

MINUTES
LITCHFIELD ZONING BOARD OF APPEALS
November 1, 2022 - 7:30 p.m.
Town Hall Annex
80 Doyle Rd., Bantam, CT
In person meeting

Members Present: Brian Donohue, David Foss, Brian McKernan, Jonathan Zwick.
Members Absent: None

At 7:33 p.m., B. Donohue opened the meeting by taking attendance of the members and explained the format of the hearing.

PUBLIC HEARING

Case - 22-11-1

To discuss and possibly act upon a request from R. David & Renee Turley for an enlargement variance to demolish and rebuild existing dwelling at 78 North Shore Road - Variances of 49.5' for Front Setback and 42' for Rear Setback from Rural Residences Section 2. Building Placement Front Setback 50' and Rear Setback 50' and Variance for Building Coverage of 3.4% from Rural Residences Section 3. Building Dimensions (Maximum) Building Coverage 15%.

D. McMorrow of Berkshire Engineering and R. Turley were present for the application. Postal green cards and letter to neighbors were confirmed by the commission. D. McMorrow stated front property line is North Shore Road and back is Bantam Lake. There are no side setbacks since there are only lease lines. To be replaced are existing 640 square foot cottage and 133 square foot storage shed. Existing structures are below the Bantam Lake flood elevation. Proposal is to replace structures with a 789 square foot dwelling on an open concrete foundation with a storage area underneath that is only 16 square feet larger than existing. Current building coverage is 18% and additional 16 square feet increases coverage to 18.4%. Cottage is now 15.6 feet to the high-water mark and new location will be 18.7 feet. Current cottage is 11' from the front setback and shed is 5.2'. New cottage will be 4' from front setback. It was noted that house next door is 1' from the street.

Property is owner by White Memorial and is preexisting, nonconforming with multiple residence on the same property. Leased parcel is .1 acres, 60 feet deep, has no buildable area between the front and rear setbacks and

structures are below flood elevation. Proposal will be less nonconforming since it will be out of the flood plain and will be in harmony with neighboring structures.

Public comment: No spoke for or against the application. Neighbor S. Avritch was present just to observe today's hearing and will be submitting a similar application in the spring. B. Donahue moved to close the hearing at 8:02 pm, J. Zwick seconded and all voted in favor.

REGULAR MEETING

Consider Case – 22-11-1


Commission discussed cottage's design and size is in character with the neighborhood. Moving structure out of flood plain to a safer location is an improvement. There is only a minimal size increase to bring structure up to modern living standards. A clear hardship is created by the uniqueness of the property's size and shape, ingress and egress for the structure, the wetlands consideration and floodplain factors. J. Zwick motioned to approve case 22-11-1 at 78 North Shore Road for Variances of 49.5' for Front Setback and 42' for Rear Setback from Rural Residences Section 2. Building Placement Front Setback 50' and Rear Setback 50' and Variance for Building Coverage of 3.4% from Rural Residences Section 3. Building Dimensions (Maximum) Building Coverage 15% with hardship being uniqueness of 4,285 square feet lot size with current house being below the floodplain and ingress and egress safety concerns. D. Foss seconded and approval was unanimous.

Approval of Minutes – October 18, 2022

B. Donohue moved to approve minutes, B. McKernan seconded and vote was unanimous.

Adjournment

At 8:13 pm B. Donohue motioned to adjourn, D. Foss seconded and vote was unanimous.



Brian Donohue
Chairman



Date