

**TOWN OF LEBANON
ZONING BOARD OF APPEALS**

Thursday, April 15, 2021 ~ 7:00 p.m.

**SPECIAL MEETING / PUBLIC HEARING
Fire Safety Complex**

MINUTES

PRESENT: Jeffrey Walsh, Chairman
David Geligoff, Vice Chairman
Keith Sczurek
Michael Nintean, Alt.
Jerome Walsh, Alt.

ABSENT: M. Decaprio, D. Skaats, P. Ziel, Alt.

- 1) Call to Order:
Chairman Walsh called the April 15, 2021, Special Meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:02 p.m. He read the legal notice into the hearing record and introduced the members of the board. Jerome Walsh was seated as voting member for Donna Skaats and Michael Nintean was seated for Mark DeCaprio.
- 2) Public hearings for the following:
 - a) **#ZBA-21-3:** Richard and Cynthia Cipriani, 387 South Main Street, Wallingford, CT, 06492 (owners), for property at 44 Deepwood Drive, Lebanon, CT, 06249, Assessors Map 103, Lot 88. Variance from Section 5.2 to reduce the required 75 feet setback from the lake to 55 feet requested to construct dormer addition.

Chairman Walsh made note of correction to the List of Exhibits: Item 'D' and 'E' to reflect Map 103 Lot 88.

Chairman Walsh opened the public hearing and entered the following exhibits into the hearing record: a) Legal Notice; b) Two-page application; c) Copy of deed; d) Assessors Street Card, Map 103, Lot 88; e) Assessors Map 103, Lot 88; f) Existing site plan; g) Proposed plans; h) Existing plans; i) Abutter's List; i) Certified mail receipts, proof of mailing (collectively).

Richard and Cynthia Cipriani (owners) were present and sworn in. Mr. Cipriani spoke on the application, describing the property as a small lot on which exists a year-round house on piers, with no basement, no garage and no storage. He noted that the dormer will be constructed on one side only with the height of the dormer being the same as the roof ridgeline. There will be a bedroom and staircase in the dormer area. Mrs. Cipriani said that they will consider living in the house upon retiring and will not be expanding the footprint of the dwelling. She stated that they have not received any objections from neighbors.

Chairman Walsh said that although a valid hardship must be presented for variance applications, he felt that this is a bare minimum change being requested and believes that there is little impact to the overall plan of zoning, by expanding volume only and not increasing the distance of the structure to the lake.

There was no further discussion and no one else present to speak either in favor or in opposition to the application.

- b) **#ZBA-21-2:** Benedict Gonzalez (owner), 90 Congdon Road, Lebanon, CT, 06249, Assessor Map 283, Lot 34. Variance from Section 5.2 to reduce both front yard setbacks from 50 feet required to 40 feet on Diane Road and 50 feet required to 30 feet on Congdon Road, requested for construction of addition.

Chairman Walsh opened the public hearing and entered the following exhibits into the hearing record: a) Legal Notice; b) Two-page application with one-page attachment; c) Copy of deed; d) Assessors Street Card, Map 283, Lot 34; e) Assessors Map 283, Lot 88; f) Existing site plan; g) Proposed site plan; h) Proposed elevation views; i) Existing floor plans; j) proposed floor plans k) Abutter's List; l) Certified mail receipts, proof of mailing (collectively).

Benedict Gonzalez (owner) and Mrs. Aga Gonzalez were sworn in to speak on the application. Mrs. Gonzalez described the purpose of the addition is to add an accessory living unit for Mr. Gonzalez's mother. She feels that the hardship is created by the property being an odd shaped lot and also being limited by two front setbacks on a corner lot. Also, the septic is located on the East side and wetlands and a stream are to the north side. In considering the addition on the rear side, a porch is located there now which would need to be removed and the location does not work well with the interior plan. Mr. Gonzalez noted that an attached lean-to will be demolished and this square footage will be utilized for the addition. The overall height will be 23 feet and the second floor will serve as two bedrooms for the main dwelling. He feels that the footprint is not changing significantly. Mrs. Gonzalez stated that the area is well developed, neighbors have been supportive, and they have not received any objections to the proposed plan.

Mr. Gonzalez feels that they will not use the full 10 feet requested on the Congdon Road side. He added that the side property lines are at an angle and expand out on each side toward the back of the lot.

There was no further discussion and no one else present to speak either in favor or in opposition to the application.

- 3)** Adjournment:
Mike Nintean made a motion, seconded by Jerome Walsh, to close the special meeting and public hearing. Motion was approved unanimously, and the meeting was adjourned at 7:37 p.m.

**Respectfully Submitted,
Holli E. Smith, Recording Secretary
April 21, 2021**

Please see minutes of subsequent meetings for approval of these minutes and any corrections hereto.

**TOWN OF LEBANON
ZONING BOARD OF APPEALS**

Thursday, April 15, 2021 ~ 7:00 p.m.

**REGULAR MEETING
Fire Safety Complex**

MINUTES

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

ABSENT: M. Decaprio, D. Skaats, P. Ziel, Alt.

- 1) Call to Order:
Chairman Walsh called the April 15, 2021, regular meeting of the Town of Lebanon Zoning Board of Appeals to order at 7:38 p.m.
- 2) Discuss and Act on Public Hearings:
 - a) **#ZBA-21-3:** Richard and Cynthia Cipriani, 387 South Main Street, Wallingford, CT, 06492 (owners), for property at 44 Deepwood Drive, Lebanon, CT, 06249, Assessors Map 103, Lot 88. Variance from Section 5.2 to reduce the required 75 feet setback from the lake to 55 feet requested to construct dormer addition.

Members discussed why a variance was necessary for this application. Chairman Walsh referred to zoning regulation 6.1a.1)(b), and explained that when increasing volume to the dwelling and the construction area is within the required setback to the lake, a variance is required.

It was the consensus of the commission that this request has minimal effect on the overall plan of zoning. There was no further discussion.

A motion to approve application ZBA-21-3 was made by Jerome Walsh, seconded by M. Ninteau, Vote: In favor (5) J. Walsh, D. Geligoff, M. Ninteau, K. Sczurek, Jerome Walsh. Opposed (0) Motion approved unanimously.

The sign was returned and Chairman Walsh returned the sign deposit check to Mr. Cipriani. Chairman Walsh read the notice regarding the appeal of decision according to the Connecticut General Statutes Sec. 8-8.

- b) **#ZBA-21-2:** Benedict Gonzalez (owner), 90 Congdon Road, Lebanon, CT, 06249, Assessor Map 283, Lot 34. Variance from Section 5.2 to reduce both front yard setbacks from 50 feet required to 40 feet on Diane Road and 50 feet required to 30 feet on Congdon Road, requested for construction of addition.

Members discussed the addition being too large and too close to Congdon Road, expanding a non-conforming use. Also, discussion on applicant possibly moving the addition back 3 feet to be in line with the existing structure. Mr. & Mrs. Gonzalez requested a continuance in order to provide amended plans.

A motion was made by M. Nintean, seconded by Jerome Walsh, to continue the public hearing for application #ZBA-21-2 to May 20, 2021 to give the applicant time to present an optional plan for the board to act on next month. Motion unanimously approved.

- 3) Approval of Minutes of Previous Meetings:
- a) D. Geligoff made a motion to approve the March 18, 2021 Special Meeting Minutes as presented, M. Nintean seconded. Motion unanimously approved. Abstained: K. Sczurek, Jerome Walsh.
 - c) D. Geligoff made a motion to approve the March 18, 2021 Regular Meeting Minutes as presented, Chairman Walsh seconded. Motion unanimously approved. Abstained: K. Sczurek, Jerome Walsh
- 4) Old Business: None.
- 5) New Business: None.
- 6) Bills: None.
- 7) Correspondence: None.
- 8) Adjournment:
With no further business, D. Geligoff made a motion to adjourn, Jerome Walsh seconded. Motion unanimously approved and meeting adjourned at 8:07 p.m.

**Respectfully Submitted,
Holli E. Smith, Recording Secretary
April 21, 2021**

Please see minutes of subsequent meetings for approval of these minutes and any corrections hereto.