

Wallingford Zoning Board of Appeals

Monday, June 20, 2022

7:00 p.m.

**Robert F. Parisi Council Chambers
Town Hall – 45 South Main Street**

Minutes

Present: Vice-Chair Ray Rys; Board Members: Thomas Wolfer; Louis Czerwinski; Robert Parisi, Robert Gross; and Amy Torre, Zoning Enforcement Officer.

Acting Chair Rys called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited.

Voting members tonight are Wolfer, Czerwinski; Parisi, Gross, and Rys.

Acting Chair Rys noted that tonight's decisions will be published in the Record-Journal on Friday, June 24, 2022. The effective date of your variance will be Friday, June 24, 2022; the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, July 10, 2022. If you commence operations and/or construction during the appeal period, you do so at your own risk.

PUBLIC HEARINGS

1. #22-0121– Variance Request/Cranmer/195 South Whittlesey Avenue

Acting Chair Rys read the legal notice #22-021 – Variance Request/Cranmer/side yard or 10.2 ft. (12 ft. required) where 10.2 ft. exists to construct a vertical 8 ft. x 10 ft. addition (3rd-floor dormer) at 195 South Whittlesey Avenue in an R-11 District. Mr. Czerwinski read the staff notes into the record. The applicant seeks a variance for a side yard of 10.2 ft. where 10.2 ft exists and 12 ft. is required to construct an 8 ft. x 10 ft. vertical addition to accommodate a stairwell for 3rd-floor access at 195 South Whittlesey Avenue in an R-11 District. The applicant secured a building permit for interior modification(s) without structural alteration in February 2022 not understanding that the dormer, albeit small in size, constituted an expansion and in this particular instance, an expansion of a non-conformity requiring Variance Approval.

Matthew Cranmer, 195 South Whittlesey Avenue, explained that he needs headroom to get a stairwell to the unfinished 3rd-floor attic. It doesn't go any further outside of the peak of the existing roofline. He apologized that he didn't know he needed the variance for the dormer.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve application #22-021/Cranmer/195 South Whittlesey Avenue. A Variance Request for a side yard of 10.2 ft. to construct a vertical 8 ft. x 10 ft. addition at 195 South Whittlesey Avenue as shown on Plot Plan, Proposed Addition, Matthew and Elizabeth Cranmer, 195 South Whittlesey Avenue, dated May 2, 2022, and submitted plans received 5/13/2022.

Mr. Paris: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Czerwinski – yes to approve; – Parisi – yes to approve, and Acting Chair Rys – yes to approve.

The variance is approved.

2. #22-022– Variance Request/Jacques/150 Pond Hill Road

Acting Chair Rys read the legal notice: #22-022 – Variance Request/Jacques/side yard of 3 ft. (5 ft. required) and 13 ft. exists to construct a 320 sq. ft. addition to a detached garage at 150 Pond Hill Road in an R-18 District. Mr. Czerwinski read the staff notes into the record. The applicant seeks Variances for a side yard of 3 ft. where 5 ft. is required and 13 ft. exists to construct a 320 sq. ft. addition to an existing detached garage at 150 Pond Hill Road in an R-18 District. The parcel area and dwelling location are non-conforming, predating the inception of zoning. The parcel is also unusual in that it presents as a corner lot where in actuality one abutting property abuts 150 Pond Hill Road on both the north side and to the rear. The proposed addition to the detached garage, though proposing a 3 ft. setback (where 5 ft. is required) to the boundary, actually has a 35 ft. wide strip of land running the entire northern property boundary giving the appearance of a much larger than required side yard setback.

Lloyd Jacques, 150 Pond Hill Road, explained that he wants to add on so he can have a two-car garage. He noted that his next-door neighbor supports the application.

Mr. Gross asked if the temporary structure is coming down. Mr. Jacques said yes. Mr. Gross if he will end up with one garage or two single car garages. Mr. Jacques replied one garage with two doors. The existing garage will stay. He noted that he will replace the roof and move the peak to the new center.

Robert Ottens, 3 Pogmore Drive stated that he owns the adjacent property and gives his consent.

Mrs. Torre added regarding the carport, that though the structure is owned by Mr. Jacques it should not be considered. They cannot have a condition that the carport is removed because it actually belongs to Mr. Ottens at 3 Pogmore Drive. She noted that the Board can suggest it be removed when the project is done, but it's not Mr. Jacques's issue.

