

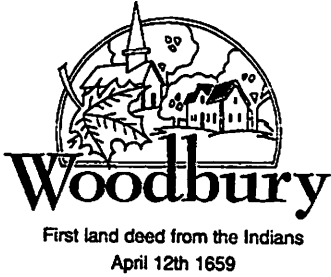
# TOWN OF WOODBURY

## Zoning Board of Appeals

281 Main Street South

Woodbury, CT 06798-0369

(203)263-3467 ~ www.woodburyct.org



## **PUBLIC HEARINGS/REGULAR VIRTUAL MEETING MINUTES May 18, 2021 – 7:30 P.M.**

### **MEMBERS PRESENT**

Joe Donato  
Adam Goldberg  
Mike Novak  
Robert Ratzenberger  
Claudette Volage

### **ALTERNATES PRESENT**

Jane Donn  
Deborah Schultz

### **ALTERNATES ABSENT**

Vincent Farisello

**ALSO PRESENT:** Maryellen Edwards, Jon Rabideau, Jason Collette, Tim Drakeley, and other interested members of the public.

### **REGULAR MEETING**

**Call to Order** – Chairman Donato convened the virtual meeting at 7:35 p.m.

**Seating of Members & Alternates/Conflict of Interest** – Seated for the meeting were regular members Donato, Goldberg, Novak, Ratzenberger and Volage. Reference to Conflict of Interest was made, Member Novak stating he had a conflict regarding the Sand Dune LLC application and would be recusing himself from that.

### **PUBLIC HEARINGS**

#### **21-ZBA-2104 / Collette (owner), Rabideau (applicant/agent) / 79 Nettleton Hollow Road / Special Permit to Construct Addition within Setback (Sec. 1.4.2.3) / Map 072 / Lot 012**

Jon Rabideau and Jason Collette were present. Mr. Rabideau addressed the Board explaining they were looking to construct a 14' x 16' mudroom addition. It is within the setback from the road 8'. The location sits between the existing garage and the house. It was confirmed that this is not a request for variance, it is a special permit request per Section 1.4.2.3. It allows them to expand the non-conforming structure, but it cannot extend any further into the setbacks than any other portion of the structure. The plan was reviewed to show the location of the addition. The addition will be two feet back from the existing house. The percentage of expansion was questioned, this is preexisting nonconforming. It is not encroaching any more into the front yard setback than the existing house. Parts of the existing house are within 20' of the front yard setback, as well as the garage. It was noted that they couldn't shift the addition farther back due to the location (it is in direct line with the garage and house), there is an existing deck that they don't want to lose room on and there is an existing pipe for a wood stove. There were no further questions from the Board and no one from the public spoke.

**MOTION:**

To close the public hearing on application 21-ZBA-2104

Member Novak questioned if there would be any exterior lighting or changes to the parking. Mr. Rabideau responded a new sconce light would be added next to the door and there would be no changes to the driveway.

**MOTION:**

To close the public hearing on application 21-ZBA-2104 (*Collette (owner), Rabideau (applicant/agent) / 79 Nettleton Hollow Road / Special Permit to Construct Addition within Setback (Sec. 1.4.2.3) / Map 072 / Lot 012*).

Made by Member Goldberg, Seconded by Member Ratzenberger

Vote: 5-0-0 in favor

Chairman Donato requested to rearrange the order of the agenda.

**MOTION:**

To amend the agenda to move 21-ZBA-2106 ahead of 21-ZBA-2105, because I think 2106 will go very quickly.

Made by Member Novak, seconded by Member Goldberg

Vote: 5-0-0 in favor

**21-ZBA-2106 / Lattis & Pakula (owners) / 877 Washington Road / Variance Request to Expand 44" Toward Western Property Line / Map 072 / Lot 001**

The applicant was not present. Maryellen Edwards noted that the applicant did not get their abutter notifications out. The hearing should be opened and tabled until the next meeting to allow adequate notice for the next meeting.

**MOTION:**

To table the hearing on 21-ZBA-2106 until after those notifications can be received and we will continue the public hearing at that point.

Made by Member Novak, Seconded by Member Ratzenberger

Vote: 5-0-0 in favor

**21-ZBA-2105 / Sand Dune LLC (owner), Drakeley (agent) / 305 Main Street South / Variance Request to Add an 8' x 23'3" Front Porch and Tear Down and Replace a 19' x 24' Addition with a 23' x 24' Addition (Sec. 5.1.5 Coverage & Setback) / Map 104 / Lot 085-4**

*Member Novak recused himself, left the meeting and Alternate Donn was seated.*

Tim Drakeley was present for the hearing. It was noted that a revised application and set of plans had been received. He is proposing to put on a front porch, explaining it used to have one that extended out and wrapped around the south side. He then wants to tear down the back section of the building and put up a single level addition with a crawl space, expanding it by about 96 square feet. It was confirmed that the house will match the house next door. The porch would be 8' and would line up with each other. It was questioned if it would have the same setback, Mr. Drakeley stating that due to the way the

street runs, 305 would encroach about 5', a little bit more than 301. He also noted that he could move the back addition a bit more off the line to have it conform more than it does now. As it stands the back addition would be 18" off the sideline. It has been determined (after speaking with the Health Department) he can move it a couple feet off that line. It could be made even with the front porch. A letter in favor of the application from resident Charles Henry was read for the record. It was confirmed that the building coverage would also be increasing. It is already over the 10%, coverage is 13.3 now and it will increase to 14.2%. Mr. Drakeley felt that although it is over, it conforms to many of the houses in that section of Main Street heading south. There were no questions or comments from the public.

