



Town of North Stonington
Zoning Board of Appeals

Zoning Board of Appeals Application

Application Number: <u>21-001</u>	Receipt Date: <u>2/11/21</u>
-----------------------------------	------------------------------

received

Application Fee

Check No./Cash # 460 # 39859
39866

A. To the Zoning Board of Appeals

In a matter involving property owned by: Watch Hill Builders, LLC
Street Address: 183 Quarry Road, Milford, Connecticut 06460
Mailing address: 183 Quarry Road, Milford, Connecticut 06460

Located on the westerly side of Jeremy Hill Road
approximately 500 feet, northerly (direction) from the intersection
of the North Stonington/Stonington Town Line with _____ in a R-60 zone.

Street address of property in question: Jeremy Hill Road (vacant land, no street number assigned)
Tax Map 115, Lot/GIS PIN 4798

I (We) hereby appeal/apply to the Board for the following:

- 1. Correction of an error in an order, requirement, or decision made by the Zoning Enforcement Officer
- 2. A variance from the application of the Town of North Stonington Zoning Regulations

This application relates to the following:

Use _____, Bulk Requirements , or Other
(explain) _____

Variance Requested: an 3,966 square foot variance from the minimum buildable area requirements of Section 402.2 of the Zoning Regulations which requires 32,400 square feet of minimum buildable area in the R-60 zone and a 34.8 linear foot variance of the minimum dimension of size of minimum buildable area for a square in the R-60 zone which requires a minimum dimension of side of 180 feet.

Is the property located within 500 feet of another town?

Yes No _____. If 'yes', name of town Stonington

Describe the order or decision complained of or the variance requested, and indicate the Section(s) of the North Stonington Zoning Regulations pertaining to the application: A variance of the requirements of Sections 402.2 and 402.3 of the North Stonington Zoning Regulations.

B. What the applicant proposes to do with the property in question: (be specific)

The property currently contains 13 acres, more or less, and accommodates a 2 bedroom residence. The applicant seeks a variance to subdivide the property into one fully conforming lot (Proposed Lot 1) and one building lot containing 10.6 acres which requires relief from the minimum buildable area requirements due to the proliferation of wetlands on the property.

C. Grounds for Appeal or Variance – Please state hardship and how the Zoning Regulations have caused this hardship.

The use of the 13 acre parcel was unduly restricted by the enactment of (i) the minimum buildable square or rectangle requirements by the North Stonington Planning and Zoning Commission and (ii) the presence of inland wetlands on the property thereby limiting the use of this 13 acre parcel to one 2-bedroom residence and resulting in a practical confiscation of the remainder of the applicant's property. The development of one additional single family home on a 10.6 acre parcel is consistent with the comprehensive plan of the Town of North Stonington and will be consistent with the public health, safety and welfare goals to be achieved by the enactment of zoning regulations in the Town of North Stonington.

D. If the person filing this application is other than the owner, state:

Name: The applicant is the owner.

Address: _____

Phone No.: (203) 410-5353

Work No.: (203) 877-3266

Submitted by Watch Hill Builders, LLC

By: _____

John C. D'Amato, Jr., its Member

*An applicant other than the property owner shall have a 'Notarized Power of Attorney' from the owner designating said applicant as the duly authorized representative for the application.

Mailing Address of Applicant:

183 Quarry Road

Milford, Connecticut 06460

Phone No.: Cell: (203) 410-5353

Office: (203) 877-3266

Date completed and filed by ZBA Office: _____

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike
Uncasville, Connecticut 06382

received
2/16/21

Sidney F. Heller (1903-1986)
Harry B. Heller (hheller@hellermccoy.com)
William E. McCoy (bmccoy@hellermccoy.com)

Mary Gagne O'Donal (mgodonal@hellermccoy.com)
Andrew J. McCoy (amccoy@hellermccoy.com)

Telephone: (860) 848-1248
Facsimile: (860) 848-4003

February 12, 2021

Town of North Stonington
Attention: Ms. Cheryl Konsavitch
40 Main Street
North Stonington, CT 06359


Re: Application of Watch Hill Builders, LLC

Dear Cheryl:

Enclosed herewith please find our check in the amount of \$320.00 representing payment of the balance due with respect to the above referenced Variance Application.

Should you have any questions, please feel free to contact the undersigned.

