

**RECV'D: Office of the Town Clerk  
May 24, 2010 at 8:45am**

**TOWN OF DURHAM  
ZONING BOARD OF APPEALS**

Regular Meeting Minutes

Thursday, May 13, 2010

Town Hall, Third Floor Meeting Room

**Call to Order:** The meeting was called to order at 7:35 PM by Chairman Bill LaFlamme at the town hall meeting room.

**Roll Call:** Members present: David Heer and Bill LaFlamme. Alternates Present: Mark Jungels and Bill Martin. Staff: Trish Dynia

**Seating of Alternates:** Mark Jungels and Bill Martin were both seated.

**Approval of Agenda:** *A motion was made by David Heer, seconded by Mark Jungels, to approve the agenda as published. The motion passed unanimously.*

**Payment of Bills:** *A motion was made by Bill Martin, seconded by Mark Jungels, to approve the following bills: Patricia Dynia, Secretarial Services, \$180.00, CT Federation of Planning and Zoning, Membership Fee, \$90.00. The motion passed unanimously.*

**Approval of Minutes:** *A motion was made by Bill Martin, seconded by Bill LaFlamme, to approve the February 11, 2010 minutes as published. The motion passed unanimously with Mark Jungels and David Heer abstaining.*

**Public Session:** None.

*A motion was made by Bill Martin, seconded by David Heer, to open the public hearing at 7:50 PM. The motion passed unanimously.*

---

**PUBLIC HEARING ONE**

**Andrew and Lucy Meigs, Request for a 12' front yard variance from the Durham Zoning Regulations Section 05.02.01, to construct a two car garage at 95 Wheeler Hill Road:** Applicant Lucy Meigs reviewed a hand drawn diagram of the property showing the location of the proposed garage, trees, septic and town drainage easement area. She stated that the addition was not out of character with the general look of the neighborhood and noted that due to septic location, drainage easement and tree location, the proposed addition area was the only feasible alternative. Andrew Meigs added that there is also a significant elevation change from the street to the southeast property line.

The applicant distributed letters of support from adjacent home owners Randy and Laura Samperi, 103 Wheeler Hill Drive, Julie and Lon Tassmer, 92 Wheeler Hill Drive, and Jim and Anne Verme, 102 Wheeler Hill Drive.

COMMISSION COMMENTS AND QUESTIONS: David Heer asked if the addition was to be one or two stories. Mr. Meigs replied that it was a one story addition with shed roof. There was a lengthy discussion as to whether the 12 foot variance was accurate. The applicant stated that it was an estimation and the actual might be more. It was not possible to grant a larger variance without re-posting the public hearing and continuing to the following month. The Commission could only vote on a 12' or smaller variance. Rather than waiting one month, the applicants asked if the Commission would vote on the proposal this evening. If it turns out the Meigs need more than a twelve foot variance, they would re-apply later in the year.

QUESTIONS AND COMMENTS FROM THE PUBLIC: None.

*A motion was made by David Heer, seconded by Bill Martin, to approve a 12' front yard variance from Section 05.02.01 of the Durham Zoning Regulations, in order to construct a two car garage, hardships being drainage easement, lot topography and septic location. The motion passed unanimously.*

## **PUBLIC HEARING TWO**

**J&J Gordon properties, LLC, Request for a 35' front yard variance from the Durham Zoning Regulations Section 05.02.01, to construct a porch and 2 dog house dormers on the front of the house and a full dormer on the back of the structure at 48 Middlefield Road:** Applicant Rick Gordon distributed letters of support from adjacent home owners Curtis Ryer of 309 Maple Avenue, and Carol Sullivan of 38 Middlefield Road. He noted that all proposed construction lies within the existing footprint of the house which was constructed prior to modern zoning. The aim of the project is to improve this existing "eye sore" and create more living space for the occupants.

COMMISSION QUESTIONS AND COMMENTS: There was no further discussion.

QUESTIONS AND COMMENTS FROM THE PUBLIC: None.

*A motion was made by Mark Jungels, seconded by David Heer, to approve a 35' front yard variance from Section 05.02.01 of the Durham Zoning Regulations, to construct a porch and two house dormers, and full dormer on the back, hardship being lot and house predate zoning. The motion passed unanimously.*

Miscellaneous: None

**Adjournment:** There being no further business, Chairman LaFlamme adjourned the meeting at 8:20 PM.

Respectfully submitted,

Patricia Dynia

Recording Secretary

cc: Town Clerk, Midstate Regional Planning Agency