



# TOWN OF WOODBURY

## Zoning Board of Appeals

281 Main Street South

Woodbury, CT 06798-0369

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

### PUBLIC HEARING/REGULAR MEETING MINUTES

Senior/Community Center, 265 Main St. South

July 19, 2021 – 7:30 P.M.

#### MEMBERS PRESENT:

Joe Donato  
Adam Goldberg  
Robert Ratzenberger  
Claudette Volage

#### ALTERNATES PRESENT:

Jane Donn  
Deborah Schultz

#### MEMBERS ABSENT:

Michael Novak

#### ALTERNATES ABSENT:

Vincent Farisello

#### ALSO PRESENT:

Martin Anderson

Janis Anderson from 8:00 P.M.

Joseph Roberts

#### REGULAR MODIFIED MEETING

The meeting was convened at 7:32 PM.

Seated for the meeting were Members Donato, Goldberg, Ratzenberger, and Volage, Alternate Donn. Members were reminded of the Conflict-of-Interest Statutes; no one expressed a conflict.

#### PUBLIC HEARING

**21-ZBA-2107 / Anderson / 11 Bear Hill Road / Special Permit for Expansion of a Legally Pre-Existing, Non-Conforming Structure (Sec. 1.4.2.3) / Map 036 / Lot 071 / CH: 8/23/21**

Martin Anderson appeared before the Board, Janis Anderson participated by telephone until her 8:00 P.M. arrival. Mr. Anderson presented color-coded maps describing the property, existing structures, and the anticipated expansion. Alternate Donn asked why there are two addresses at the property. Mr. Anderson responded the lot is assigned two street addresses, numbers 11 and 17, for the two existing buildings; number 17 is to be razed and rebuilt, number 11 is the address recognized by the Assessor's office. Chairman Donato confirmed the required documents were contained in the package. Member Volage initiated conversation regarding the existing foundation. Mr. Anderson will retain existing portions subject to proper approvals. No correspondence regarding the application was on file. Alternate Donn asked whether the property will be a "rental"; Mr. Anderson replied potentially, yes. Chairman Donato asked whether the proposal had been approved by the Inland Wetlands and Watercourses Agency. Mr. Anderson replied in the affirmative, providing a copy of the approval. The Board discussed the additional square footage incorporated in the design and the effects on setbacks. Reconfiguring the foundation results in the building being less non-conforming. There were no further questions.

#### **MOTION:**

To CLOSE Public Hearing 21-ZBA-2107 / Anderson / 11 Bear Hill Road / Special Permit for Expansion of a Legally Pre-Existing, Non-Conforming Structure (Sec. 1.4.2.3) / Map 036 / Lot 071.

Made by Alternate Donn, Seconded by Member Volage

Vote: 5-0-0 in favor

**REGULAR MODIFIED MEETING (*Continued*)**

**NEW APPLICATIONS**

**21-ZBA-2108 / Roberts / 264 Main Street North / Variance Request from Side Yard Setback for the Construction of a 20' X 28' Garage Addition (Sec. 7.2.2) / Map 023 / Lot 032-A**

Joseph Roberts appeared before the Board to discuss Application 21-ZBA-2108. Board members explained the application/permitting process. Mr. Roberts provided folders with copies of the paperwork filed. Chairman Donato asked about the notation "existing garage, 2014". Mr. Anderson does not know the reason or origin of the notation; the existing structure was constructed in 1960. Member Goldberg asked whether the intent is a simple 20' X 28' addition; Mr. Anderson replied in the affirmative. There were no further questions.

**MOTION:**

To ACCEPT Application Number 21-ZBA-2108 / Roberts / 264 Main Street North / Variance Request from Side Yard Setback for the Construction of a 20' X 28' Garage Addition (Sec. 7.2.2) / Map 023 / Lot 032-A

Made by Alternate Donn, Seconded by Member Donato

Vote: 5-0-0 in favor

**PENDING APPLICATIONS**

**21-ZBA-2107 / Anderson / 11 Bear Hill Road / Special Permit for Expansion of a Legally Pre-Existing, Non-Conforming Structure (Sec. 1.4.2.3) / Map 036 / Lot 071 / CH: 8/23/21**

Member Volage asked whether she could make a Motion to begin discussion; Chairman Donato responded yes.

**MOTION:**

To require the property owner to adopt the architect's recommendation regarding the existing foundation and whether to use any portion thereof in the new construction.

Discussion regarding the Motion; concern it may be flawed.

Made by Member Volage, Seconded by Member Donato

Vote: 0-1-0 motion fails

Discussion regarding the Board's authority and the body responsible for determining whether portions of the existing foundation at number 17 could be used for the new construction. The Board continued the conversation regarding the additional square footage incorporated in the design. The consensus: the proposal meets the regulations.

**MOTION:**

To APPROVE Application 21-ZBA-2107 / Anderson / 11 Bear Hill Road / Special Permit for Expansion of a Legally Pre-Existing, Non-Conforming Structure (Sec. 1.4.2.3) / Map 036 / Lot 071 as submitted, and allowing removal of the existing foundation, or portion thereof, to be replaced by a new foundation, or portion thereof, meeting the current Code.

Made by Member Goldberg, Seconded by Member Ratzenberger

Vote: 5-0-0 in favor

**OTHER BUSINESS**

Discussion about future meeting locations and whether to continue hybrid meetings.

**MOTION:**

To schedule future meetings at the Senior Center.

Made by Member Ratzenberger, Seconded by Member Goldberg

Vote: 5-0-0 in favor

The next meeting will be the last using the hybrid format.

**CORRESPONDENCE**

Received an operations report from O+G Industries; portions read into the record.

Received the quarterly newsletter from the Connecticut Federation of Planning and Zoning Agencies.

**CONSIDERATION OF MINUTES**

Move to accept the Minutes of the June 21, 2021 meeting as presented.

**MOTION:**

To ACCEPT the Minutes of the June 21, 2021 meeting.

Made by Alternate Donn, Seconded by Member Donato

Vote: 5-0-0 in favor

**ADJOURNMENT**

**MOTION:**

To ADJOURN the meeting at 8:22 P.M.

Made by Member Ratzenberger

**Filed subject to approval.**

Respectfully Submitted,  
Edward S. De Cortin  
Substituting for Anne Firlings, Clerk  
Inland Wetlands & Watercourses Agency

RECEIVED FOR RECORD  
July 26, 2021 at 2:15 PM  
ATTEST *Mona M. Coreri*  
TOWN CLERK, WOODSBURY CT  
ASST