

**MINUTES OF THE WOODBRIDGE ZONING BOARD OF APPEALS
REGULAR MEETING OF JANUARY 9, 2023**

A regular meeting of the Zoning Board of Appeals (ZBA) for the Town of Woodbridge was held In the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut on Monday, January 9, 2023.

ROLL CALL

PRESENT: Hank Nusbaum ~ Chairman, Cynthia Gibbons, Robert Wiznia, and Celia Waters
ALTERNATES: Joi Prud'homme
EXCUSED: Shawn Flynn
ABSENT: Aldon Hynes (alternate) and Frank Ciarleglio (alternate)

The regular meeting of the Woodbridge Zoning Board of Appeals was called to order at 7:30 pm by Chairman Nusbaum in the In the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut. Prud'homme was seated in place of Flynn.

PUBLIC HEARING

Arya and Sheida Mani: 19 Davis Road

Application for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, where a 25' side yard setback is required a 4' setback for a variance of 21' for the construction of a retaining wall

Project Engineer, John Paul Garcia was present for the public hearing on behalf of Arya and Sheida Mani regarding their application for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, where a 25' side yard setback is required a 4' setback for a variance of 21' for construction of a retaining wall on the applicant's property at 19 Davis Road.

For the hearing record he noted:

- The property is 3.5 acres in area.
- The Zoning regulations allow "non-retaining walls" in required setbacks, but not "retaining walls".
- The existing residence was built in 1989.
- Currently there is a row of boulders at the edge of the driveway
- The driveway pitches to the garage so that storm water runoff from the driveway feeds directly to the garage.
- Because of the boulders, when it snows there is no place to push snow.
- The site is topographically challenged.
- The intent is to construct a retaining wall back from the edge of the driveway which would be five to seven feet from the property line.
- The setback from the property line would be to protect the roots of the existing trees along the property line.
- The retaining wall would allow a French drain to be constructed in front of the garage which would pitch storm water that currently feeds directly to the garage, to the back of the residence.
- Construction of the retaining wall would also provide a "snow shelf" for snow plowing purposes.
- In the future the homeowner would like to construct a pool, so the construction of the retaining wall would provide access to the back yard for construction of a pool.
- The area of the site which would be worked is fifteen to eighteen feet in width.

Staff noted that notice of the application had been sent to all of the abutting neighbors. Peter Beltz, abutting property owner at 15 Davis Road was present and reviewed the site plan. The proposed site work would not be adjacent to 15 Davis Road. He expressed no issues with the project.

There being no further comments from the public and no further comments by Mr. Garcia or members of the Zoning Board of Appeals the public hearing was closed at 7:08 based on the following motion:

- *** **Mr. Wiznia moved to close the public hearing.**
 - *** **Ms. Prud'homme seconded**
 - *** **In favor: Nusbaum, Waters, Wiznia, Prud'domme, and Gibbons**
 - *** **Opposed: No One**
 - *** **Abstain: No One**
- Unanimous approval.**

After the close of the public hearing, Board members acted on the application as follows:

- *** **Ms. Gibbons moved to approve the application of Arya and Sheida Mani for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, to allow a variance of 21' for a side yard setback of 4' where a side yard setback of 25' is required for construction of a retaining wall on their property at 19 Davis Road.**
 - In granting the variance, the Board found that the challenging topography of property necessitated the granting of the requested variance.**
 - *** **Ms. Prud'homme seconded**
 - *** **In favor: Nusbaum, Waters, Wiznia, Prud'domme, and Gibbons**
 - *** **Opposed: No One**
 - *** **Recused: No One**
 - *** **Abstained: No One**
- Unanimous approval.**

APPROVAL OF MINUTES

- *** **Ms. Gibbons moved to approve the minutes of the ZBA's regular meeting on December 12, 2022, as submitted.**
 - *** **Ms. Waters seconded**
 - *** **In favor: Nusbaum, Waters, Wiznia, Prud'homme, and Gibbons**
 - *** **Opposed: No One**
 - *** **Abstain: No One**
- Unanimous approval.**

ADJOURNMENT OF MEETING

- *** **Ms. Waters moved to adjourn the meeting at 7:11 pm.**
 - *** **Mr. Wiznia seconded**
 - *** **In favor: Nusbaum, Waters, Wiznia, Prud'homme and Gibbons**
 - *** **Opposed: No One**
 - *** **Recused: No One**
 - *** **Abstained: No One**
- Unanimous approval.**

Accordingly, the meeting was adjourned at 7:11 pm.

Respectfully submitted,

Kristine Sullivan, Staff