

AGENDA
ZONING BOARD OF APPEALS
SEPTEMBER 13, 2017 – 7:00 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

I. ROLL CALL

II. PUBLIC HEARING

1. ZBA #17-09- 540 Sandy Hollow Road – W. Decourcey & L. Porizky, Applicants and Owners; to appeal the decision of the Zoning Enforcement Officer concerning Sections 7.1-6 and 7.1-11 of the Zoning Regulations that a home occupation is being conducted and commercial vehicles and equipment are being stored in a residential zoning district. PIN 260912766868; RS-20 Zone*

III. CONSIDERATION OF PUBLIC HEARING

1. ZBA #17-09- APPEAL - 540 Sandy Hollow Road – W. Decourcey & L. Porizky, Applicants and Owners

IV. CORRESPONDENCE

V. APPROVAL OF MINUTES

1. August 9, 2017*
2. August 23, 2017

VI. OLD BUSINESS

VII. NEW BUSINESS

1. New applications

VIII. REPORT OF STAFF

IX. ADJOURNMENT

*Enclosed

Next meeting: September 27, 2017



TOWN OF GROTON

PLANNING AND DEVELOPMENT SERVICES

DEBORAH G. JONES
ASSISTANT DIRECTOR
DJONES@GROTON-CT.GOV

134 GROTON LONG POINT ROAD, GROTON, CONNECTICUT 06340
TELEPHONE (860) 446-5970 FAX (860) 448-4094
WWW.GROTON-CT.GOV

August 28, 2017

The Day
Attention: Legal Advertising
P.O. Box 1231
New London, Connecticut 06320

Please publish the following legal ad on September 1, 2017 and September 8, 2017.

TOWN OF GROTON ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The Zoning Board of Appeals will hold a public hearing on Wednesday, September 13, 2017 at 7:00 p.m. in Community Room 1, Town Hall Annex, 134 Groton Long Point Road, to hear the following:

ZBA #17-09- 540 Sandy Hollow Road - W. Decourcey & L. Porizky, Applicants and Owners; to appeal the decision of the Zoning Enforcement Officer concerning Sections 7.1-6 and 7.1-11 of the Zoning Regulations that a home occupation is being conducted and commercial vehicles and equipment are being stored in a residential zoning district. PIN 260912766868; RS-20 Zone.

Applications are on file and available for public inspection during normal business hours at the Planning Department, 134 Groton Long Point Road, Groton, CT. Dated this 1st day of September, 2017 at Groton, CT. (On second insertion, please put "Dated this 8th day of September, 2017 at Groton, CT.")

Ed Stebbins, Chairman

Account #30384

PLEASE DO NOT BOLD PRINT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Deborah G. Jones
Assistant Director

DGJ:dlg



2432 13340
24319 133.40

"SUBMARINE CAPITAL OF THE WORLD"



TOWN OF GROTON

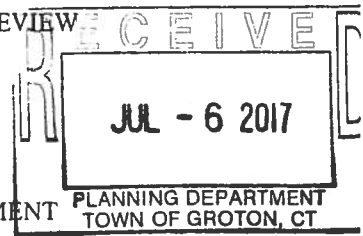
LAND USE APPLICATION

Part One

PLEASE CHECK THE APPROPRIATE BOX(ES) AND ATTACH THE REQUIRED APPLICATION(S):

- SUBDIVISION OR RESUBDIVISION
- SITE PLAN
- ADMINISTRATIVE SITE PLAN
- INLAND WETLANDS PERMIT
- INLAND WETLANDS PERMIT OR NON-REGULATED ACTIVITY

- COASTAL SITE PLAN REVIEW (CAM)
- SPECIAL PERMIT
- ZONE CHANGE
- REGULATION AMENDMENT
- VARIANCE/APPEAL



PROJECT NAME: 540 Sandy Hollow Road
 STREET ADDRESS OF PROPERTY: 540 Sandy Hollow Road
 IF ADDRESS NOT AVAILABLE, LOCATION: _____
 PARCEL IDENTIFICATION NUMBER: 260912766666 ACREAGE: 2.647 ZONE: RS-20

PROJECT DESCRIPTION: _____
Single-family structure with storage barn for lawn care & property maintenance equipment.