Very truly yours,


Rachel M. Belardo
Legal Assistant

Enclosure

Received
2/11/21

HELLER, HELLER & McCOY
Attorneys at Law
736 Norwich-New London Turnpike
Uncasville, Connecticut 06382

Sidney F. Heller (1903-1986)
Harry B. Heller (hheller@hellermccoy.com)
William E. McCoy (bmccoy@hellermccoy.com)

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Telephone: (860) 848-1248
Facsimile: (860) 848-4003

February 10, 2021

Town of North Stonington Zoning Board of Appeals
Attention: Mrs. Juliette Hodge, Director of Planning
40 Main Street
North Stonington, CT 06359

Re: Application of Watch Hill Builders, LLC

Dear Juliette:

Enclosed herewith please find a variance application filed on behalf of our client, Watch Hill Builders, LLC, with respect to property located on the westerly side of Jeremy Hill Road adjacent southerly to 92 Jeremy Hill Road. In accordance with the revised ZBA application instructions, I forward herewith the following in support of this application:

1. Original and ten (10) copies of the Variance Application.
2. Eleven (11) copies of the deed conveying title to the full property known as 92 Jeremy Hill Road, North Stonington, Connecticut to Watch Hill Builders, LLC.
3. Since the variances requested deal with the minimum buildable square, and not any particular building, no drawings of a proposed structure are included. However, the proposed building is a typical three bedroom raised ranch house containing 1,200 to 1,500 square feet of finished living area.
4. Eleven (11) copies of the tax map delineating the proximate location of the property located at 92 Jeremy Hill Road in relation to surrounding streets and abutting properties.
5. Eleven (11) copies of the plan to accompany the variance application entitled "Subdivision Plan Property of Watch Hill Builders, LLC 92 Jeremy Hill Road Parcel No. 115-4798 North Stonington, CT Prepared For D'Amato Brothers Builders C/O John D'Amato, Jr. C-

North Stonington Zoning Board of Appeals
February 10, 2021
Page 2 of 2

1 Sheet 1 of 1 Scale: 1" = 40' CA Job #219096 October 21, 2020 Drawn By: TMT Checked By: SFC Cherenzia & Associates, Ltd."

6. Eleven (11) copies of the Assessor's street card (both sides) and GIS Map for the property.
7. Authorization signed by the property owner and applicant authorizing the law firm of Heller, Heller & McCoy to represent its interests in all proceedings before the North Stonington Zoning Board of Appeals with respect to the variance application.
8. Our check in the amount of \$140.00 representing payment of the application fee.

Request is hereby made that this matter be placed on the agenda of the March 16, 2021 meeting of the North Stonington Zoning Board of Appeals for acceptance. Should you have any questions concerning the application, or need any additional information, please feel free to contact the undersigned.

Very truly yours,



Harry B. Heller

HBH/rmb
Enclosures

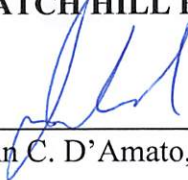
received
2/11/21

AUTHORIZATION

WATCH HILL BUILDERS, LLC hereby authorizes the law firm of Heller, Heller & McCoy to represent its interests in all proceedings before the North Stonington Zoning Board of Appeals with respect to a variance application to enable the development of a new single-family dwelling house on real property located on the westerly side of Jeremy Hill Road in the Town of North Stonington, Connecticut in accordance with a plan entitled "Subdivision Plan Property of Watch Hill Builders, LLC 92 Jeremy Hill Road Parcel No. 115-4798 North Stonington, CT Prepared For D'Amato Brothers Builders C/O John D'Amato, Jr. C-1 Sheet 1 of 1 Scale: 1" = 40' CA Job #219096 October 21, 2020 Drawn By: TMT Checked By: SFC Cherenzia & Associates, Ltd."

Dated at Montville, Connecticut this 10th day of February, 2021.

