

**Town of Lebanon
Zoning Board of Appeals**

LEGAL NOTICE

The Town of Lebanon Zoning Board of Appeals held a public hearing on Thursday, August 20, 2009, for the following with decision rendered as indicated:

#679 – Frank Blakeslee, 471 Kick Hill Road, Lebanon, CT, 06249, applicant. Donna Lafontaine and Lynn Littlefield, owners, property at 386 Pigeon Swamp Road, Lebanon, CT, 06249. Variance from Section 5.2 to reduce the front yard setback on Pigeon Swamp Road, on a corner lot bounded by stone walls, from 50' required to 2' requested for construction of a 14' x 32' garage addition. ***(APPROVED WITH MODIFICATION—reducing front setback from 50' required to 6'.)***

Dated at Lebanon, CT
this 24th day of August, 2009.

Holli E. Pianka
Recording Secretary

UNAPPROVED AS OF TRANSCRIPTION DATE

**TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, August 20, 2009 ~ 7:30 p.m.
SPECIAL MEETING**

MINUTES

PRESENT: Jeffrey Walsh, Chairman
Michael Okonuk, Vice Chairman
Kenyon Gardner
Joyce Godere
Alicia Wayland
Lawrence Crowley, Alt.
Cheryl Straub, Stenographer
Holli Pianka, Recording Secretary

ABSENT: Donald Anderson, Alt.
Jerome Walsh, Alt.

1) Call to Order:

Chairman Walsh called the August 20, 2009, Special Meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:32 p.m.

2) Public Hearing for the following:

#679 – Frank Blakeslee, 471 Kick Hill Road, Lebanon, CT, 06249, applicant. Donna Lafontaine and Lynn Littlefield, owners, property at 386 Pigeon Swamp Road, Lebanon, CT, 06249. Variance from Section 5.2 to reduce the front yard setback on Pigeon Swamp Road, on a corner lot bounded by stone walls, from 50' required to 2' requested for construction of a 14' x 32' garage addition.

Chairman Walsh read the legal notice and the following exhibits were read into the record:

a) Two-page application; b) plot plan showing proposed garage addition; c) partial copy of assessor's Map 231, Lot 6; d) Assessor's street card for Map 231, Lot 6; e) abutter's list; f) certified mail receipts and return receipt cards (collectively).

Mr. Frank Blakeslee, applicant, was sworn in and spoke on behalf of the property owners. He stated the existing garage, located in the front yard, was built previously with an approved variance and the owners are now requesting approval for an addition on the existing structure to store recreation and garden equipment. He noted that steep slopes on the lot, wells at the bottom of the hill, and septic location would make construction elsewhere on the property difficult.

Ms. Wayland asked if the applicant/owners would consider modifying the request to maintain a 6' setback as approved in the original variance for the garage. Chairman Walsh stated that even 50' to 6' setback would be a large variance, but a 2' setback from the stonewall is a real concern.

Mr. Blakeslee stated that although the request was submitted for a 2' setback, the actual measurement is 4' from the center of the stonewall, and that the existing garage is 6' from the stonewall at the closest point. Ms. Wayland stated that eventually the road could be developed and that the stonewall is an intrinsic part of the character of the property and the town and it is better to maintain the 6' all the way down. She requests the variance should be modified to 6' setback from the stonewall. Chairman Walsh agreed with Ms. Wayland and noted that the Board would actually be granting an extension of a non-conforming use.

Ms. Lafontaine stated she has rebuilt the stonewalls on the property herself and asked if the stonewalls were not there, would there still be an issue? Chairman Walsh replied that the stonewall is not the issue, but how close the proposed addition is to the property line.

Discussion took place between Board members, applicant and owners on the necessity of the extra footage, and it was decided by the applicant and owners that the request for the variance be modified to 6'. Ms. Wayland motioned that the variance request be modified as discussed, the 2' setback being reduced to 6', Chairman Walsh seconded the motion, VOTE: Board approved unanimously.

Mr. Blakeslee asked the Board that if the variance were approved, could temporarily take down a section of the stonewall to get the building materials through and Chairman Walsh replied that if that is the case, it should not be a problem.

3) Adjournment:

There was no one present in the audience to speak either in favor or in opposition to the application and with no further testimony, Chairman Walsh motioned, Ms. Godere seconded, and the board unanimously voted to adjourn the special meeting at 7:56 p.m.

Holli E. Pianka, Recording Secretary
August 26, 2009

UNAPPROVED AS OF TRANSCRIPTION DATE

**TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, August 20, 2009 ~ 7:30 p.m.
REGULAR MEETING**

MINUTES

PRESENT: Jeffrey Walsh, Chairman
Michael Okonuk, V. Chairman
Kenyon Gardner
Joyce Godere
Alicia Wayland
Lawrence Crowley, Alt.
Holli Pianka, Recording Secretary

ABSENT: Donald Anderson, Alt.
Jerome Walsh, Alt.

1) Call to Order:

Chairman Walsh called the August 20, 2009, Regular Meeting of the Town of Lebanon Zoning Board of Appeals to order at 7.57 p.m.

2) Discuss and Act on Public Hearings:

#679 – Frank Blakeslee, 471 Kick Hill Road, Lebanon, CT, 06249, applicant. Donna Lafontaine and Lynn Littlefield, owners, property at 386 Pigeon Swamp Road, Lebanon, CT, 06249. Variance from Section 5.2 to reduce the front yard setback on Pigeon Swamp Road, on a corner lot bounded by stone walls, from 50' required to 2' requested for construction of a 14' x 32' garage addition.

The applicant varied their request at the Special Meeting to a reduction from 50' setback required to 6' setback requested. The Board discussed reasons for an approval, such as the steeply sloping lot and the request being consistent with the previous variance granted. Ms. Wayland motioned to approve, Vice Chairman Okonuk seconded and the Board unanimously voted to approve application #679.

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

3) Approval of Minutes of Previous Meetings:

- a) May 21, 2009 Special Meeting Minutes. Ms. Wayland motioned, Ms. Godere seconded, and the board unanimously voted to approve the minutes as presented.
- b) May 21, 2009 Regular Meeting Minutes. Ms. Wayland motioned, Ms. Godere seconded, and the Board unanimously voted to approve the minutes as presented

4) Old Business: None this evening.

5) New Business: None this evening.

6) Bills:

- a) Murtha Cullina LLP, Invoice #386490, \$360.00. Chairman Walsh motioned, Ms. Wayland seconded and the Board unanimously approved payment of this invoice.
- b) Murtha Cullina LLP, Invoice #387519, \$247.50. Chairman Walsh motioned, Ms. Wayland seconded and the Board unanimously approved payment of this invoice.
- c) CFPZA Annual Renewal, \$90.00. Ms. Wayland motioned, Ms Godere seconded and the Board unanimously approved payment of this invoice.

7) Correspondence:

Copies received of motions filed by both attorneys in appeal of application #678.

8) Adjournment:

With no further business, Ms. Godere motioned, Vice Chairman Okonuk seconded, and the Board unanimously voted to adjourn at 8:15 p.m.

Holli E. Pianka, Recording Secretary
August 26, 2009