CORRESPONDENCE WILL BE SENT TO THE PRIMARY APPLICANT AS CHECKED BELOW:
 (NAME, ADDRESS, TELEPHONE AND FAX NUMBER)

APPLICANT: William P. Decourcey & Lucretia H. Porizky, 103 Brook Street, Groton, CT 06340
 EMAIL: _____ TELEPHONE: 860.823.9825 FAX: _____
 APPLICANT'S AGENT (if any): Conkey Landregan, Sheehan & Marone, P.C.
 EMAIL: jlandregan@clsmlaw.com TELEPHONE: 760.447.3171 FAX: 760.444.6103
 OWNER/TRUSTEE: William P. Decourcey & Lucretia H. Porizky, 540 Sandy Hollow Rd, Groton, CT 06340
 EMAIL: _____ TELEPHONE: 860.823.9825 FAX: _____
 ENGINEER/SURVEYOR/ARCHITECT: N/A
 TELEPHONE: _____ FAX: _____

- Note:
- 1) To be accepted by the Planning Division, this entire application must be completed, signed, and submitted with the required fee(s) and map(s) prepared in accordance with the applicable regulations.
 - 2) The submittal of this application constitutes the property owner's permission for the commission or its staff to enter the property for the purpose of inspection.
 - 3) The applicant hereby agrees to pay all additional fees and/or address such costs deemed necessary by the Office of Planning and Development Services as described in Part Three of this application.

[Signature] 7/4/17
 SIGNATURE OF APPLICANT OR APPLICANT'S AGENT DATE
William P. Decourcey & Lucretia H. Porizky
 PRINTED NAME OF APPLICANT

[Signature] 7/4/17
 SIGNATURE OF RECORD OWNER DATE
 I HEREBY, CERTIFY THAT I AM THE OWNER OF THE PROPERTY STATED ABOVE
William P. Decourcey & Lucretia H. Porizky
 PRINTED NAME OF OWNER

Project #: 3BA17-09 Work Type: APPEAL
 Fee Received: 760.17430.00 yes Tom Zannini Planner

TOWN OF GROTON
LAND USE APPLICATION - APPEAL

PART TWO
(Attach to Part One)

THIS IS A REQUEST FOR APPEAL OF A RULING MADE BY THE ZONING ENFORCEMENT OFFICIAL ON
JUNE 9, 2017

NOTE: An appeal must be filed within 30 days of the date of the Zoning Official's Ruling.

RULING OF THE ZONING ENFORCEMENT OFFICIAL THAT IS BEING APPEALED (Attach a copy of Ruling):

See attached "Enforcement Order"

HOW WERE YOU NOTIFIED OF THE RULING?

receipt of the June 9, 2017 "Enforcement Order"

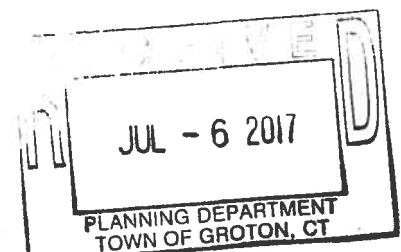
REASON FOR THE APPEAL:

The subject property is pre-existing non-conforming for the commercial use & storage that the owner is currently conducting.

The Board may reverse or affirm, wholly or partly, or may modify the order, requirement or decision appealed from, and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement, or decision the appeal was taken, provided the affirmative vote of four members shall be necessary to reverse or modify the order, requirement, or decision appealed from.

Applications for both appeal and variance can be submitted together. When both are submitted, the Board shall decide on the appeal first.

6/02





TOWN OF GROTON

PLANNING AND DEVELOPMENT SERVICES
INSPECTION SERVICES

TOM ZANARINI
CODE ENFORCEMENT OFFICER/PLANNER I
TZANARINI@GROTON-CT.GOV

134 GROTON LONG POINT ROAD, GROTON, CONNECTICUT 06340
TELEPHONE (860) 446-5982 FAX (860) 448-4094
WWW.GROTON-CT.GOV

June 9, 2017

William P. Decourcey
Lucretia H. Porizky
103 Brook St.
Groton, CT 06340

ENFORCEMENT ORDER

Dear Mr. Decourcey & Ms. Porizky:

SUBJECT: 540 Sandy Hollow Road; PIN #: 260912766868; Zone: RS-20

The Town has continued to receive complaints regarding your construction business and storage of equipment in a residential zone. You are currently in violation of the following zoning regulations:

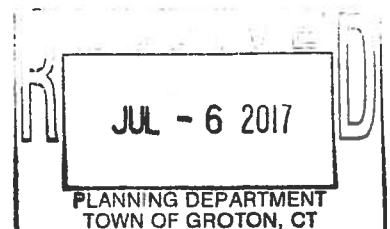
- 7.1-6 Contractor's Construction and Commercial Vehicles and Equipment Storage.
- 7.1-11 Home Occupation.

