

# ZONING BOARD OF APPEALS

TOWN OF CLINTON  
54 East Main Street  
Clinton, Connecticut 06413

## MOTIONS

Regular Monthly Meeting  
January 16, 2019

Doerrer **MOVED** to close the public hearing for ZBA18-024 & CAM: 69 Shore Road, Rocky Ross (Applicant & Owner). Application for Certificate of Variance of Section 26.10.8 (Setback Other Than a Front or Rear Setback): 2 requests for a replacement residence with attached garage. Assessor's Map 79 Block 72 Lot 69. Zone: R-10. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrer, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to close the public hearing for ZBA 18-025: 14 Watrous Road, Mingyin Lee Holt (Applicant & Owner). AS TO ONLY the Application for Certificate of Variance of Sections 26.10.6 (Front Setback): 3 requests. 26.10.8 (Setback Other than a Front or Rear Setback) and 29.2.1 (Expansion of a Non-Conforming Structure) to raise the existing roofline to create living space in an attic space. Assessor's Map 3 Block 2 Lot 166. Zone: R-80. Doerrer seconded the motion. Discussion: none. Voting in favor: Richards, Doerrer, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to close the public hearing for ZBA 18-026: 47 Hammonasset Avenue, Cedar Island, Matthew McKay (Applicant & Owner). Application for Certificate of Variance of Sections 26.10.6 (Front Setback), 26.10.8 (Setback Other than a Front or Rear Setback) and 29.2.1 (Expansion of a Non-Conforming Structure) for the construction of stairs with landings. Assessor's Map 57 Block 73 Lot 47. Zone: R-10. Doerrer seconded the motion. Discussion: none. Voting in favor: Richards, Doerrer, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to close the public hearing for ZBA 18-027: 3 Sandy Brook Road Apt. #2, Michael W. Tripp (Applicant) Estate of Barbara Heath (Unit Owner) Sandy Brook Estates Condominium Association (Property Owner). Application for Certificate of Variance of Section 26.8.2 (Tidal Wetland Buffer) for the installation of an above-ground Liquid Propane Storage Tank. Assessor's Map 54 Lot 54 Block 3-3. Zone: R-20. Doerrer seconded the motion. Discussion: none. Voting in favor: Richards, Doerrer, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

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Schmitz **MOVED** to close the public hearing for ZBA 18-029 & CAM: 3 West Road, Paul O'Donnell (Applicant & Owner). Application for Certificate of Variance of Section 26.10.6 (Front Setback), 26.10.14 (Maximum Ground Coverage) and 29.2.1 (Expansion of a Non-Conforming Structure), to rise the existing roof to convert attic space to living space. Assessor's Map 69 Block 66 Lot 38. Zone: R-10. Doerrler seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** to grant as requested ZBA18-024: 69 Shore Road, Rocky Ross (Applicant & Owner). Application for Certificate of Variance of Section 26.10.8 (Setback Other Than a Front or Rear Setback): 2 requests for a replacement residence with attached garage. Assessor's Map 79 Block 72 Lot 69. Zone: R-10, the hardship demonstrated being the reduction in non-conformities will be a net improvement to the property. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** that the CAM application for ZBA 18-024 & CAM: 69 Shore Road, Rocky Ross (Applicant & Owner) Assessor's Map 79 Block 72 Lot 69. Zone: R-10, be approved as submitted; consistent with all applicable coastal polices and includes all reasonable measures to mitigate adverse impacts. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** to grant as requested ZBA 18-025: 14 Watrous Road, Mingyin Lee Holt (Applicant & Owner). Application for Certificate of Variance of Sections 26.10.6 (Front Setback): 3 requests. 26.10.8 (Setback Other than a Front or Rear Setback) and 29.2.1 (Expansion of a Non-Conforming Structure) to raise the existing roofline to create living space in an attic space. Assessor's Map3 Block 2 Lot 166. Zone: R-80, the hardship demonstrated being the site is very small for the R-80 zone, the site and structure pre-date zoning and the structure is in dire need of renovation. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to grant as requested ZBA 18-026: 47 Hammonasset Avenue, Cedar Island, Matthew McKay (Applicant & Owner). Application for Certificate of Variance of Sections 26.10.6 (Front Setback), 26.10.8 (Setback Other than a Front or Rear Setback) and 29.2.1 (Expansion of a Non-Conforming Structure) for the construction of stairs with landings. Assessor's Map 57 Block 73 Lot 47. Zone: R-10, the hardship

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demonstrated being the site and structure pre-date zoning, the structure is legal non-conforming and the need to meet the FEMA Regulations. Doerrler seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** to grant as requested ZBA 18-027: 3 Sandy Brook Road Apt. #2, Michael W. Tripp (Applicant) Estate of Barbara Heath (Unit Owner) Sandy Brook Estates Condominium Association (Property Owner). Application for Certificate of Variance of Section 26.8.2 (Tidal Wetland Buffer) for the installation of an above-ground Liquid Propane Storage Tank. Assessor's Map 54 Lot 54 Block 3-3. Zone: R-20, the hardship demonstrated being the tidal and inland wetlands and the tidal wetland buffer was established after the structure was built subject to the following condition:

1. Written approval for the project must be received from the condominium association.

Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** to grant as requested ZBA 18-029 & CAM: 3 West Road, Paul O'Donnell (Applicant & Owner). Application for Certificate of Variance of Section 26.10.6 (Front Setback), 26.10.14 (Maximum Ground Coverage) and 29.2.1 (Expansion of a Non-Conforming Structure), to rise the existing roof to convert attic space to living space. Assessor's Map 69 Block 66 Lot 38. Zone: R-10, the hardship demonstrated being the site and structure pre-existing the zoning regulations, the structure is legal non-conforming as to setbacks and the proposed variance requests were overlooked during the preparation of the recent variances which were granted. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrler **MOVED** that the CAM application for ZBA 18-029 & CAM: 3 West Road, Paul O'Donnell (Applicant & Owner). Assessor's Map 69 Block 66 Lot 38. Zone: R-10, be approved as submitted; consistent with all applicable coastal polices and includes all reasonable measures to mitigate adverse impacts. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrler, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** that the Minutes of the December 12, 2018 Special Meeting and December 12, 2018 Regular Monthly Meeting to accepted and approved as

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presented. Stone seconded the motion. Discussion: none. Voting in favor: Richards, Doerrerr, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Doerrerr **MOVED** to add to the agenda, Adoption of 2017/2018 Zoning Board of Appeals Annual Report. Schmitz seconded the motion. Discussion: none. Voting in favor: Richards, Doerrerr, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to adopt the 2017/2018 Zoning Board of Appeals Annual Report as presented. Doerrerr seconded the motion. Discussion: none. Voting in favor: Richards, Doerrerr, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Schmitz **MOVED** to adjourn the meeting. Doerrerr seconded the motion. Discussion: none. Voting in favor: Richards, Doerrerr, Schmitz, Walter and Stone. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0. Noonan was not seated.

Respectfully submitted,  
*Sherry Lee Hynes*  
Sherry Lee Hynes, Clerk

E-mail: Town Clerk  
Board of Selectmen  
Posted: Website