

CITY OF NORWICH ZONING BOARD OF APPEALS
July 13, 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: Peter Cuprak
Dorothy Travers
Gregory Schlough
Robert Phoenix

ABSENT: Marc Benjamin, Chairman
David Martin

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

Dorothy Travers made a motion to seat Gregory Schlough as chair for the meeting. Peter Cuprak seconded. All voted in favor. The motion passed unanimously.

Gregory Schlough called the meeting to order at 7:14 p.m. Gregory Schlough stated all seated members would be voting on all matters.

A. COMMUNICATIONS: None.

B. ACCEPTANCE OF MINUTES: Robert Phoenix made a motion to accept the June 14, 2021 minutes. Dorothy Travers seconded. Gregory Schlough abstained. The motion passed.

C. OLD BUSINESS: None.

D. NEW BUSINESS:

Richard Shuck read the public hearing notice into the record.

- 1. Continued - V# 21-07: Myrtle Drive (Property is located off of Myrtle Drive, Dominican Dr., & Wisconsin Ave.):** Request for Use Variance to ZR Sec. 4.1.1, Conformity Requirements; to permit use of the property for development of up to 80 apartments in the Business Park Zone. Property of The Estate of Margaret Stanley. Application of Alexander Gebbie, Ever Real Properties, LLC., Assessors Map #21, Block #1 Lots #5, 5.1, 5.2, & 5.RD, BP Zone Property is located off of Myrtle Drive, Dominican Dr., & Wisconsin Ave.

Gregory Schlough stated he was not in attendance at the past meeting but reviewed the information regarding this application thoroughly. No members had any objections.

Richard Shuck stated that Attorney Block, on behalf of the applicant, requested the application be postponed to another meeting when there are more than four members in attendance.

Dorothy Travers made a motion to continue the application until the next scheduled meeting. Robert Phoenix seconded. All members voted in favor. The motion passed unanimously.

2. **V# 21-09: 129 New London Tpke.:** Request Variance to ZR Sec. 1.1, Residential Bulk Requirements; to reduce the side yard setback from 30 ft. to 1 ft. and the front yard setback from 50 ft. to 40 ft., to permit the construction of a 16 ft. by 25 ft. addition and construction of a 10 ft. x 18 ft. deck. Application of: T.W. Gallimore / Mattern Construction, Property of Richard M. Brown Sr. & Jenitza Brown Assessors Map #83, Block #1 Lots #23, R-40 Zone

Richard Shuck read Exhibits A - I into the record.

Tim Gallimore, Senior Project Manager at Mattern Construction of 28M Bushnell Hollow Road in Baltic, stated that the property owner is a disabled veteran and that the VA had contacted him to provide an accessible living space on the first floor, but the existing property currently did not conform to existing zoning regulations. Tim Gallimore stated they are looking to add an addition on the first floor that falls outside of setback lines and that they designed a side addition versus a rear addition because anything in the rear would encroach on the existing septic and would run into the existing rear setback line. Discussion ensued regarding the location of the septic tank. Robert Phoenix stated the design indicated there was a 17 foot distance between the existing home and side property line and questioned that given this are they seeking to build the deck 16 feet wide. Tim Gallimore responded they were seeking to install whatever the committee would grant but would like to build a 16 by 25 that would match the existing width of the house to accommodate a bedroom and handicap accessible bathroom in that space. Robert Phoenix stated his concern would be attempting to maintain the property in that area as they could not expect neighbors to accommodate a right of way for maintenance and questioned if those potentials were discussed with the neighboring property owner. Tim Gallimore stated that the neighbor did not object to the abutter's letter that was sent out.

Richard Brown of 129 New London Turnpike stated he was happy to be working with Tim Gallimore to get an accessible bathroom and bedroom.

Richard Shuck stated in regards to the project that more accessible improvements were being made and that other improvements such as a

ramp will occurred that did not require a variance. Tim Gailmore added that the presented plans were conceptual and that Mattern had met with an architect for ideas but that the project would meet all building regulations as things progressed.

Robert Phoenix made a motion to close the public hearing. Dorothy Travers seconded. All voted in favor. The motion passed unanimously.

E. DISCUSSION AND POSSIBLE DECISIONS:

1. **Continued - V# 21-07: Myrtle Drive (Property is located off of Myrtle Drive, Dominican Dr., & Wisconsin Ave.):** Request for Use Variance to ZR Sec. 4.1.1, Conformity Requirements; to permit use of the property for development of up to 80 apartments in the Business Park Zone. Property of The Estate of Margaret Stanley. Application of Alexander Gebbie, Ever Real Properties, LLC., Assessors Map #21, Block #1 Lots #5, 5.1, 5.2, & 5.RD, BP Zone Property is located off of Myrtle Drive, Dominican Dr., & Wisconsin Ave.

The application was tabled until the next scheduled meeting.

2. **V# 21-09: 129 New London Tpke.:** Request Variance to ZR Sec. 1.1, Residential Bulk Requirements; to reduce the side yard setback from 30 ft. to 1 ft. and the front yard setback from 50 ft. to 40 ft., to permit the construction of a 16 ft. by 25 ft. addition and construction of a 10 ft. x 18 ft. deck. Application of: T.W. Gallimore / Mattern Construction, Property of Richard M. Brown Sr. & Jenitza Brown Assessors Map #83, Block #1 Lots #23, R-40 Zone

Robert Phoenix made a motion to approve the application as presented. Peter Cuprak seconded. Robert Phoenix stated he did not feel the request was a burden to the community and would be keeping with the style of the neighborhood. Robert Phoenix continued that the hardship was the inability to build anywhere else on the property. Dorothy Travers agreed and discussed the challenges of the property. Peter Cuprak was also in agreement. All voted in favor. The motion passed unanimously.

F. STAFF UPDATES: None.

- G. ADJOURNMENT:** A motion was made by Robert Phoenix to adjourn at 7:50 PM. Dorothy Travers seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted,
Katherine Rose
Recording Secretary