

ZONING BOARD OF APPEALS
AUGUST 24, 2006

The public hearing and meeting of the Zoning Board of Appeals of the Town of East Haddam was called to order by the Chairman, Stuart Wood. Board members present were: Stuart Wood, Greg Daigle, Diane Quinn & Dan Schies. Absent was: Norman Gobbelle. Alternate present was Jack Agosta. Alternates absent were: Richard Fiala and Guy Gibb. Jack Agosta was designated to sit as a regular member for this meeting in place of Norman Gobbelle.

The legal notice was read and the hearing recorded on tape.

Appeal No. 966 - Andrew L. Glassman of 157 Longwood Drive, Lake Hayward

Andrew Glassman was not present. His adjoining property owner, Freddie Myers, was present representing Andrew Glassman. He submitted a site plan he drew himself indicating the perimeter of his parcel, location of his existing cottage, deck, shed and septic system. It also indicates a second deck to the side of his cottage which is 2' from the side property line. Therefore, he is requesting an 8' variance in order have the existing deck remain closer to the property line than the regulations allow. The deck was built about three years ago. Freddie Myers stated that his house is to the side of the property where this deck is located and he has no objections to the Board granting the Variance and leave the deck 2' from the property line. Mr. Glassman has planted a hedge row of arborvitae on his property line. Therefore, the deck is not visible to anyone. The deck is an open deck. The terrain of the property is such that this cottage is higher than any other cottage in the area and the property drops down from his property to the neighbors cottages, therefore the deck is not visible to anyone. With the location of the shed, this deck is only encroaching on the side line by about 1 1/2 ft. They have a hardship due to the topography of the land.

Greg Daigle made a motion the Board close the public hearing of appeal No 966, Andrew Glassman. Motion seconded by Dan Schies and carried unanimously.

After much discussion on the appeal, Greg Daigle made a motion to withdraw his previous motion to close the public hearing because the Board has some questions they want answered by Mr. Glassman. Motion to withdraw the previous motion was seconded by Dan Schies and carried unanimously.

It was noted for the record that everyone who was present for the public hearing and before the Board closed the public hearing, are all present at this time..

Greg Daigle made a motion to continue Appeal No. 966, Andrew Glassman, to the next scheduled meeting in September. Motion seconded by Diane Quinn and carried unanimously.

The Secretary was directed to write Mr. Glassman and request answers to the following questions the Board members need: when was the deck built - is he willing to accept a stipulation to have the deck remain an open deck above and below - stating he wants Freddie Myers to represent him at the public hearing - if necessary, give Freddie Myers permission to extend his public hearing another 35 days if more questions arise.

Said property is located on Longwood Drive in the L&R District. Assessor's Map 80 Lot 15.

Appeal No. 967 - George Jacob Frumkin of 289 Webster Ave., New Rochelle, N. Y (Property Owner) and Scott W. Jezek, Esq. Of P O Box 376, Moodus, Ct. (Agent)

Others present for this public hearing were: Mr. & Mrs. Frederick DeRaad, Edgar Bishop, Thomas & Michele Novak, Ellen Hixt, Everett Bonfoey, Patricia Molle Stricker, Noelle Avalkian,.

Mr. Frumkin was present and was represented by his attorney, Scott W. Jezek. He presented a Zoning Map of the Town of East Haddam, dated August 1, 1967 indicating the Frumkin property was located in the R-2 district. (Map identified as Exhibit #1). In the 1950's the Frumkins owned the acreage across the street from this parcel which they operated a farm there. The Frumkins sold the farm parcel to Mr. & Mrs. DeRaad and held the 3.06 parcel across the street and later on they gave it to their son, George Frumkin.

Attorney Jezek submitted a survey map indicating the parcel in question on the map which also indicates that the Frumkin parcel is surrounded on two sides by Niles Helmboldt a/k/a the Helmboldt Conservation property and the other two sides is bordered by Petticoat Lane. Therefore, there is no adjoining property that can be purchased to make the 3.06 parcel of conforming size. The one lot is .04 acres short of the required lot size. Therefore, they are requesting a Lot Size Variance of .04 acres. (Map is identified as Exhibit #2) He further submitted a survey map indicating the parcel in question. It also indicates that test holes were done on the parcel to prove that a septic system could be installed on the lot. (Map identified as Exhibit #3). There are no wetlands on the parcel.

All the above listed persons present for this hearing spoke to the Board and stated their concerns about this undersized lot and requested that the variance not be granted.

A question was raised about what the hardship is. Attorney Jezek referred to the Conn. General Statutes 8-18 and the East Haddam Subdivision Regulations and Zoning Regulations. It has been on Town records since prior to 1949 that this has been only one parcel, 3.08 acres.

The Attorney stated that Mr. Frumkin has no interest in building on the property at this time. He has two children and would like to divide the property into two parcels and give each of his children a parcel.

The Board requested of Mr. Jezek to contact Mr. Helmboldt and notify him of this situation Mr. Jezek stated he would try to get a copy of the document involved with this property. He would then send a notice to the enforcement officer named in the document.

Two letters were submitted and were read for the record. A letter from Melissa Ziobron of Petticoat Lane was read and identified as Exhibit #4. A letter from Patricia & Darin Stricker was read and identified as Exhibit #5. Letters on file.

Mr. Frumkin spoke and stated his reason for dividing his parcel into two parcels. He has two daughters and would like to some day give each of his daughters a parcel.

It was further reiterated by the Chairman that this zone is a two acre zone, always has been since the beginning of Subdivision Regulations and this application has no intentions of changing the zoning for this area to one acre zoning. It appeared this evening that some people were confused that the application was to change the zoning for the area and not just this one lot from two acre zoning to one acre zoning.

After much discussion, Greg Daigle made a motion the Board continue the public hearing of Appeal No. 967, George Frumkin, to the next meeting scheduled for Sept. 28, 2006. Diane Quinn

seconded the motion and carried unanimously.

Said property is located on Petticoat Lane in the R-2 District. Assessor's Map 19 Lot 22.

Minutes

The minutes of the July 27, 2006 meeting were reviewed. Diane Quinn made a motion, seconded by Jack Agosta, the minutes be approved as printed. Motion carried unanimously.

Correspondence

The Board had ordered 15 "Zoning Board of Appeals books" from Thomas Byrne. Each book was \$15.00.

Greg Daigle made a motion, seconded by Diane Quinn, the Board pay the bill for \$150.00 for the "Zoning Board of Appeals Books" Motion carried unanimously.

Dan Schies made a motion, seconded by Diane Quinn, the meeting be adjourned . Motion carried unanimously. The meeting adjourned at 10:45 P.M.

Respectfully submitted,

Stuart Wood, Chairman
Zoning Board of Appeals

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