting period for the publishing in the newspaper, and another 15-day appeal period. It will be official once the Town Clerk puts the paper into the land records.

Mr. Sama asked about the year-round conversion. Mr. Wood stated that would go to another commission, and they should speak with Mr. Ventres in the Land Use Office.

After discussion about the second portion of this appeal, which does speak to conversion of a seasonal structure to year-round use, the Board chose to re-open the public hearing.

Motion by Mr. Smith to re-open Appeal #1068. Motion seconded by Ms. Quinn. Motion passed by unanimous vote.

Mr. Wood explained that the last part of the application has a conversion component.

Recommendation to clearly state that there are two kinds of variances.

Motion by Mr. Daigle to withdraw the previous approval of Appeal #1068. Motion seconded by Ms. Quinn, and carried by unanimous vote.

Mr. Wood asked if everyone agrees to two variances. Discussion ensued. Mr. Daigle asked the required acreage. Mr. Sama stated they have 0.49 acres.

Motion by Mr. Smith to close Appeal #1068 – Donald & Gail Sama, 19 Beach Road, requesting a variance of Section 10.1 of the East Haddam Zoning Regulations in order to construct an addition to the existing house 17’ from the front property line

where 25' is required, and requesting a variance of Section 24.1.1 of the East Haddam Zoning Regulations – Minimum Lot Area – in order to convert a seasonal cottage to year-round use. Motion seconded by Mr. Fiala, and carried by unanimous vote.

Motion by Mr. Smith to accept Appeal #1068 – Donald & Gail Sama, 19 Beach Road, requesting a variance of Section 10.1 of the East Haddam Zoning Regulations in order to construct an addition to the existing house 17' from the front property line where 25' is required, and requesting a variance of Section 24.1.1 of the East Haddam Zoning Regulations – Minimum Lot Area – in order to convert a seasonal cottage to year-round use, in its entirety, with the minimum lot variance, and the 25-foot side variance because it is maintaining the side variance the way it has been maintained, there is no other land to obtain, and the neighbors are in favor of it. Motion seconded by Ms. Quinn, and carried by unanimous vote.

Mr. Wood again informed the applicants that the appeal periods stated previously are still accurate.

4. MINUTES

Motion by Ms. Quinn to approve minutes of March 26, 2015 as presented. Mr. Smith seconded the motion. Voting: Unanimous aye, with the exception of Ms. Alt, who abstained.

Motion by Mr. Daigle to approve the minutes of the July 23, 2015 meeting, with the amendment to change “Mr.” to “Mrs.” Alt on the first page. Motion seconded by Mr. Fiala, and carried by unanimous vote.

5. BILLS

None

Mr. Wood suggested that the Board keep Attorney Broder as the Board's retained attorney.

Mr. Wood asked everyone to email numbers – home and cell.

6. ADJOURNMENT

Motion by Ms. Quinn to adjourn at 7:45 p.m. Motion seconded by Mr. Smith, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina