

**CITY OF NORWICH
ZONING BOARD OF APPEALS**

March 9, 2021

Regular Meeting Minutes

The regular meeting of the City of Norwich Zoning Board of Appeals was called to order at 7:07 p.m. Roll call was taken.

PRESENT: Marc Benjamin, Chairman
Robert Phoenix
Dorothy Travers
David Martin
Peter Cuprak

ABSENT: Gregory Schlough

OTHERS: Richard Shuck, Zoning Enforcement Officer, and Katherine Rose,
Recording Secretary

Marc Benjamin called the meeting to order at 7:06 p.m. Marc Benjamin stated all seated members would be voting on all matters.

A. COMMUNICATIONS: None.

B. ACCEPTANCE OF MINUTES: Robert Pheonix made a motion to accept the minutes of Tuesday February 9, 2021. Dorothy Travers seconded. Robert Phoenix, Dorothy Travers, David Martin and Peter Cuprak voted in favor. Marc Benjamin abstained. The motion passed.

C. OLD BUSINESS: None.

D. NEW BUSINESS:

1. **Continuation - V# 21-02 – 54 McClellan Ave.** Application of Richard Rushford for property located at 54 McClellan Ave. in the R-40 Zoning District. Assessor's Map# 78, Block# 1, Lot# 63, Request a variance of sec. 1.1, Residential Bulk Requirements, to reduce the side yard setback from 30 ft. to 10 ft. to allow for the construction of a carport on the west property line. Owner, Richard Rushford

Richard Shuck read Exhibits A - J into the record.

Richard Rushford, property owner, stated he is looking to install a carport for his boat which he cannot fit within the 30 ft. setback due to the down sloping contour of property and stated that there is not another viable location for the carport. Richard Shuck explained that the proposed

structure would be to the left side of the front of the home. Robert Phoenix asked for clarification on why the carport could not be placed in another location per the recommendation in the memo from the City's Zoning Department to the applicant. Richard Rushford explained that his proposed location is the only feasible spot due to an existing tree and other obstructions.

Robert Phoenix made a motion to close public hearing at 7:24PM. Dorothy Travers seconded. The motion passed unanimously.

E. DISCUSSION AND POSSIBLE DECISIONS:

- 1. V# 21-02 – 54 McClellan Ave.** Application of Richard Rushford for property located at 54 McClellan Ave. in the R-40 Zoning District. Assessor's Map# 78, Block# 1, Lot# 63, Request a variance of sec. 1.1, Residential Bulk Requirements, to reduce the side yard setback from 30 ft. to 10 ft. to allow for the construction of a carport on the west property line. Owner, Richard Rushford

Dorothy Travers made a motion to approve the application due to the hardship of the land's topography and existing obstructions. Peter Cuprak seconded. David Martin stated he felt as though there was a reasonable location where the carport would start at the rear of the home to allow the structure without a variance. Peter Cuprak stated he agreed with David Martin's point but noted that it was a rural property and the variance proposed no negative harm to the area as it is a carport and not a garage. Marc Benjamin noted upon approval of the variance the potential for a garage in the future would be permitted. Robert Phoenix stated he agreed with David Martin in that minimal fill would be required to even the grade of the proposed structure to meet requirements without a variance. Marc Benjamin agreed with David Martin and Robert Phoenix in that the structure does not need to be pushed forward, as requested, in order to comply with zoning regulations. Dorothy Travers and Peter Cuprak voted in favor. Robert Phoenix, David Martin and Marc Benjamin voted in opposition. The motion failed and the variance was denied.

F. OTHER MATTERS: None.

G. ADJOURNMENT: Robert Phoenix made a motion to adjourn at 7:35 PM. Dorothy Travers seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted,
Katherine Rose
Recording Secretary