

**MORRIS ZONING BOARD OF APPEALS**  
Morris Community Hall, Morris, CT  
**SPECIAL MEETING/PUBLIC HEARING MINUTES**  
August 14, 2019 7:00p.m.

*Received*  
*Asst. Town Clerk*  
*Susan J. Jeffrey*  
**AUG 19 2019**  
*9:00 A.M.*

Chairman Allen Bernardini called the meeting to order at 7:00 p.m.

**Present:** Meg Palumbo, Eric Edwards, Dereck Galinski, Jim Wheeler and Mark Conlon

**Absent:** Giles Giovinazzi (Alt.)

**Also Present:** ZEO Tony Adili

**Presentation of Application for 382 Bantam Lake Road (Camp David) Variance Request #19-4**

Copies of the application, photos and the site plan had been distributed by Chairman Bernardini.

**Discussion**

Applicant David Sperling confirmed that he had notified all abutting neighbors. He was requested to drop off at town hall all missing documents from neighbors. Those neighbors present at the meeting were Louis W. Navarre, David Hoffman, Phyllis Behar and Steve Friedman (Breezy Knoll Association.) David Sperling said there is no difference in the use of the property. In reply to Chairman Bernardini's query about the need for the raised roof David Sperling said the ceiling is very low.

ZEO Tony Adili explained the process for neighbor's objections. Chairman Bernardini noted that the former ZEO, Robert McIntosh had sent a letter about the property and Tony Adili read the letter aloud. It stated that the applicant had discussed with Robert McIntosh the changes he had in mind, he applied to Planning & Zoning, which was approved, and Inland Wetlands was not involved.

**Vote to approve or refuse the variance**

**Motion:** Eric Edwards moved to approve Variance Request #19-4 for David Sperling to finish construction at 382 Bantam Lake Road for the recently built existing building with a slightly increased roof height of approximately 18 inches. Meg Palumbo seconded the motion. All voted aye and the motion carried.

**Adjournment**

**Motion:** Eric Edwards moved to adjourn the meeting at 7:19p.m. Meg Palumbo seconded the motion. All voted aye and the motion carried.

Respectfully submitted,

Jo Ann Jaacks  
Recording Secretary

## **Town of Morris Planning and Zoning Commission**

---

Town of Morris  
Zoning Board of Appeals  
3 East St.  
Morris, Ct. 06763  
Attn: Chairman Allen Bernardini

August 13, 2019

**RE: 382 Bantam Lake Rd- "Camp David"**

Dear Chairman Bernardini:

During the summer of 2018, Mr. David Sperling visited the Land Use Office to discuss his ideas for a potential use of the subject property. We discussed his ideas and the process which would transpire should he pursue his plan. Ultimately, he decided to postpone work on that particular idea for use. As our discussion wound down, he made me aware that he had undertaken some renovations to the cottage at the subject property. He also indicated that these renovations were not constructed with the benefit of any of the necessary permits. He mentioned that his attorney encouraged him to halt work and commence application for permits.

During the discussion, he displayed some photos which showed the extent of the exterior expansion. Basically, the property contains 2 pre-existing non-conforming structures that encroach into the side yard setback. These structures consist of a cottage and adjacent/attached to the cottage, a carport. The construction essentially expanded the permitted residential use into a portion of the existing carport. As part of this expansion, the roof ridge was elevated and the pitch of the roof increased. This would be considered a vertical expansion in the setback which was disallowed by the PZC regulation revision and adoption of 2013.

Since our initial meeting, Mr. Sperling was to attend a number of Planning and Zoning meetings in the fall and winter (2018) to discuss the situation. Due to meeting cancellations of the PZC due to weather and quorum issues or schedule conflicts for Mr. Sperling, our follow up meeting did not occur until this spring. Mr Sperling submitted an application to the Planning and Zoning Commission which was reviewed and determined that it was not empowered to grant a permit in this circumstance. His fees were therefore applied to the ZBA application.

Some additional facts:

The PZC has received no complaints regarding the structure. Mr.Sperling identified the issue and has provided all relevant information , documents, and assistance to the Zoning Enforcement Officer in reviewing the matter. The use is consistent with the permitted uses in the zone. The expansion is minimal in size and scope and does not appear to impact views or sightlines from any adjacent parcel. The Building Official awaits a determination from PZC/ZBA before addressing building permits. It appears Inland Wetland review was not necessary as the structure takes advantage of some existing foundation of the carport (Building Dept. review still TDB).

Town of Morris Selectmen's Office  
August 13, 2019  
Page 2

As Chairman of the Morris Planning and Zoning Commission, I fully respect the autonomy of the Zoning Board of Appeals in its determination of variance request decisions. With that deference in mind, I humbly suggest that the ZBA consider a strategy whereby the overall non-conformity of the structure is lessened while allowing for the minor expansion to remain. Perhaps this could be accomplished by the removal of a relatively small portion of the carport at its far westerly end adjacent to Bantam Lake Rd.

Please feel free to contact me if you have any questions or if the Commission can be of further assistance.

Sincerely,

*Robert J McIntosh Jr*

Robert J McIntosh Jr

Chairman,  
Morris Planning and Zoning Commission

REPUBLICAN-AMERICAN

**TUESDAY, AUGUST 20, 2019**

---

LEGAL NOTICE

Notice of Decision  
Morris, CT  
Zoning Board of Appeals

On Wednesday, August 14, 2019, The Morris Zoning Board of Appeals took the following action:

Approved: Application #19-4 of David Sperling, 382 Bantam Lake Road for a variance to finish construction of the recently built existing building with a slightly increased roof height. (Approximately 18 inches.)

Allen Bernardini, Chairman  
Zoning Board of Appeals

RA August 20, 2019

---