

East Haddam Zoning Board of Appeals

Municipal Office Complex
1 Plains Road, Moodus, CT

REGULAR MEETING MINUTES April 02, 2019

1. **CALL TO ORDER:** Chairman Daigle called the meeting to order at 7:04 pm.

2. ATTENDANCE

Present Members: Chairman Daigle, Richard Fiala, William Smith, Laurie Alt, and James Fennema

Absent Members: Diane Quinn

Laurie Alt sat in for Stuart Wood.

James Fennema sat in for Diane Quinn.

Chairman Daigle announced Stuart Wood's resignation from the Zoning Board of Appeals. Mr. Ventres is going to send a letter to the First Selectman to appoint Laurie Alt to the board in place of Mr. Wood.

3. PUBLIC HEARING

A. New – Appeal - #1110 – 400 Hopyard Road, Gerald Schmid, requesting variances to Section 10.1 of the East Haddam Zoning Regulations as follows: 1. To construct a single-family residence 20' from the side property lines where 40' are required. 2. To construct a garage 30' from the front property lines where 40' are required and 20' from the side property line where 40' are required. 3. Said project will bring the lot coverage to 13.8% where 5% is the maximum allowed. 4. Said project will bring the impervious surface coverage to 19.2% where 10% is the maximum allowance. Also, requesting a variance to Section 24.1.1 to convert the property to year round status with .46 acres where .5 acres are required. Assessor's Map 61, lot 14.

First Date: April 2, 2019

Last Date: May 6, 2019

Property owner Gerald Schmid, attorney Scott Jezek, and Roger Nemergut, PE were present.

Mr. Jezek said the property was carved out of the property once belonging to Mr. Danikow in 1958. The existing property is 100' wide by 200' deep. Mr. Schmid's property is completely surrounded by this property, which is now owned by I-Park.

Mr. Nemergut stated the existing dwelling, located in an R2 zone, is a seasonal cottage with two bedrooms. There is an existing well and septic system. The owner of the property plans to retire here and live on the property year round. The owner is trying to build as close as possible to a zero net energy home.

Mr. Nemergut stated the proposed improvements would include a three-bedroom home with a detached, two-car garage. The proposed driveway would be paved, and the proposed patio area, in the rear of the home, would use pervious pavers.

Mr. Nemergut stated the plans were submitted to the Chatham Health District. The Chatham Health District approved of the plans, once a few items are addressed.

Ms. Alt asked where the paved driveway would end. Mr. Nemergut stated it would stop at the right of way. Mr. Jezek stated the original right away was owned by Mr. Danikow, and is now owned by I-Park.

Mr. Nemergut said the first inch of rainfall would be captured from the roof and placed into an underground filtration system.

Mr. Smith asked if the existing building would be torn down. Mr. Nemergut stated the existing building would be torn down.

Mr. Daigle asked several questions pertaining to the hardships. He asked if the lot was originally carved out for a seasonal cottage. Mr. Jezek stated the deed does not specify. Mr. Schmid stated the cottage was built in 1958, when the lot was initially carved out. Mr. Nemergut states the current cottage is already nonconforming because it was built before the current zoning codes existed.

Mr. Daigle asked and confirmed the lot coverage, with the proposed improvements, would be about 20%. Mr. Jezek confirmed the lot coverage would be almost 20% but stated this is a unique situation because there are no other properties surrounding this property. Mr. Ventres presented the board with an aerial view of the property and its surroundings to show the isolation of the property.

Mr. Daigle asked another question pertaining to lot coverage. He asked how much the lot coverage would be reduced if the proposed garage was not built. Mr. Ventres and the Mr. Nemergut both confirmed the percentage of lot coverage would still be higher than the allowed 5%.

Mr. Daigle asked about the body of water closest to the property. Mr. Jezek stated the closest body of water is a pond. Mr. Ventres stated the pond is about 200 feet away from the property according to the scale on the aerial map. The right of way separates the pond from the Mr. Schmid's property.

Mr. Daigle asked if they had considered constructing the proposed paved walkway out of pavers. Mr. Jezek said there would be no issue constructing the walkway from pavers or another pervious material.

Mr. Jezek stated, to his knowledge, there is no objection from the owners of I-park.

Motion by Ms. Alt, seconded by Mr. Fiala, and unanimously passed to close the public part of the hearing.

There were no further questions from the board.

Motioned by Ms. Alt, seconded by Mr. Smith, and unanimously passed to grant the variance to application #1110 – 400 Hopyard Road, Gerald Schmid, requesting variances to Section 10.1 of the East Haddam Zoning Regulations as follows: 1. To construct a single-family residence 20' from the side property lines where 40' are required. 2. To construct a garage 30' from the front property lines where 40' are required and 20' from the side property line where 40' are required. 3. Said project will bring the lot coverage to 13.8% where 5% is the maximum allowed. 4. Said project will bring the impervious surface coverage to 19.2% where 10% is the maximum allowance. Also, requesting a variance to Section 24.1.1 to convert the property to year round status with .46 acres where .5 acres are required. Assessor's Map 61, lot 14. The variance is granted taking into consideration the hardships of the property as well as the measures the property owner is taking to keep the property healthy, and the amount of open space surrounding the property.

4. MINUTES

Motioned by Mr. Fiala, seconded by Mr. Smith, and unanimously passed to approve the February 5, 2019 meeting minutes as amended.

Page 1, item 2, William Smith was listed twice under "Present Members:", remove one instances of "William Smith".

Page 1, item 2, correct the line "William Smith sat in for Stuart Wood" to "James Alt sat in for Stuart Wood"

5. BILLS

There were three bills.

East Haddam News: \$37.50

East Haddam News: \$28.50

CT Federation of Planning and Zoning Agencies: \$110.00

Motioned by Ms. Alt, seconded by Mr. Fiala, and unanimously passed to approve the bills as presented.

6. ADJOURNMENT

Motioned by Ms. Alt, seconded by Mr. Fiala, and unanimously passed to adjourn the meeting at 8:02 pm.

Respectfully Submitted,
Devin Ganley
Recording Secretary