

**Borough of Fenwick
Zoning Board of Appeals
Public Hearing and Special Meeting – July 30, 2015**

The Special Meeting of the Borough of Fenwick Zoning Board of Appeals was held on Thursday, July 30, 2015 at 5:00 p.m. at 4 Nibang Avenue.

MEMBERS PRESENT: Robert Gay, Laurie Goldsmith, Peter Brainard, Becki Renshaw (Alternate), Bill Walton (Alternate).

MEMBERS ABSENT: Martha Staniford, Kathy Berluti.

OTHERS PRESENT: Marilyn Ozols, ZEO; Sabrina Foulke.

1. Call to Order.

Chairman Gay called the meeting to order at 5:01 p.m. and seated B. Renshaw and B. Walton as voting members.

2. Election of Officers.

On a motion by B. Walton, Bob Gay was nominated for Chairperson. L. Goldsmith seconded the nomination and **Bob Gay was unanimously elected Chairperson.**

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

On a motion by B. Gay, Peter Brainard was nominated for Vice Chairperson. L. Goldsmith seconded the nomination and **Peter Brainard was unanimously elected Vice Chairperson.**

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

On a motion by B. Gay, **Martha Staniford** was nominated for Secretary. B. Renshaw seconded the nomination and **Martha Staniford was unanimously elected Secretary.**

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

3. Public Hearing: ZBA 15-003. 3 Old Fenwick Road, map 5, lot 107. John Gagne and Elizabeth Plonka, owners; Sabrina Foulke, applicant; request for variance of Section 5.3.1 (16.5' front yard) and Sections 8.5/8.6 (no increase in nonconformity) to permit replacement and enlargement of front entry stoop 13.7' from front property line. Coastal Site Plan Review required.

Sabrina Foulke, architect, presented. She stated that the existing front steps are over the setback line; they had tried to stay within the existing encroachment but when the Historic District Commission requested that they address the front façade with increased design features at the front entry, the depth of the stoop increased to accommodate the columns. Members clarified that the existing house has no canopy, that the columns are about 3 feet from the front façade, and that the increased encroachment is the equivalent of one additional step. It was noted that although three variances are requested, they all relate to the stoop encroachment because it enlarges the already nonconforming steps. The house was built in 1967 and the front yard slopes down. The steps do not meet current building code requirements and must be brought into compliance as part of the proposed project; this requires that an additional step be added.

S. Foulke stated that they were able to keep the coverage under 15% and comply with all other zoning requirements, but given the location of the house, they could not bring the steps into compliance without adding a step and increasing the encroachment.

P. Brainard asked what the unique characteristic is that would justify a variance. S. Foulke stated that it is the preexisting location of the house on the lot with the front façade only 19.8 feet from the front property line; if the house had been more centrally located on the lot, they would not have needed a variance. B. Gay added that the issue is the existing nonconforming front porch which does not comply with building code and is not safe.

There being no members of the public present and no further comment, Chairman Gay closed the hearing for this application.

4. Possible decision: ZBA 15-003: 3 Old Fenwick Avenue.

A motion was made by B. Walton to grant variances of Section 5.3.1 (16.5' front yard) and Sections 8.5/8.6 (no increase in nonconformity) to permit the replacement and enlargement of the front entry stoop 13.7' from the front property line for application ZBA15-003 as shown on the plans submitted. The motion was seconded by L. Goldsmith.

The Board discussed the motion with P. Brainard stating that there does not seem to be any other way to address what is actually a minor issue relating to the main entrance of the house, and B. Gay noting that the only other option would be to move the whole house back on the lot which would be absurd. Members further reviewed the site plan and elevation drawings before the vote was called.

Based on the discussion during and after the hearing, **the motion was approved unanimously.**

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

A motion was made by B. Renshaw to find the application consistent with the goals and policies of the Connecticut Coastal Management Act. The motion was seconded by L. Goldsmith, and approved unanimously.

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

The record plans are:

- *Site Development Plan, Property of John Gagne & Elizabeth Plonka, 3 Old Fenwick Road, Borough of Fenwick* by Angus McDonald, Gary Sharpe & Associates, dated May 27, 2015, revised through 7/13/15.
- *Plonka + Gagne Residence, 3 Old Fenwick Road, Old Saybrook, CT* by Point One Architects
 - Architectural Site Plan dated 3.13.15, revised 5.26.15
 - *Proposed Elevations* (north and east) revised 7.22.15
 - *Proposed Elevations* (south and west) revised 7.22.15

5. Approval of Minutes: March 29, 2015.

B. Renshaw moved to approve the minutes of the March 29, 2015 special meeting as submitted. B. Walton seconded the motion and it was approved unanimously.

The motion carried, 5-0-0.

IN FAVOR: Gay, Brainard, Goldsmith, Walton, Renshaw

OPPOSED: none

ABSTAINED: none

6. Old Business / Other Business.

B. Gay noted that there is currently an alternate vacancy on the Board and asked members to consider who might be approached about filling that vacancy. It was noted that the Special Act legislation that expands elector qualifications became effective when the governor signed it earlier in the month so more people are now eligible to serve.

Members requested a training session be scheduled once the vacancy is filled and that a land use attorney be asked to do the presentation.

7. Adjournment.

B. Gay moved to adjourn the meeting at 5:30 p.m. P. Brainard seconded the motion and it was approved unanimously.

Respectfully submitted,

Marilyn M. Ozols
Acting Recording Secretary