WATCH HILL BUILDERS, LLC

By: 

John C. D'Amato, Jr., its Member



Town of North Stonington, CT

Property Listing Report

Map Block Lot

115-4798

Account

S7588000

received
2/11/21 cl

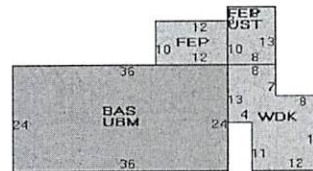
Property Information

Property Location	92 JEREMY HL
Owner	WATCH HILL BUILDERS LLC
Co-Owner	
Mailing Address	183 QUARRY ROAD MILFORD CT 06460
Land Use	1010 SINGLE FAM MDL-01
Land Class	R
Zoning Code	R60
Census Tract	7071
Sub Lot	
Neighborhood	0700
Acreage	13.08
Utilities	Well,Septic
Lot Setting/Desc	Rural Level,Rolling
Survey Map	
Additional Info	

Photo



Sketch



Primary Construction Details

Year Built	1965
Stories	1
Building Style	Ranch
Building Use	Residential
Building Condition	Average
Floors	Hardwood
Total Rooms	5 Rooms

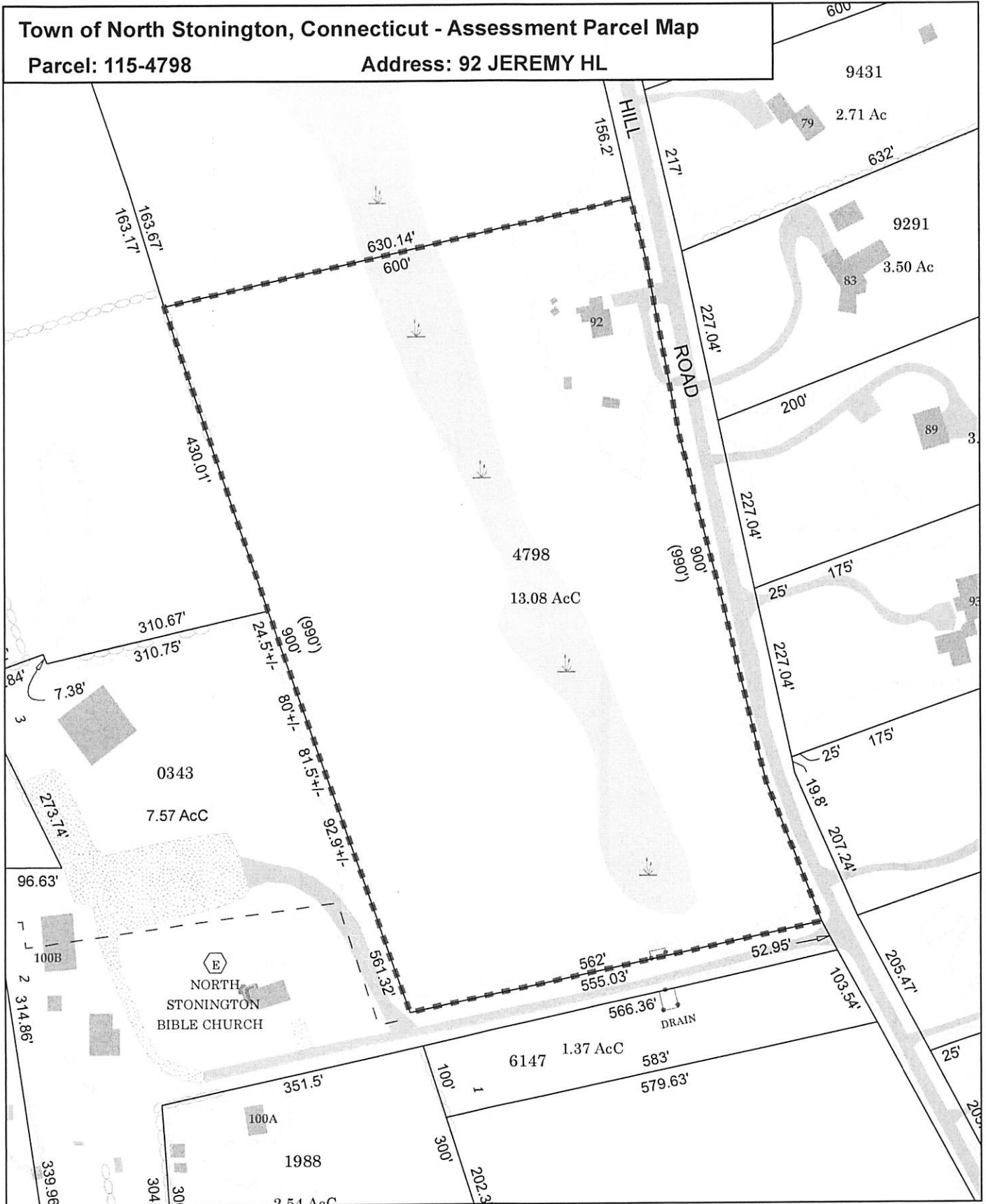
Bedrooms	2 Bedrooms
Full Bathrooms	1
Half Bathrooms	0
Bath Style	Average
Kitchen Style	Average
Roof Style	Gable
Roof Cover	Asphalt Shingl

