

ZONING BOARD OF APPEALS  
NOVEMBER 18, 2010

The public hearing and Special Meeting of the Zoning Board of Appeals was called to order by the Chairman, Stuart Wood. Board members present were: Stuart Wood, Greg Daigle, Diane Quimm. Regular members absent were: Dan Schies and Norman Gobelle. Alternates present were: Richard Fiala and Guy Gibb. Alternate absent was Jack Agosta. Richard Fiala was designated to sit as a regular member for Dan Schies and Guy Gibb was designated to sit for Norman Gobelle as a regular member for this meeting.

The legal notice was read and recorded on tape.

Appeal No. 1022 - Hadlyme Hills LLC of 50 Parsnip Pond Road, Lake Grove, NY (Owner) and Albert F. Weissbach, III of 106 River Road, East Haddam (Appellant) and Franklin Academy of 140 River Road, East Haddam (Lessee) and Scott W. Jezek. Esq. Of 31 WF Palmer Road, Moodus (Agent)

Scott Jezek was present representing the applicant, Franklin Academy, and Albert Weissbach, Head Master of the school and Mr. Nemergut of Nemergut Consulting Engineers, who are the project designers. They presented their case on variances of Section 10.1 of the Zoning Regulations pertaining to percentage of building coverage and percentage of impervious surface. He submitted a surveyed site plan indicating the perimeter of the school property with all the school buildings situated thereon. He pointed out the site within the property that was subject to this Variance. He also reviewed the percentage of lot coverage allowed in all the Districts in Town and the R-2 District has the least amount of lot coverage allowed. He submitted for the record a School Program about the Academy. He said it is the only college preparatory school like this in the country for children that have certain kinds of Special Needs and speech problems. The location designated on the site plan is about in the middle of the property. Adding this building to the property will not change the number of students at the school. This is a unique situation. The proposed building they want to add to the site is the portable class rooms at the Nathan Hale Ray School. Adding this building to the site will have no effect on the neighborhood and have no impact on the area. There are wetlands on the surrounding property so cannot be developed. Zoning allows 5% of building coverage on the lot. Currently the school has a 5.9% coverage. If this building is added to the site it represents slightly less than 1% of additional coverage. This building will bring the lot coverage up to 6.8% from the 5.9% which it currently is. This coverage will not exceed any of the coverages permitted in any other zone. This is a permitted use in this zone. There is a Variance needed for the impervious surface coverage. 13% of the site is covered by impervious surface which includes the buildings, roadways and the parking lots where they are paved. 10% is the permitted coverage.

Mr. Nemergut stated that the portable classrooms will be moved to the site as noted. They will be placed on a foundation and will be joined together as a single building with a pitched roof with siding within the architectural aesthetics of the campus. They will be building a porch onto the front of the building.

There was a lengthy discussion on this case.

There was a discussion on who the surrounding property owners are.

There was no one else present and no correspondence was received.

He submitted the certified mail receipts indicating the letters were mailed out and the letters were received.

Guy Gibb made a motion, seconded by Diane Quinn the public hearing be closed. Motion carried unanimously.

Guy Gibb made a motion the Board approve Appeal No. 1022, Hadlyme Hills LLC of 50 Parsnip Pond Road, Lake Grove, NY (Owner) and Albert F. Weissbach III of 106 River Road, East Haddam (Appellant) and Franklin Academy of 140 River Road, East Haddam (Lessee) a Variance of Section 10.1 of the Zoning Regulations-Schedule of Non-Conforming Lots and Buildings of the Zoning Regulations based upon the Board's findings that a hardship exists that was not self-imposed because it was created by a party totally apart from the people who are involved in attempting to do what they are doing now. Also, no neighbors objected to this request, this is a very good cause and when they made this restrictive Zoning, they probably had no intentions of stopping a school that helps Special Needs students. This will not be harmful to anyone in the area. Greg Daigle seconded the motion and carried unanimously.

Said property is located on River Road in the R-2 District. Assessor's Map 9 Lot 28,

#### Minutes

The minutes of October 28, 2010 were read and reviewed. Diane Quinn made a motion, seconded by Richard Fiala, to approve the minutes as printed. Carried unanimously.

#### December Meeting Date

After some discussion, Diane Quinn made a motion the December meeting date be set for Tuesday, December 28, 2010 at 8:00 P.M. Richard Fiala seconded the motion and carried unanimously.

Greg Daigle made a motion, seconded by Diane Quinn, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:05 P.M.

Respectfully submitted,

Stuart Wood, Chairman  
Zoning Board of Appeals

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