

ZBA Meeting Minutes September 19, 2007 – Stark, Scarlet, Pineridge

Members Present: Robert Cadle, Jay Prager, Chase Duffy, Cynthia Maxwell, Alison Manugian

Pineridge

Chairman Cadle reconvened the Jenkins Road hearing.

Melissa Robbins was present to give an update, noting that she spoke to the Department of Mental Retardation (DMR) and had a site visit scheduled for the existing house, which had to be cancelled due to impending death of the tenant's mother. She said that this is now scheduled for 10/8/07 and that DMR is trying to find funds to allow the Town of Groton to purchase the affordable MR units at a price of about \$180,000. She said that the house has five existing bedrooms and the Town could possibly get five DMR units. She said that the Town will at least get four units, which will put the affordable number to over 40%, and with 5 it is pushed to 50%. She said that until they get the green light from DMR that the unit is satisfactory and it is appropriate to spend DMR funds, they can't enter into an agreement with the BOS and file a variance with the ZBA. She stressed that they should have an answer after the visit on October 8th and after asking for a longer continuation for the 40B will file with the ZBA for a variance and the PB for site plan review. She noted that it has been a slow project but the end is in sight and should be a great project for the Town.

The Board moved to continue the hearing to November 7 at 7:30 pm. The motion was seconded and passed unanimously.

Stark

Chairman Cadle convene the Stark variance hearing by reading the Legal Notice.

Carolyn Stark, noted that the shed would be too close to road and she doesn't have enough land to have the required 50 foot setback. She said that there is only 22 or 23 feet total for a flat surface.

The Board asked whether the shed could be set back at least 15 feet.

Ms. Stark said that it could not and noted that the house is only 4 or 5 feet from the road. She then submitted a plan that has better perspective.

Mr. Prager asked whether there is room in back of the house.

Ms. Stark said there was but noted that it would be closer to the water.

The Board suggested a site walk.

Ms. Stark noted that she owns the lot across the street and the topography is also very steep.

Chairman Cadle asked where Birchwood Road meets Lost Lake Dr.

Ms. Stark said that the access is through Groton Ridge Heights (off of Rt. 119) and then a right onto the dirt road.

Chairman Cadle asked if the Durlings lived nearby.

Ms. Stark said that the Durlings have a similar lot but with more frontage.

Mr. Prager asked whether it was just a storage shed.

Ms. Stark said that it was, and is necessary because she no garage or basement. She said that she parks across Birchwood Road on her other lot, but would like to keep the shed where it is shown because it is closer to both the road and their living space. She said that she has Con. Com. approval.

Chairman Cadle said that the shed looks to be at least 50 feet from the lake.

Ms. Stark said that it is about 47 feet from the lake.

Discussion ensued regarding how to schedule the site walk.

The hearing was continued to October 3rd at 7:30 pm.

William Carson, owner of the property adjacent to the Starks said that he has no objection and that the shed would be an asset. He said that the original setback for Groton Ridge Heights was about 3.5 feet, noting that the Starks have worked hard to improve the property and this shed is an improvement.

Scarlet

Chairman Cadle reconvened the Scarlet hearing and read two letters from Atty. Collins into the record, one naming him as Ms. Scarlet's counsel and one asking for a continuation.

The Board moved to continue the Scarlet hearing to October 3rd, pending consultation with the applicant, or to November 7th depending on availability. The motion was seconded and passed unanimously.

Phoenix

Phoenix Construction requested a withdrawal of its application. The Board moved, seconded and voted unanimously to allow Phoenix Construction to withdraw without prejudice.

The Board moved to go into Executive Session to discuss Groton Gardens litigation and then return to the regular meeting. The motion was seconded and Cadle, Prager, Manugian, Duffy and Maxwell voted yea.

Cadle, Prager, Manugian, Duffy and Maxwell each voted yes to leave Executive Session.

The meeting adjourned at 8:30 pm.