Exterior Walls	Vinyl Siding
Interior Walls	Drywall/Sheet
Heating Type	Forced Air-Duc
Heating Fuel	Gas
AC Type	Central
Gross Bldg Area	2180
Total Living Area	1020

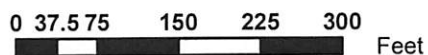
Town of North Stonington, Connecticut - Assessment Parcel Map

Parcel: 115-4798

Address: 92 JEREMY HL



Approximate Scale: 1:2,000



Map Produced
December 2020

Disclaimer: This map is for informational purposes only.
All information is subject to verification by any user.
The Town of North Stonington and its mapping contractors assume
no legal responsibility for the information contained herein.



Map Number: 115

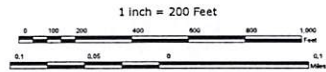
THIS MAP IS PREPARED FOR THE TOWN OF REAL PROPERTY FOUND WITHIN THESE JURISDICTIONS AND IS COMPILED FROM RECORDED DEEDS, PLATS, AND OTHER PUBLIC RECORDS AND DATA. USERS OF THIS MAP ARE HEREBY NOTICED THAT THE AFORESAIDED PUBLIC PRIMARY INFORMATION CONTAINED ON THIS MAP, THE TOWN AND THE MAPPING COMPANIES ASSUME NO LEGAL RESPONSIBILITIES FOR THE INFORMATION CONTAINED ON THIS MAP.



Photography Dates:
March 24, 1996 (122 Acres)
April 29, 1997 (449 Acres)
December 14, 1997
1449 Acres, S-1, S-2, S-3
Compilation Date: April 28, 2000
Planimetric Update based on 2019 Photo
Revised Date: October 1, 2020



Town of North Stonington Connecticut
Planimetric Data and Property Maps 2020



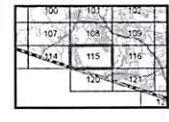
- Property Line
- - - Property Line Along water
- · - · - Parcel in Dispute
- - - Town Line
- - - State Line
- · - · - Row / Easement
- · - · - Surveyed Wetland
- · - · - Parcel Hook and Sub Lot

- Building / street No.
- ⊙ Exempt Property
- 100' (100') Record Dimension Surveyed Acreage
- 2 Ac (2 Ac) Surveyed Acreage computed Acreage
- Wall / Fence

- Deciduous Tree
- Evergreen Tree
- Vegetation
- Water
- Swamps
- Roads, Driveways, Trails, Flat Areas and Structures

100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142
143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	
164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	
185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	

Map Number: 115



Map Produced: December 2020

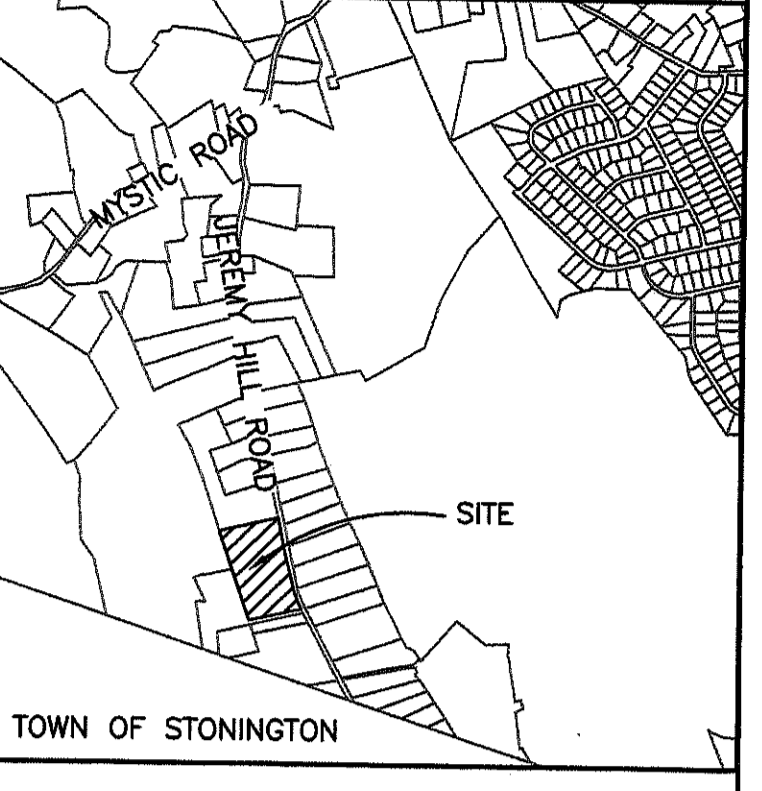
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2/11/21