#### **MOTION:**

To close the public hearing on application 21-ZBA-2105 (21-ZBA-2105 / Sand Dune LLC (owner), Drakeley (agent) / 305 Main Street South / Variance Request to Add an 8' x 23'3" Front Porch and Tear Down and Replace a 19' x 24' Addition with a 23' x 24' Addition (Sec. 5.1.5 Coverage & Setback) / Map 104 / Lot 085-4).

Made by Alternate Donn, Seconded by Member Volage

Vote: 5-0-0 in favor

**21-ZBA-2106 / Lattis & Pakula (owners) / 877 Washington Road / Variance Request to Expand 44" Toward Western Property Line / Map 072 / Lot 001**  
(This item was discussed and tabled earlier in the meeting)

#### **REGULAR MEETING (Continued)**

**NEW APPLICATIONS** - None

#### **PENDING APPLICATIONS**

Chairman Donato tried to reach Member Novak to return to the meeting discussions.

**21-ZBA-2104 / Collette (owner), Rabideau (applicant/agent) / 79 Nettleton Hollow Road / Special Permit to Construct Addition within Setback (Sec. 1.4.2.3) / Map 072 / Lot 012**

Members discussed that this is not encroaching more on the setback, more towards the existing garage. The addition cannot go back any further due to an existing deck and stove pipe. They are building in the setback area, but it is not encroaching anymore. It does not appear to go over the 10% coverage.

#### **MOTION:**

To approve application 21-ZBA-2104, submitted by Jon Rabideau on behalf of Lauren Collette, for a Special Permit to construct a new addition pursuant to Section 1.4.2.3 of the Woodbury Zoning Regulations. The approval allows for the construction of a 14' x 16' addition, 42' from the front property line as shown on the submitted drawing.

Made by Member Goldberg, Seconded by Alternate Donn

Vote: 5-0-0 in favor

Member Novak rejoined the meeting, however, left again due to the item the Board was on now was the one he had recused himself from. Alternate Donn remained seated.

**21-ZBA-2105 / Sand Dune LLC (owner), Drakeley (agent) / 305 Main Street South / Variance Request to Add an 8' x 23'3" Front Porch and Tear Down and Replace a 19' x 24' Addition with a 23' x 24' Addition (Sec. 5.1.5 Coverage & Setback) / Map 104 / Lot 085-4**

Member Ratzenberger personally felt that any change on Main Street would be a benefit to the town, Alternate Donn agreeing. Member Goldberg stated it would be nice if he could move the rear addition off the sideline more. Looking at pictures, it would be upgrading what is there now. Member Ratzenberger questioned if he had to move the addition, since the rest of the house is right on the line. Member Volage reiterating that any upgrades to Main Street is a good thing. Member Goldberg didn't think the increase in footage of the house was a concern, it was less than 1%.

The following motion was read by Chairman Donato

**MOTION:**

To approve application 21-ZBA-2105, submitted by Tim Drakeley on behalf of Sand Dune, LLC, for a variance of coverage requirements and front yard setbacks associated with the construction of an 8' x 23' front porch and a 23' x 24' addition to the house as shown on the submitted drawings and described below.

The front porch will be approximately 15 feet three inches from the front property line which would be an encroachment of approximately 4 feet nine inches into the 20 foot front yard setback.

The current building coverage is 1,076 square feet (13%). The applicant is requesting to remove an existing 456 square foot addition and replace it with a 552 square foot addition – an increase of 96 square feet. The building coverage would be 1,172 square feet (14.1%) which is a 4.1% increase in the allowed coverage.

Member Goldberg questioned the numbers, these reflected the original application, which had been revised. The motion was adjusted to reflect the changed application and mapping that had been submitted.

**MOTION:**

To approve application 21-ZBA-2105, submitted by Tim Drakeley on behalf of Sand Dune, LLC, for a variance of coverage requirements and front yard setbacks associated with the construction of an 8' x 23' front porch and a 23' x 25' addition to the house as shown on the submitted drawings and described below.

The front porch will be approximately 15 feet three inches from the front property line which would be an encroachment of approximately 4 feet nine inches into the 20 foot front yard setback.

The current building coverage is 1,076 square feet (13%). The applicant is requesting to remove an existing 475 square foot addition and replace it with a 575 square foot addition – an increase of 100 square feet. The building coverage would be 1,176 square feet (14.2%).

Made by Member Ratzenberger, Seconded by Member Goldberg

Vote: 5-0-0 in favor

**21-ZBA-2106 / Lattis & Pakula (owners) / 877 Washington Road / Variance Request to Expand 44" Toward Western Property Line / Map 072 / Lot 001**  
*(This item was tabled until the next meeting).*

*Chairman Donato attempted to contact Member Novak to come back to the meeting.*

**OTHER BUSINESS – Discussion regarding going back to in-person meetings**

Meetings will go back to being in person for the June 21<sup>st</sup> meeting. Maryellen Edwards noted that they do not have the technology in place to hold hybrid meetings with a virtual component, but there is a conference phone that will be used for call-in capability.

**CORRESPONDENCE - None**

**CONSIDERATION OF MINUTES – 4/19/21**

**MOTION:**

To accept the minutes *(of the April 19, 2021 meeting as presented).*

Made by Member Volage, Seconded by Chairman Donato

Vote: 5-0-0 in favor

**ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:12 p.m.

Made by Member Goldberg

**Filed Subject to Approval.**

Respectfully submitted,

*Anne Firlings*

Anne Firlings, ZBA Clerk

RECEIVED FOR RECORD  
*May 20 2021 at 11:45 AM*  
ATTEST *Maria Mancini*  
TOWN CLERK, WOODBURY CT *ASST.*