

**THE CITY OF GROTON  
ZONING BOARD OF APPEALS  
MEETING MINUTES  
TUESDAY, SEPTEMBER 26, 2006**



**MUNICIPAL BUILDING  
COUNCIL CHAMBERS  
7:30 P.M.**

**I. ROLL CALL**

Present: Rugh, Walker, Harkins  
Alternate: Frucht, Casey  
Also Present: Carlton Smith  
Absent: Zeppieri, E. Gergen

Call to order: 7:35 p.m.

**II. APPROVAL OF MINUTES**

Zoning Board of Appeals Meeting Minutes of August 22, 2006  
With exceptions: Harkins, regular member. Frucht, alternate.

Motion: R. Walker  
Second: Casey  
Decision: Unanimous

**III. PUBLIC HEARING**

#457- Sal Rizza

**Exhibits presented:**

- |                               |                                               |                                           |
|-------------------------------|-----------------------------------------------|-------------------------------------------|
| 1. Agenda                     | 10. Goodrich, Planner                         | 18. Additional photographs                |
| 2. Notice of Hearing          | 11. Planning & Zoning Review                  | 19. Five (5) additional photographs       |
| 3. Application                | 12. Plot Plan                                 | 20. Photographs before deck/pool          |
| 4. Notice & Day               | 13. 30 Circle Avenue Letter<br>Property owner | 21. Six more photographs                  |
| 5. Abutting Property<br>Owner | 14. Picture from property owner               | 22. Property owner report of property     |
| 6. Fax to Day                 | 15. Letter from Mr. Rizza                     | 23. Land record card- Town                |
| 7. Review Sheets              | 16. Eighteen (18) photographs<br>of property  | 24. Land map by Town<br>Assessor's Office |
| 8. Pictures of Property       | 17. More photographs                          | 25. Warranty Deed                         |
| 9. Police review sheet        |                                               |                                           |

**Discussion:**

Without deck lot becomes safety hazard.

Sal Rizza: Presented picture and letter, was assured by Pfizer that he owned enough land to do what he wanted on property- not enough land for shed. Questions land coverage and Zoning Officer’s measurements.

Glen Orkney, 10 Circle Avenue: Representing his mother Ethel Orkney, confirms ledge and type of land. Property owner has to work with, and fine improvements made to property. “Beautiful neighborhood”, “encouraged approval”.

Zoning Official: Building Permit for pool, not deck. Deck put in without Permit and inspections. Deck puts him over lot coverage.

8:45 p.m. Mr. Rizza: Feels that deck was part of landscape. Regarding shed, Pfizer knew he would do shed- not wording in Warranty Deed. Doesn’t feel “over hang” on property should be considered land coverage. Supportive of Building Inspector, Assistant & Secretary.

Motion: Kathleen – To approve “Landscape Type” Deck as exists 26.6%  
Denied request for shed

Second: Walker

Decision: Unanimous

Reason: Topography of property restricts permitted use of an accessory building.

**PUBLIC HEARING-** 9:05 p.m.

#458- Dominic Perrone

**Exhibits presented:**

- |                             |                                                         |
|-----------------------------|---------------------------------------------------------|
| 1. Agenda                   | 8. Coastal Site Plan                                    |
| 2. Notice of Hearing        | 9. Property card/ location map                          |
| 3. Application              | 10. Drawing of house                                    |
| 4. Abutting property owners | 11. Engineer Survey                                     |
| 5. Fax cover to The Day     | 12. Letter- 99 Pine Island Road                         |
| 6. B. Goodrich, Memo        | 13. Photographs                                         |
| 7. Police review sheet      | 14. Mildred Evan letter to be put in <u>this</u> packet |

**Discussion:**

Annette Perrone: Photographs, lives there six (6) months a year since 1998, last house to be replaced in Jupiter Point, have revised plans to fit land “physical hardships”.

Mildred Evan- 133 Jupiter Point Road: Wrote in August, letter in favor and spoke in favor.

Carlton Smith, Zoning Official: Our staff and applicant have presented best plan. Will be first house FEMA approved.

Motion: Walker to Approve – Request for variance of Section 4.66 from 25.00’ to 10.51’.  
Also, approval of request for variance of Section 2.46 from 25% Lot coverage to 33%

Second: B. Frucht

Decision: Unanimous

Reason: FEMA regulations as well as water boundary make use of this property a hardship along with pre-existing non-conforming.

**PUBLIC HEARING CLOSED AT 9:25 p.m.**

**IV. OTHER BUSINESS**

There will be a hearing next month.

**V. ADJOURNMENT**

Motion to adjourn: Walker

Seconded by: Casey

Decision:

Meeting adjourned at 9:45 p.m.

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Barbara Frucht, Temporary Secretary