

Hampton Zoning Board of Appeals
Public Hearing
Minutes of 24 May 2011

Call to order at 7:04 pm, present for the Board, Chair- Edward Burchfield, George Miller, Linda Seretny, Morris Burr, and Tom Curry arriving at 7:05.

Seating of alternates: None present.

New Business: Reading of the legal notice and agenda for the meeting.

Motion by Seretny to proceed with the second listed application (Marny Lawton) first, followed by consideration of the application for Robert Marsh & Rachel Girshick, as the first listed applicant is not yet present. Seconded by Burr, all in favor motion passes.

Public present include Jack Flynn, Bob Inman, and Marny Lawton.

Open the Hearing for questions and comments. Discussion ensued, some points as follows: Miller asked about the issue of increasing the nonconformity of a lot. The Chair stated that there is regulation to that effect, however there is some question in this case as to whether or not that would be applicable to this application because of a partial pre-existing structure in place that was not removed from the original porch. Further, examination of the Connecticut DOT plan for the designation of RTE 97 Right of Ways shows the distance from the structure to the paved portion of the road to be 61 feet, although the State's right of way is closer to the house, there is no clear "Property line" shown. If the property line is the paved portion of the road then there would be no need for a variance, and the DOT plan also shows the existence of the original porch in question for rebuilding/adding of which is the purpose of this application. Seretny asked if there was existing structure from the original porch still in place or if the foot print proposed would increase from the original. The applicant responded that there was no increase and even a slight decrease from the original foot print, and that there was structure in place, although deteriorated to the point that she has never been able to use the front entryway. Lawton further stated her need to use the front entryway and possibly a need for a future handicap ramp off of this porch.

The chair asked if the applicant desired to change the nature of the application as no mention of handicap access is defined in the application. Lawton responded not at this time. She wanted the ZBA to know that, given her past medical history and for her plans for aging in place at this address, the need for the porch replacement relates to health issues, and that it would maintain the visual and historical representation of the original structure.

The Board received mailing certifications from Inman, except for one which was not signed because the recipient is out of town until after the Public Hearing.

There being no further questions for the application of Marny Lawton the Board closed her part of the hearing.

The Chair questioned the Board as to its preference whether to continue hearing the second application without the applicant present, or recess and attempt contact.

Motion by Burr to continue, seconded by Seretny, all in favor, motion approved.

Miller asks about barn rooftop installation, the Chair responds suspecting inadequate structural support, and Burr responds referring to the potential lack of solar load in the location of the barn. After discussion about the lot configuration, Miller questioned the wisdom of acting on this application because we have no evidence (mail receipts) that any required notification has been completed.

Motion by Miller to continue the Public Hearing in the case of Robert Marsh & Rachel Girshick, date to be determined by the chair after contacting the applicant/s. Seconded by Burr, all in favor, motion passes.

Communications: None

Public Hearing Status: Continued to a date to be determined for Robert Marsh & Rachel Girshick application.

Adjournment: Motion by Miller to adjourn this session of the hearing, to an adjourned meeting/hearing to continue business on the pending application of Robert Marsh & Rachel Girshick, Seconded by Curry, all in favor, motion passes.

Recorded by the Chairman
Edward Burchfield