

OCTOBER 6, 2014 EASTON ZONING BOARD OF APPEALS MINUTES

The meeting was called to order at approximately 5:35pm by Chairman John Harris.

Regular members present - Dr. Mitchell Greenberg, Victor George, Patricia Berlin,
Charles Lynch and John Harris

Alternate members present - Gregory Alves

Alternate members absent - Raymond Ganim and Thomas Dollard

For the record – Alternate Member Gregory Alves was appointed to vote for Victor George until he arrived at approximately 5:40pm.

1. Appointments: None
2. **Public Hearing:** Application **Z-14-4855-06, John H. Stowe, Jr. and Joanne Stowe, 149 Everett Road, Easton, CT,** for a variance of Article 5, Sect./Para. 5.4.1, Article 8, Sect./Para. 8.2.2 and Sect./Para. 8.4 of the Easton Zoning Regulations in order to allow for the reconstruction and expansion of a non-conforming dwelling destroyed by fire, 12.8' in lieu of 40' side yard setback and 33.7' in lieu of 50' front yard setback and 54.4' in lieu of 75' from the center line of Everett Road. The Chairman read the legal notice for the public hearing and stated the procedure to be followed for the public hearing.

Victor George arrived and was now a voting member.

John Stowe, Jr. presented the application. Also present at the meeting was his architect, James Reilly, and his wife, Joanne Stowe. Mr. Stowe stated that his house was destroyed by fire and that he was rebuilding it; he wanted to square the house off with a small addition and add a foyer and front porch. Mr. Stowe stated that the lot was less than the minimum size three acre lot at .71 acres. Mr. Stowe also stated that the house was less than the minimum standard for a two story dwelling in Easton, 1,000SF for the first floor and 600 on the second floor. It was noted that the square footage had been 975SF for the first floor and 350 for the second, and that the additions would bring it up to conformity with 1096SF for the first floor and 602SF for the second floor. Mr. Stowe also noted that he had not begun construction of replacement of the house within the required six months under Section 8.4, as they had only reached a partial agreement with the insurance company in September of 2014.

No one from the public spoke for or against the application for variance. The public hearing was closed.



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TOWN CLERK EASTON CT

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2. **Public Hearing** (continued)

On Application **Z-14-4855-06, John H. Stowe, Jr. and Joanne Stowe, 149 Everett Road, Easton, CT**, for a variance of Article 5, Sect./Para. 5.4.1, Article 8, Sect./Para. 8.2.2 and Sect./Para. 8.4 of the Easton Zoning Regulations in order to allow for the reconstruction and expansion of a non-conforming dwelling destroyed by fire, 12.8' in lieu of 40' side yard setback and 33.7' in lieu of 50' front yard setback and 54.4' in lieu of 75' from the center line of Everett Road, motion was made by Charles Lynch, seconded by Victor George, to grant the application for variance as presented as the lot was pre-existing non-conforming as was the dwelling being replaced which was lost due to fire and the proposed additions would bring the dwelling into conformity as to square footage. It was noted that the insurance company had only recently partially settled the claim for the dwelling lost to fire. The vote was only two in favor with three opposed. The motion failed to carry.

Motion was made by Victor George, seconded by Patricia Berlin, to **approve with condition** your variance to the Easton Zoning Regulations, of Article 5, Sect./Para. 5.4.1, Article 8, Sect./Para. 8.2.2 and Sect./Para. 8.4 of the Easton Zoning Regulations in order to allow for the reconstruction and expansion of a non-conforming dwelling destroyed by fire, 12.8' in lieu of 40' side yard setback and with the following condition: that there be no expansion of the existing front setback, **35.3'** in lieu of 50' front yard setback and **56'** in lieu of 75' from the center line of Everett Road; the porch will be reconfigured to not further encroach on the front setback. This application for variance was approved with the specified condition based on the facts that this lot is pre-existing nonconforming, .71 acres in a 3 acre zone, the existing house is currently located in the side and front setback, the insurance claim was only recently partially settled and the proposed additions will bring the dwelling up to the minimum standard for a two story dwelling in Easton, 1,000SF on the first floor and 600SF on the second floor. The vote was four in favor with one opposed (Charles Lynch). Motion carried.

3. **Minutes:** Minutes for September 3, 2014

Motion was made by Victor George, seconded by Dr. Mitchell Greenberg, to approve the minutes for September 3, 2014 as amended, (note Thomas Dollard as alternate member present, instead of absent). The vote was unanimous, 5-0, motion carried.

4. **Old Business:** None

5. **New Business:** Easton Zoning Board of Appeals 2015 Calendar of Scheduled Meetings - The Board discussed the 2015 Calendar of Scheduled Meetings. Motion was made by Victor George, seconded by Charles Lynch, to approve the Calendar for 2015 as revised to reflect that the meeting in January 2015 will be on a Wednesday, January 7, 2015, due to a lack of quorum for Monday, which is the first Monday after a holiday weekend (New Year). The vote was unanimous, 5-0, motion carried.

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7. Meeting Adjourned: Motion was made by Victor George, seconded by Patricia Berlin, to adjourn the meeting at approximately 7:35PM. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary