

CITY OF NORWICH
ZONING BOARD OF APPEALS
April 13, 2021
Regular Meeting Minutes

The regular meeting of the City of Norwich Zoning Board of Appeals was called to order at 7:07 p.m. Roll call was taken.

PRESENT: Marc Benjamin, Chairman
Dorothy Travers
David Martin
Peter Cuprak
Gregory Schlough
Robert Phoenix

ABSENT: None.

OTHERS: Richard Shuck, Zoning Enforcement Officer, and Katherine Rose, Recording Secretary

Marc Benjamin called the meeting to order at 7:17 p.m. Marc Benjamin stated all seated members would be voting on all matters.

A. COMMUNICATIONS: None.

B. ACCEPTANCE OF MINUTES: Dorothy Travers made a motion to accept the minutes of Tuesday March 9, 2021. Peter Cuprak seconded. Dorothy Travers, Marc Benjamin, David Martin and Peter Cuprak voted in favor. Gregory Schlough abstained. The motion passed.

C. OLD BUSINESS: None.

D. NEW BUSINESS:

1. **V# 21-03: 2 West Ledge Drive.** Request for Variance to ZR Sec. 6.4.1, Special Bulk Requirements; to reduce the distance between buildings in a Multi-family zone from a 30 ft. minimum to a 25 ft. minimum; Property of Westledge Apartments, LLC.; Application of Alexander T. Gebbie, Assessors Map # 117, Block # 1 Lot # 14, MF Zone

Richard Schuck read into the record Exhibits A - G.

Mark Block, attorney for Westledge Apartments LLC introduced himself along with project engineer Brandon Handfield project principal Alexander Gebbie. Attorney Block stated the applicant was constructing a four

building apartment complex that the Commission on City Planning approved through the acceptance of three site plans. Attorney Block stated that two of the four buildings were nearly completed with one pending occupancy in May. Attorney Block explained that after foundations for Buildings A and B were poured Franklin Surveyors provided an improvement location survey which showed that the foundations for Buildings C and D which conformed to the zoning regulations and approved site plans. Attorney Block continued that Franklin Surveyors provided a revised as-built survey of the foundations of Buildings C and D which revealed that the footprint of the buildings' utility rooms had increased which put them at less than the 30 minimum foot distance requirement. Attorney Block explained that Building C had already been constructed so the variance was required for the minimum distance requirement for bulk for the remaining two buildings. Attorney Block explained that Buildings A and B had the same design as the other two buildings so if the variance is approved it would apply to all four buildings. Attorney Block explained the history of the site plans and the hardship for the applicant to keep a minimum distance between the buildings while having a utility room large enough to meet requirements by NPU for the interior meter disconnect. Attorney Block continued that it would be an extreme hardship for the applicant to attempt to substantially alter the concrete structures to maintain the additional four foot separating distance between buildings. Marc Benjamin asked if the decreased distance between the buildings had been approved by the fire marshal. Brandon Handfield responded that the fire marshal's approval was part of the building permit process which had already occurred for the revised plans. Marc Benjamin clarified that each maintenance room had increased in size by two feet to maintain the appropriate offset distance to the disconnect for utilities which created a hardship. Attorney Block stated that was correct.

Gregory Schlough made a motion to close the public hearing. Dorothy Travers seconded. All voted in favor. The motion passed unanimously.

2. **V# 21-04: 30 Maplewood Court:** Request for Variance to ZR Sec. 4.8.5, 4.8.3, and 4.10, to expand and alter the exterior of a structure with a nonconforming residential use within the Planned Commercial Zoning District. Also request relief from Sec. 2.1 Business Bulk Requirements to reduce the front yard setback from 65 ft. to a minimum of 26 ft. and reduce the side yard setback from the minim of 50 ft. to 30 ft. for the construction of a 20 ft. x 14 ft. addition. Property of Kenneth A. Schroeder, Application of Kenneth A. Schroeder, Assessors Map # 122, Block #1 Lot # 13, PC Zone

Richard Shuck read into the record Exhibits A-E.

Ken Schroeder, homeowner, stated he was looking to add a 20 foot wide by 14 foot deep living room area to the front of his home where a three pane window currently sat. Ken Schroeder stated a variance was required due to his residential neighborhood being zoned commercial.

Gregory Schlough made a motion to close the public hearing. Dorothy Travers seconded. All voted in favor. The motion passed unanimously.

E. DISCUSSION AND POSSIBLE DECISIONS:

- 1. V# 21-03: 2 West Ledge Drive.** Request for Variance to ZR Sec. 6.4.1, Special Bulk Requirements; to reduce the distance between buildings in a Multi-family zone from a 30 ft. minimum to a 25 ft. minimum; Property of Westledge Apartments, LLC.; Application of Alexander T. Gebbie, Assessors Map # 117, Block # 1 Lot # 14, MF Zone

Dorothy Travers made a motion to approve the application. Gregory Schlough seconded. Dorothy Travers stated she understood why the buildings needed modification due to the change in code requirements and the hardship created by the electrical code. Gregory Schlough agreed and understood fire safety concerns but noted that the fire marshall approved the plans and fire apparatus can still access the area. All voted in favor. The motion passed unanimously.

- 2. V# 21-04: 30 Maplewood Court:** Request for Variance to ZR Sec. 4.8.5, 4.8.3, and 4.10, to expand and alter the exterior of a structure with a nonconforming residential use within the Planned Commercial Zoning District. Also request relief from Sec. 2.1 Business Bulk Requirements to reduce the front yard setback from 65 ft. to a minimum of 26 ft. and reduce the side yard setback from the minim of 50 ft. to 30 ft. for the construction of a 20 ft. x 14 ft. addition. Property of Kenneth A. Schroeder, Application of Kenneth A. Schroeder, Assessors Map # 122, Block #1 Lot # 13, PC Zone

Gregory Schlough made a motion to approve the application. Peter Cuprak seconded. Gregory Schlough stated he understood the hardship created by the neighborhood rezoning which left the homeowner with no other options. Dorothy Travers agreed. David Martin noted that existing house was rendered nonconforming by the change in zoning so that any location of the addition would require a variance. Robert Phoenix agreed and that similar issues had occurred in the community since the zoning change. All voted in favor. The motion passed unanimously.

F. STAFF UPDATES: None.

G. ADJOURNMENT: Peter Cuprak made a motion to adjourn at 8:07 PM. Gregory Schlough seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted,
Katherine Rose
Recording Secretary