

**Minutes of Zoning Board of Appeals Special Meeting held Monday, November 4, 2024 at 7:00 PM at Killingworth Town Hall.**

**HYBRID MEETING AGENDA**

**1. Call to Order and Seating of members**

The Special Meeting of the Zoning Board of Appeals was called to order at 7:01 PM. Members present and seated were Brian Young, Ben Charney, Cheryl Fine, Mark McCormick, Bruce Dodson and Bill Joyce. Scott Porter was also present as an applicant.

Chairman Young noted there is a public part of the meeting where ZBA members will ask questions of the applicant and the applicant will show and explain what he wants to do. The public part of the meeting will then be closed and members will go into the closed part of the meeting where they will deliberate.

**2. Public Hearing and Consideration of Application**

Public Hearing and Consideration of Application (dated 7/3/24) – Jack B. Coy LLC, P. O. Box 644, Killingworth, CT 06419 (owner) and Attorney Sylvia Rutkowska, Arch Law Group, LLP as applicant, Location of property Roast Meat Hill Road, Map 28, Lot 59A, for appeal of decision of the Zoning Enforcement Officer per letters dated June 5<sup>th</sup> and June 26<sup>th</sup>, 2024 as this is a pending subdivision and the site cannot be altered until such time as the mylar and deeds are filed, or the subdivision is rescinded. Applicant's attorney has requested this application be heard at the Board's November 18, 2024 meeting.

Public Hearing and Consideration of Application – Jack B. Coy LLC, P. O. Box 644, Killingworth, CT 06419 (owner) and Attorney Sylvia Rutkowska, Arch Law Group, LLP as applicant, Location of property Roast Meat Hill Road, Map 28, Lot 59A, for appeal of decision of the Zoning Enforcement Officer per letter dated July 10, 2024 that the change to subdivision he requested was considered a Resubdivision which would require a public hearing and not a modification. Applicant's attorney has requested this application be heard at the Board's November 18, 2024 meeting.

Public Hearing and Consideration of Application – Scott Porter, 141 Route 81, Killingworth CT 06419 (owner/applicant), location of property 141 Route 81, Map 33, Parcel 61, for variance of Town of Killingworth Zoning Regulations Sections 500-44D, 500-37A&B.

Chairman Young read the Notice of Public Hearing into the record. Scott Porter was present to explain his application. He noted he went to Planning & Zoning and was approved to square off the front corner of the building. The existing building is already closer to the road.

ZBA members reviewed the wetland survey map which had a setback of 40 feet. It was noted 52.5' was needed from the road. Chairman Young noted this was non compliant, but it was not making it any worse.

The hardship was reviewed. It was noted there is no conforming setback. The house predates the road and was built in 1933. It is not near the wetlands and no closer to the garage. The foundation for a chimney will be removed. They will be tearing down the existing house and there will be a new crawl space. The house will be brought up to 1500 sq. ft. Ben Charney noted the hardship is presented by the State encroachment on the their driveway.

**Motion by Charney, second by Joyce to close the public hearing at 7:15 PM. Unanimously approved.** Members then went into the closed session to deliberate. Charney noted the hardship is presented by the State encroaching the setback. **Motion by Charney, second by Joyce, to approve the application. Unanimously approved.**

It was noted the two Coy applications will be on the November 18<sup>th</sup> Agenda. It will not be necessary to publish a notice in the newspaper.

### 3. Adjournment

**Motion by Charney, second by Joyce to close the meeting at 7:15 PM. Unanimously approved.**

Brian Young, Chairman