

TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, May 19, 2016 ~ 7:00 p.m.

SPECIAL MEETING
MINUTES

PRESENT: Jeffrey Walsh, Chairman
Michael Ninteau, Vice Chairman
Kenyon Gardner
David Geligoff
Keith Sczurek
Jerome Walsh, Alt.

ABSENT: Kathy Dunnet, Alt., Donna Skaats, Alt.

ALSO PRESENT: Philip Chester, Town Planner
Cheryl Straub, Court Stenographer
Holli Pianka, Recording Secretary

1) Call to Order:

Chairman Walsh called the May 19, 2016, Special Meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:00 p.m. Chairman Walsh stated for the record that he was unable to attend last month's meeting but has listened to the entire recording of the April 21, 2016 public hearing and has brought himself up to date with the application.

2) Continuation of the Public Hearing for the following:

Chairman Walsh read the legal notice for the following:

- a) **#ZBA-16-5257:** Peter J. Springsteel Architect LLC, 105 Starr Street, Mystic, CT, 06355, applicant, Jennifer Granger & Kevin Kowalyshyn, P.O. Box 44, Andover, CT, 06232, owners, for property at 258 Lakeside Drive, Assessors Map 107, Lot 23. Request variance to replace existing one-story single family dwelling with two-story dwelling in same location.
(Continued from 4/21/2016.)

Peter Springsteel, Architect, Mystic, CT (applicant) was present to speak on the application. Mr. Kowalyshyn was also present. Regarding the previous meeting request by the board to provide additional septic information, his client will obtain Health Department approval should the application be approved by Zoning Board of Appeals. Mr. Springsteel assured the board that there are means which have been

investigated to gain septic approval to proceed with the plan. There will be no further encroachment on existing setbacks and no further expansion of non-conforming use.

Chairman Walsh asked Mr. Chester for comment. Mr. Chester noted that it is not unusual for applicants to apply to the Zoning Board of Appeals prior to any other department approvals. Applicants have the right to apply to any department they wish, but it is logical in many cases to start with the ZBA.

There were no others in the audience to speak either in favor or against the application.

3) Adjournment:

Mr. Sczurek made a motion, seconded by Mr. Jerome Walsh to close the public hearing for application #ZBA-16-5257 and adjourn the special meeting. Motion unanimously approved and the meeting adjourned at 7:15 p.m.

Chairman Walsh read the Record of Decision procedures according to the Connecticut General Statutes.

Holli E. Pianka, Recording Secretary
May 25, 2016

(Minutes are unapproved as of transcription date.)

TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, May 19, 2016 ~ 7:00 p.m.

REGULAR MEETING
MINUTES

PRESENT: Jeffrey Walsh, Chairman
Michael Ninteau, Vice Chairman
Kenyon Gardner
David Geligoff
Keith Sczurek
Jerome Walsh, Alt.

ABSENT: Kathy Dunnet, Alt., Donna Skaats, Alt.

ALSO PRESENT: Philip Chester, Town Planner
Holli Pianka, Recording Secretary

1) Call to Order:

Vice Chairman Ninteau called the May 19, 2016, regular meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:16 p.m.

2) Discuss and Act on Public Hearings:

- a) **#ZBA-16-5257:** Peter J. Springsteel Architect LLC, 105 Starr Street, Mystic, CT, 06355, applicant, Jennifer Granger & Kevin Kowalyshyn, P.O. Box 44, Andover, CT, 06232, owners, for property at 258 Lakeside Drive, Assessors Map 107, Lot 23. Request variance to replace existing one-story single family dwelling with two-story dwelling in same location.
(Continued from 4/21/2016.)

Chairman Walsh feels the request is a reasonable use of the land (same location, same number of bedrooms) and the repairs are necessary, which will enhance the neighborhood, not detract from it. The non-conformity is lessened by moving the structure 10 feet away from the north side property line while not changing the footprint.

Mr. Geligoff stated that he was not present at last month's meeting but did review all the documentation and is up to date with the application. He agrees with the chairman and feels that the situation remains the same or a bit better with the footprint unchanged, and agrees that the septic approval should be left to the Health Department.

Mr. Sczurek felt that the applicant is doing the best that they can in a poor situation to improve the property, while not encroaching any more on property setbacks.

Chairman Walsh noted that the board should be sensitive to all concerns, but that the board not be the decision maker for the other required department approvals.

Mr. Gardner has a concern that this is a brand new building with a septic system that should be brought up to code. Chairman Walsh suggested that Mr. Gardner's concerns be brought to the Health Department.

With no further discussion, Mr. Gardner made a motion to approve application #ZBA-16-5257, seconded by Mr. Sczurek. Motion unanimously approved.

3) Approval of Minutes of Previous Meetings:

- a) **Mr. Sczurek made a motion to approve the April 21, 2016 Special Meeting Minutes, Mr. Gardner seconded, and the Board unanimously voted to approve the minutes as presented. Motion unanimously approved. Abstained: D. Geligoff.**
- b) **Mr. Gardner made a motion to approve the April 21, 2016, Special Meeting Minutes, Mr. Sczurek seconded, and the Board unanimously voted to approve the minutes as presented. Motion unanimously approved. Abstained: D. Geligoff.**

4) Old Business: None.

5) New Business:

The board discussed modifying the current Record of Decision form and ZBA application to include additional language that addresses concerns of other departmental approvals required prior to securing a building permit. Chairman Walsh will provide draft language for the secretary to update the form and present at the next meeting.

6) Bills: None.

7) Correspondence: CFPZA newsletter on file.

8) Adjournment:

With no further business, Mr. Gardner made a motion to adjourn, Mr. Jerome Walsh seconded. Motion unanimously approved and meeting adjourned at 7:43 p.m.

Holli E. Pianka, Recording Secretary
May 25, 2016

(Minutes are unapproved as of transcription date.)