

**ZONING BOARD OF APPEALS
Durham Town Hall
Durham, CT 06422**

Minutes of the December 3, 2015 Special Meeting

Mr. LaFlamme opened the meeting.

Attendance:

Members		Alternates	
A	David Heer	x	Michael Geremia
x	David Slight	x	Mark Jungels
A	John Hogarth		
x	Chris DiPentima		Others
x	William LaFlamme*	A	Colegrove, Geoffrey

A=Absent

X=Present

Seating of Alternates

Michael Geremia and Mark Jungels were both seated.

Approval of Agenda

A motion was made by Mark Jungels, seconded by David Slight, to approve the agenda. Motion passed.

Payment of Bills

None

Minutes of Previous Meeting

A motion was made by Chris DiPentima, seconded by David Slight, to approve the minutes with the revision. Motion passed.

Public Session

None

A motion was made by David Slight, seconded by Mark Jungels, to close the regular meeting and open the Public Hearing. Motion passed.

Stagecoach Farms, LLC, request a 12' front yard variance from section 05.02.01 of the *Durham Zoning Regulations* to construct a 12'x12' deck at 13 Aberdeen Way

Mr. Ken Boynton was present to discuss the requested variance. When they purchased the property it was stated that what they were going to build would be slightly different. The unit he built is slightly deeper than the original plan. Without a variance the proposed deck is too close to the neighboring unit. Plans and maps were presented showing where the proposed deck will be placed. The hardship is it is too close to the neighbor's window. Mr. LaFlamme clarified that it is a 12' front yard variance. Letters of support of the variance were presented to the commission and read into the record. Robert Walsh spoke in support of the variance due to the fact that the deck would be right next to his bedroom window. Mr. LaFlamme stated that the hardship is privacy that the fact the lots were subdivided prior to Stagecoach Farms, LLC had taken ownership of the project. Mr. LaFlamme also stated that it is a unique property. Mr. Laducer, who lives in unit 5, also spoke to the commission. He questioned where the deck of a to be built neighboring unit will be in relation to his unit. Mr. Boynton said he does not have a clear answer as it depends on the model built, the customer, homes are custom built, but has no intention of going into the setback line. There was discussion of varying foundation sizes and deck sizes. Mr. LaFlamme reiterated the hardship being privacy, the location of the deck, the existing site plan vs. the proposed deck, and the uniqueness of the property, being a cluster type community.

A motion was made by David Slight, seconded by Chris DiPentima, to close the public hearing. Motion passed.

A motion was made by Mike Geremia, seconded by Mark Jungels, to approve Stagecoach Farms, LLC application for a 12' front yard variance from section 05.02.01 of the *Durham Zoning Regulations*. The hardship is the deck location and privacy issue, unique property in a cluster type community with no room in the side yard, and small lot with a large foundation. Motion passed.

Adjournment

A motion was made by David Slight, seconded by Bill LaFlamme, to adjourn at 8:01 p.m. Motion passed.

Respectfully submitted,

Jennifer Keogh

Jennifer Keogh
Administrative Coordinator
Town of Durham