I am charged under Section 8.1-1 of the Town of Groton Zoning Regulations with the responsibility of informing you that this violation exists, and that it must be corrected. This letter is a notification that you bring your property into compliance with the Town of Groton Zoning Regulations. Compliance with this regulation requires that at no time can a commercial truck or tractor unit exceeding 1½ tons capacity be stored on property in an RS-20 Zoning District, at no time can contractor's equipment be stored outside, and at no time can anyone other than occupants of the residence take part in a home occupation.

A request for voluntary compliance was delivered to you via Certified Mail on April 13, 2017. That compliance letter stated that you had the right to appeal the decision of the Zoning Official within thirty (30) days in accordance with Section 8-7 of the Connecticut General Statutes. The thirty (30) days have expired and you are hereby ordered to comply with the Town of Groton Zoning Regulations.

If you fail to comply with this order, the Town may consider legal action in accordance with Section 8-12 of the Connecticut General Statutes. Section 8-12 authorizes the institution of a lawsuit to enforce the zoning regulations and provides for the assessment of fines, penalties, and costs. Fines may range from not less than ten (\$10) or more than one hundred (\$100) dollars for each day such violation continues, and civil penalties may be awarded up to two thousand five hundred (\$2,500) dollars.

"SUBMARINE CAPITAL OF THE WORLD"



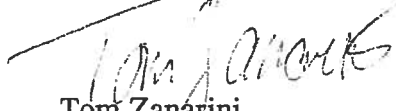
Enforcement Order

William Decourcey & Lucretia Porizky Page 2

June 9, 2017

Your anticipated cooperation in this matter is appreciated. Should you wish to discuss this matter in detail, please call me at the above noted phone number.

Sincerely,



Tom Zanarini
Code Enforcement Officer/Planner I

CERTIFIED #: 7007 0710 0001 3953 4423
RETURNED RECEIPT REQUESTED

"SUBMARINE CAPITAL OF THE WORLD"



MINUTES
TOWN OF GROTON
ZONING BOARD OF APPEALS
AUGUST 9, 2017 - 7:00 P.M.
TOWN HALL ANNEX - 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

Chairman Stebbins called the meeting to order at 7:00 p.m.

I. ROLL CALL

Regular members present: Stebbins, Kravits, Mencer, Russotto
Absent Manning
Staff present: Zanarini, Silsby

Chairman Stebbins asked Russotto to sit for Manning as Secretary.

Public hearing procedures were reviewed.

II. PUBLIC HEARINGS

1. ZBA#17-08 - 182 Fort Hill Road; Fort Hill Citgo, LLC - Owner; Clinton Brown - Applicant; for a variance to Section 5.2 to allow 32% building coverage in lieu of 20% to allow a new 24'x70' fuel pump canopy. PIN#169808989133, R-12 Zone

Acting Secretary Russotto stated that the mailings were reviewed in order. The public hearing notice was read.

Nick Sahin and his brother were present. Nick Sahin, 182 Fort Hill Road, reviewed the plans and gave background information about improving the site. He explained that the existing 3 pumps are too close in proximity and cars are not able to fuel at the same time. He referred to a previous variance application which was withdrawn. The current variance application is only to widen the pump island and install a larger canopy, which would increase the lot coverage.

Discussion followed about the need to widen the pumps. Sahin explained why the larger canopy is being requested. Distance between each pump was noted. He added that the setbacks are not changing.

The Chair asked for comments from the public and there were none.

Acting Secretary Russotto read the Planning Commission memo dated 8-9-17 whereby the Planning Commission had no comment.

The Public Hearing closed at 7:15 p.m.

III. MEETING FOLLOWING PUBLIC HEARING

1. ZBA#17-08 - 182 Fort Hill Road; Fort Hill Citgo, LLC - Owner; Clinton Brown - Applicant

The Board agreed that the request was reasonable.

MOTION: To approve the variance as requested

Motion made by Mencer, seconded by Stebbins, so voted unanimously

IV. CORRESPONDENCE - None

V. APPROVAL OF MINUTES

1. June 14, 2017

MOTION: To adopt the minutes of June 14, 2017, as written

Motion made by Mencer, seconded by Russotto, so voted 3-0-1 (Kravits abstained)

2. June 28, 2017

MOTION: To adopt the minutes of June 28, 2017, as written

Motion made by Mencer, seconded by Russotto, so voted unanimously

VI. OLD BUSINESS - None

VII. NEW BUSINESS - None

VIII. REPORT OF STAFF - None

IX. ADJOURNMENT

Motion to adjourn at 7:25 pm made by Mencer, seconded by Russotto, so voted unanimously.

Scott Russotto, Acting Secretary
Zoning Board of Appeals

Prepared by Robin M. Silsby
Office Assistant II