

**Killingworth Zoning Board of Appeals**  
**Regular Meeting, October 27, 2014**  
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1. Call to Order and Seating of Members

The Killingworth Zoning Board of Appeals held its regular meeting on Monday, October 27, 2014, at the Killingworth Town Office Building, 323 Route 81, Killingworth, Connecticut. In attendance were Bruce Dodson, Charles Martens, Les Riblet, Brian Young, Debby Butler and Nancy Gorski (non-seated alternate). Chairman Dodson called the meeting to order at 7:05 PM.

2. Consideration of Application -

Jean-Pierre Vuillermet, owner, and Darrell J. Emanuelson, applicant, seeking a variance of Killingworth Zoning Regulations, Section 500-19, Side Setback, to build shed 8' into side yard property setback line, having to do with property located at 78 River Road, Killingworth, Connecticut (Map 35, Parcel 30B). **WITHDRAWN.**

Recording Secretary Brown read into the record an email received from Darrell Emanuelson that this application was being withdrawn by the applicant.

3. Public Hearing and Consideration of Application -

Scott Beaudoin, owner/applicant, seeking a variance of Killingworth Zoning Regulations, Section 500-44D(5), Side Yard Setback, for shed installation, having to do with property located at 4 grouse Court, Killingworth, Connecticut (Map 25, Parcel 11AJ).

Scott Beaudoin was present. He submitted Certificates of Mailing along with a list of neighbors within 500 feet of the subject property.

Chairman Dodson reviewed public hearing procedures. Recording Secretary Brown read the Legal Notice of Public Hearing into the record, said notice having been published in the Hartford Courant on October 15 and 22, 2014. Brown also read into the record a letter from the Connecticut Water Company dated October 20, 2014 indicating they have no comments on this application.

Mr. Beaudoin noted he has a long, narrow driveway with a pass through alongside of it belonging to the Connecticut Water Company. He explained he measured 50' from what he thought was the property line but turned out to be the far line of the CWC property. Beaudoin further noted this is the only level area in the yard and only feasible place near the driveway. When he spoke to Cathie Jefferson she advised him there was another property line 50' closer to the subject property. Now he was only 15' away from the CWC property line and not 50 or 60 feet like he thought he was.

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Mr. Beaudoin also noted he spoke to Cindy Gaudino at the CWC.

Beaudoin indicated the area where the shed is going is in the woods. It wouldn't be encumbering to anyone. He tried to relocate it to another spot, but was told he had to stay 30 feet away from the well. He is now 35 feet from the well. Charlie Martens stated he wasn't sure about the 30 feet away from the well requirement.

Beaudoin stated there wasn't any other flat or feasible location for the shed. He was hoping to be able to get a variance. He noted both sides of the CWC property were marked, but he didn't see the closer set of markings and is currently 15 feet off the CWC property line.

Beaudoin noted they had a swing set in that location for the last 14 years because that's the only level area on the property. The level area is about 30 x 20 and the perfect spot for the shed which they have already purchased. Beaudoin indicated if he moved it anywhere he would have to take down a lot of trees and bring in fill. The shed will be on 4" of stone.

Chairman Dodson explained there must be a hardship in terms of the property itself in order to grant a variance. Because someone makes a mistake is not a valid hardship, nor is a financial reason. Dodson noted the Board had a previous application where someone poured a concrete floor too close to the road and that variance was denied. There really needs to be something unique about the property in order to grant a variance.

Charlie Martens explained a variance is like a license to ignore the Zoning Regulations. In order to grant a variance there has to be a significant reason that has to do with the land. The land must be such that there is no other location possible for the shed. Mr. Martens referred to the section on hardships from the "What's Legally Required" book.

Mr. Beaudoin noted this was not a financial issue and the further the shed is from the driveway the less useful it becomes. There is cliff, there is rock and it drops off. This is the only level place. The rest of the land is useless.

A site walk was scheduled for Saturday, November 8<sup>th</sup>, at 9:00 AM with a Special Meeting called for Monday, November 10<sup>th</sup>, at 7:00 PM.

The public hearing was continued to the Special Meeting on November 10<sup>th</sup>.

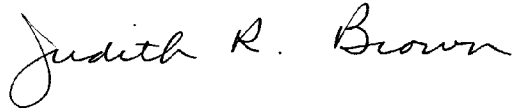
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4. Any Other Business - none.

5. Adjournment

There being no further business, the meeting adjourned at 7:25 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown". The signature is written in black ink and is positioned below the typed name.

Judith R. Brown, Recording Secretary