Mr. Wolfer asked for clarification if there were any conditions. Mrs. Torre replied no. Mr. Ottens can tell him to remove it but the ZBA can't condition that as part of the approval.

Mr. Gross clarified that the carport is not conforming but is not this issue. Mrs. Torre confirmed.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve application #22-022/Jacques/150 Pond Hill. A Variance request for a side yard of 3 ft. where 5 ft. is required to construct an addition to a detached garage at 150 Pond Hill Road as shown on Property & Topographic Survey Map depicting Proposed Garage Addition prepared for Lloyd F. & Priscilla T. Jacques, 150 Pond Hill Road, dated April 28, 2022, and submitted plans received 5/13/2022.

Mr. Czerwinski: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Czerwinski – yes to approve; – Parisi – yes to approve, and Acting Chair Rys – yes to approve.

The variance is approved.

3. #22-024 – Variance Requests/Glass/30 Seneca Road

Acting Chair Rys read the legal notice: #22-024 - Variance Requests/Glass/front yard of 36.5 ft. (40 ft. required) and 40.7 ft. exists, side yard of 18.4 ft. (20 ft. required) and 20.3 ft. exists to construct a front and partial side deck at 30 Seneca Road in an R-18 District. Mr. Czerwinski read the staff notes into the record. The applicant seeks a front yard of 36.5 ft. where 40 ft. is required and 40 ft. exists and a side yard of 18.4 ft. where 20 ft. is required and 20 ft. exists to construct an uncovered front deck to replace and expand a wood stoop and ramp at the front entry. The applicant is proposing the deck to be +/- 1 ft. in height. Correspondence included: drawings received 6/14/2022.

Lyndsey Glass, 30 Seneca Road, explained that she is replacing a wooden front stoop that remains from a handicapped ramp installed by the prior owner. The stoop is deteriorating as is the wooden stoop off the side door. It will connect with the front deck.

Mr. Gross asked if the stairs will face to the left, to the neighbor. Ms. Glass replied yes. Mr. Gross asked if the 3 ft. for the stairs is counted in variance. Mrs. Torre replied that stairs are counted into the variance as is the deck. Decks are permitted to project in the rear but must comply with side and front yards. In this case, the stairs are allowed to project 18". Ms. Glass noted that currently there is a single step up that will be replaced by the deck. It will be closer to the house than the ramp was.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve application #22-024/Glass/30 Seneca Road. A Variance request for a front yard of 36.5 ft. where 40 ft. is required to construct an uncovered front deck at 30 Seneca Road as shown on Proposed Plot Plan, Land of Lyndsey Glass, 30 Seneca Road, dated May 12, 2022, and submitted plan received 6/14/2022.

Mr. Czerwinski: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Czerwinski – yes to approve; – Parisi – yes to approve, and Acting Chair Rys – yes to approve.

The variance is approved

Mr. Wolfer: Motion to approve application #22-024/Glass/30 Seneca Road. A Variance request for a side yard of 18.4 ft. where 20 ft. is required to construct an uncovered front deck at 30 Seneca Road as shown on Proposed Plot Plan, Land of Lyndsey Glass, 30 Seneca Road, dated May 12, 2022, and submitted plan received 6/14/2022.

Mr. Czerwinski: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Czerwinski – yes to approve; Parisi – yes to approve, and Acting Chair Rys – yes to approve

CONSIDERATION OF MINUTES

Mr. Parisi: Motion to approve the Zoning Board of Appeals minutes from May 16, 2022, as submitted.

Mr. Wolfer: Second

Mr. Gross: Abstain

Vote: Unanimous to approve with one abstention

NEW BUSINESS

Mr. Czerwinski announced that he is resigning from the Zoning Board of Appeals as of June 30th as he is moving out of town and doesn't feel it would be appropriate to remain on the Board. He stated that he enjoyed his time on the Board and enjoyed the non-partisan nature and the application of common sense to what can be black and white rules.

Vice Chair Rys stated that Mr. Czerwinski has been an asset and will be missed.

Mr. Parisi seconded that.

Mr. Wolfer stated that he appreciated how structured and prepared he has been as secretary.

ADJOURNMENT

Mr. Wolfer: Motion to adjourn the June 20, 2022 meeting at approximately 7:25 pm.

Mr. Czerwinski: Second

Vote: Unanimous to approve

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary