

TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, July 16, 2015 ~ 7:00 p.m.

SPECIAL MEETING
MINUTES

PRESENT: Jeffrey Walsh, Chairman
Kenyon Gardner
Michael Nintean
Michael Okonuk
Keith Sczurek, Alt.

ABSENT: Kathy Dunnett, Alt., Jerome Walsh, Alt.

ALSO PRESENT: Cheryl Straub, Court Stenographer
Holli Pianka, Recording Secretary

1) Call to Order:

Chairman Walsh called the July 16, 2015, Special Meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:00 p.m. Alternate member Keith Sczurek was seated as regular voting member. Chairman Walsh introduced the Board and then read the legal notice.

2) Public Hearing for the following:

- a) **#ZBA-15-4641:** Amity Construction & Design, P.O. Box 907, Old Lyme, CT 06371, applicant, Deborah Vachon, 17 Norman Road, Lebanon, CT, 06249, owner, Assessors Map 250, Lot 17. Variance from Sec. 5.2 to reduce side yard setback from 10 feet required to 4.5 feet requested for addition of hatchway to single family residence.

The public hearing for application #ZBA-15-4641 was not opened for testimony due to all setback requests not being included in the application and published legal notice. The application will be re-noticed in the newspaper and the application will be heard at the next regularly scheduled meeting August 20, 2015.

- b) **#ZBA-15-4650:** Lenkiewicz Construction Co. LLC, 37 Bascom Road, Lebanon, CT, 06249, applicant, Robert & Janet Wislocki, 184 Lakeside Drive, Lebanon, CT, 06249, owners, Assessors Map 107, Lot 4. Variance from Sec. 5.2 to reduce front yard setback from 25 feet required to 18 feet and to reduce rear yard setback from 75 feet required to 50 feet to edge of the lake, and from Sec. 6.1 Nonconforming Uses, Buildings & Lots for height volume requested for construction of addition.

Chairman Walsh entered the following exhibits into the hearing record:

- a) Legal Notice; b) Two-page application; c) Copy of the property

description; d) Assessors Street Card Map 107, Lot 4; e) Assessors Map 107, Lot 4; f) Abutters list; g) Building plans; h) Plot plan dated 12/6/14 prepared by Thomas J. Benoit, Land Surveyor, Lebanon, CT; i) Certified mail receipts and return receipt cards (collectively).

David Lenkiewicz, 37 Bascom Road, Lebanon, CT, applicant, was sworn in to speak on behalf of the owners, Robert & Janet Wislocki, who were also present. Mr. Lenkiewicz submitted three (3) photographs of the existing structure and Chairman Walsh labeled as exhibits 'J', 'J-1' and 'J-2'. Mr. Lenkiewicz reviewed proposed plans for that include interior and exterior renovations to the existing cottage and raising the pitch of the roof to install a vaulted ceiling. There is an additional request to add a four foot foundation wall along the front side (bounding the road) of the house to enclose an 8 foot by 16 foot section over an existing sidewalk to square off the cottage. Mr. Lenkiewicz stated that the proposed renovations do not encroach on the setback to the lake any closer than what structurally exists now.

Chairman Walsh closed the public hearing for #ZBA-15-4650.

The sign was returned and Chairman Walsh returned the sign deposit check to Mr. Lenkiewicz.

- c) **#ZBA-15-4654:** Keith & Sue Caplet, 162 Geer Road, Lebanon, CT, 06249, owners, Assessors Map 272, Lot 25. Variance from Sec. 5.2 to reduce front yard setback from 50 feet required to 33 feet and to reduce side yard setback from 25 feet required to 21 feet requested for construction of an attached garage.

Chairman Walsh entered the following exhibits into the hearing record: a) Legal Notice; b) Two-page application with one-page attachment; c) Copy of the property description; d) Assessors Street Card Map 272, Lot 25; e) Assessors Map 272, Lot 25; f) Abutters list; g) Building plans; h) Plot plan dated 9/17/15 prepared by Thomas J. Benoit, Land Surveyor, Lebanon, CT; i) Certified mail receipts and return receipt cards (collectively).

Keith & Sue Caplet, 162 Geer Road, Lebanon, CT, owners, were sworn in. The Caplets submitted a photograph of the existing residence, labeled exhibit 'J'. Listed are the following items they viewed as hardships:

- 1) As they age, an attached garage offers safety from falls during the harsh winters;
- 2) Storage area and accessibility for a heavy duty snow blower on the ground level needed;
- 3) Not enough footage in the side yard to locate the garage;
- 4) Not enough room to construct an access driveway in the side yard in order to build and use a garage on the back of the house;
- 5) The best location to attach the garage is in front of the

house where the driveway exists. They believe that their house was built a farther distance from the road than the other houses in the same subdivision and the front wall of the new garage upon completion would then have approximately the same front yard setback as the other houses in the neighborhood.

Chairman Walsh discussed the proposed width of the garage and consideration of building a narrower garage so as not to encroach as much on the side setback. The Caplets stated that it was recommended by the contractors to go a minimum of 24 feet wide, and that 26 feet wide would allow adequate room for equipment storage. Members discussed another possible option of shifting the entire garage to the left, but the Caplets felt it would not work aesthetically, noting that their front door would be completely eliminated.

With no further discussion, Chairman Walsh closed the public hearing for application #ZBA-15-4654.

The sign was returned and Chairman Walsh returned the sign deposit check to Mr. Caplet.

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

3) Adjournment:

Kenyon Gardner made a motion to adjourn the special meeting, seconded by Michael Nintean. Motion unanimously approved and the meeting adjourned at 7:27 p.m.

Holli E. Pianka, Recording Secretary
July 23, 2015

(Minutes are unapproved as of transcription date.)

TOWN OF LEBANON
ZONING BOARD OF APPEALS
Thursday, July 16, 2015 ~ 7:00 p.m.

REGULAR MEETING
MINUTES

PRESENT: Jeffrey Walsh, Chairman
Kenyon Gardner
Michael Ninteau
Michael Okonuk
Keith Sczurek, Alt.

ABSENT: Kathy Dunnett, Alt., Jerome Walsh, Alt.

ALSO PRESENT: Holli Pianka, Recording Secretary

1) Call to Order:

Chairman Walsh called the July 16, 2015, regular meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:28 p.m.

2) Discuss and Act on Public Hearings:

- a) **#ZBA-15-4641:** Amity Construction & Design, P.O. Box 907, Old Lyme, CT 06371, applicant, Deborah Vachon, 17 Norman Road, Lebanon, CT, 06249, owner, Assessors Map 250, Lot 17. Variance from Sec. 5.2 to reduce side yard setback from 10 feet required to 4.5 feet requested for addition of hatchway to single family residence.

The public hearing was not opened and no testimony was heard for this application. The application was continued to the next scheduled special meeting on August 20, 2015.

- b) **#ZBA-15-4650:** Lenkiewicz Construction Co. LLC, 37 Bascom Road, Lebanon, CT, 06249, applicant, Robert & Janet Wislocki, 184 Lakeside Drive, Lebanon, CT, 06249, owners, Assessors Map 107, Lot 4. Variance from Sec. 5.2 to reduce front yard setback from 25 feet required to 18 feet and to reduce rear yard setback from 75 feet required to 50 feet to edge of the lake, and from Sec. 6.1 Nonconforming Uses, Buildings & Lots for height volume requested for construction of addition.

The proposed roof pitch increase will be in compliance with the current zoning height requirement and other renovations to the existing structure will not encroach any further on all existing setbacks. It was the consensus of the board that granting the variance would have no adverse effect on the town's overall plan of zoning.

With no further discussion, Michael Okonuk made a motion to approve application #ZBA-15-4650, seconded by Kenyon Gardner. Motion unanimously approved.

- c) **#ZBA-15-4654:** Keith & Sue Caplet, 162 Geer Road, Lebanon, CT, 06249, owners, Assessors Map 272, Lot 25. Variance from Sec. 5.2 to reduce front yard setback from 50 feet required to 33 feet and to reduce side yard setback from 25 feet required to 21 feet requested for construction of an attached garage.

Chairman Walsh felt the applicant had a reasonable argument (given in the applicant's earlier testimony) that the property was unique in that the other houses in the neighborhood all have a closer front setback than the applicant's and that the side yard variance request is minimal. Some members agreed that shifting the garage addition to the left would leave the house without a front door, changing the whole function and appearance of the structure.

Kenyon Gardner made a motion to approve application #ZBA-15-4654, seconded by Keith Sczurek. Motion unanimously approved.

3) Approval of Minutes of Previous Meetings:

- a) Jeff Walsh made a motion to approve the May 21, 2015 Regular Meeting Minutes, Michael Okonuk seconded, and the Board unanimously voted to approve the minutes with the following correction: Page 1, change "10 to 12 foot wide inlet" to "narrow inlet". Motion unanimously approved.

4) Old Business: None.

5) New Business: None.

6) Bills: None.

7) Correspondence: None.

8) Adjournment:

With no further business, Kenyon Gardner made a motion to adjourn, Michael Okonuk seconded. Motion unanimously approved and meeting adjourned at 8:46 p.m.

Holli E. Pianka, Recording Secretary
July 23, 2015

(Minutes are unapproved as of transcription date.)