

ZONING BOARD OF APPEALS
NOVEMBER 30, 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 at 8:00 P.M. Board members present were: Stuart Wood, Greg Daigle, Diane Quinn and Dan Schies. Board member absent was: Norman Gobelle. Alternates 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 Gobelle.

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

Appeal No. 972-Frederick K & Katherine A Klein, 199 East Shore Drive, East Haddam

Mr. & Mrs. Klein were present and presented their case to the Board. They submitted an A-2 Survey map indicating the perimeter of this parcel, location of the existing cottage, septic system, and well. The parcel consists of 0.42 acres and .50 acres is required for a year round dwelling. Mr. Klein stated they bought this property and at the time he bought it, this lot and his other lot which adjoins this lot, consisted of 1.005 acres. He spoke to the ZEO and was informed by him he could do a lot line revision and would have two conforming lots for year round dwellings. Last year he received a letter from the assessor stating that he had done some GIS mapping and the combined acreage of the two lots was now five hundredths of an acre short of an acre. He is requesting the variance because when he bought the second parcel he had the right amount of land. The GIS mapping took the land away from him. There is no adjacent land available to purchase to make the lot conforming. He also submitted for the record copies of his deed, assessor's field cards and a copy of a map indicating the lots at Lake Hayward with his lot outlined in yellow.

There was a lengthy discussion on doing a lot line revision and taking land from the adjoining lot, lot 199 and putting it to the smaller lot, lot 197.. He stated he could not take enough land to make lot 197 conforming because this would then make a conforming lot (199) non-conforming which cannot be done.

The Chairman read a letter dated October 18, 2006 from the Chatham Health District addressed to the Zoning Board of Appeals. It states in part that the site plan meets the Public Health Code for seasonal to year round conversion with a condition that the well on lot 199 be abandoned and a new well drilled. Letter identified as Exhibit #1. Letter on file.

Mr. Klein submitted the certified mail receipts indicating that the letters were mailed and received by the adjoining property owners. There were no comments from the floor.

Dan Schies made a motion the Board close the public hearing of Appeal No. 972, Frederick K. & Katherine A. Klein. Motion seconded by Greg Daigle and carried unanimously.

Greg Daigle made a motion the Board re-open the Public Hearing of Appeal No. 972, Frederick K. & Katherine A. Klein. Motion seconded by Diane Quinn and carried unanimously.

After hearing the Board members discussion, Mr. Klein stated that what he needs is .08 acre to make the lot conforming, what he has is .42 acres.

Greg Daigle made a motion the Board close the public hearing of Appeal No. 972, Frederick K. & Katherine A. Kline. Motion seconded by Diane Quinn and carried unanimously.

Diane Quinn made a motion the Board approve Appeal No. 972, Frederick K. & Katherine A. Klein, of 199 East Shore Drive, request for a Lot Size Variance of .08 acres of Section 24.1.1/Conversion Seasonal/Year Round Occupancy of the Zoning Regulations in order to convert a seasonal cottage to year round use on a lot less than the minimum size as required by the Zoning Regulations based upon the Board's findings that a hardship exists due to the fact that when they purchased the property, they purchased it with the understanding that they had enough acreage for a year round use. When the Town implemented the new GIS mapping system, they lost property from this lot. There is no adjoining property available to purchase to make the lot conforming and his adjoining property cannot be subdivided. Motion seconded by Dan Schies and carried unanimously.

Said property is located on 197 East Shore Drive, Lake Hayward, in the L&R District. Assessor's Map 80 Lot 399/411.

Minutes

The minutes of October 26, 2006 were reviewed. Motion made by Greg Daigle, seconded by Diane Quinn, the minutes by approved as printed. Motion carried unanimously.

Revised ZBA Application

The revised ZBA application was reviewed and discussed. There was a question asked about the address of the property involved with the variance and property owner's address. On page one, a sentence on Page 1 in the paragraph at the third * was removed as it is redundant. There was a revision made on Page 3 10 (b) add:

"Certified mail white return receipts and green cards must be presented at public hearing in order for your application to be heard". Make the following words in bold print-certified mail white return receipts and green cards.

Diane Quinn made a motion the Board approve the revised ZBA Application with the corrections. Motion seconded by Greg Daigle and carried unanimously.

Diane Quinn made a motion, seconded by Dan Schies, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:10 P.M.

Respectfully submitted,

Stuart Wood, Chairman
Zoning Board of Appeals

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