SCHEDULE "A"

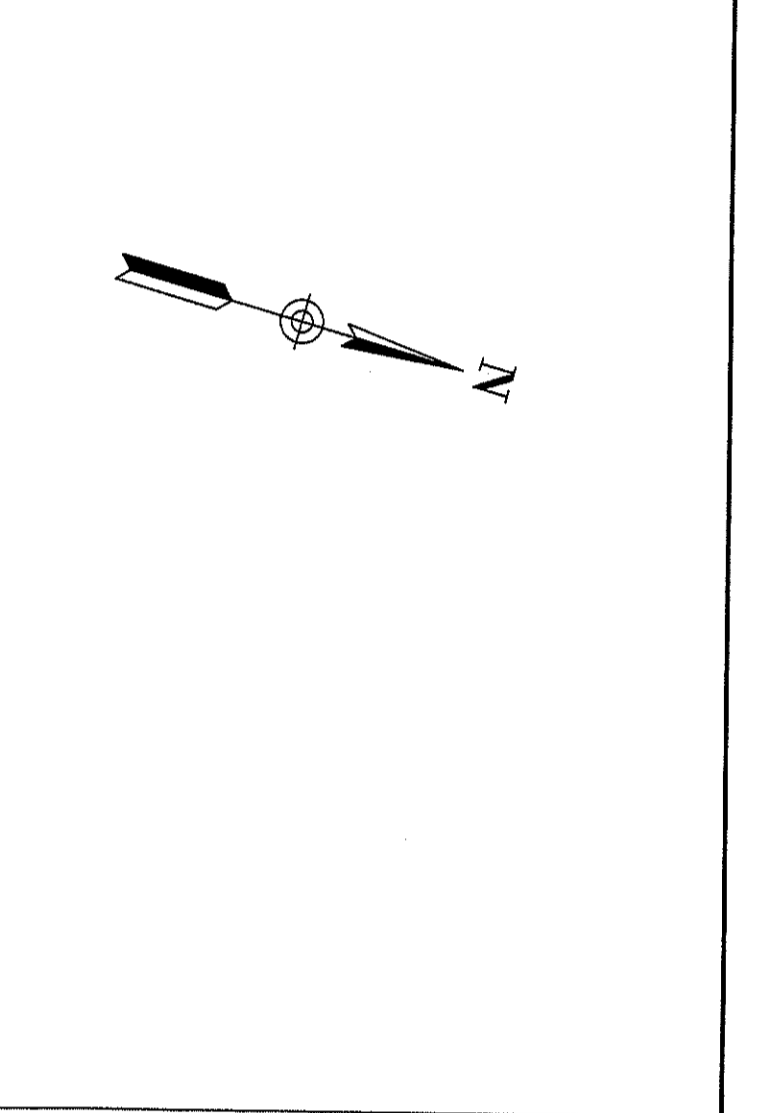
A certain tract or parcel of land, together with the buildings and improvements thereon, located on the westerly side of Jeremy Hill Road, in the town of North Stonington, County of New London and State of Connecticut, more particularly bounded and described as follows:

Beginning at the southeasterly corner of land now or formerly of Royden A. Wilkinson, Sr. and Norma Wilkinson and the southeasterly corner of land of the Releasors on Jeremy Hill Road and thence running northerly along the westerly edge of Jeremy Hill Road for a distance of 900 feet; thence running westerly on a line at right angles to Jeremy Hill Road for a distance of 610 feet, said last line being bounded northerly by remaining land now or formerly of John W. Cornell, Sr. and Catherine E. Cornell; thence running southerly for a distance of 900 feet, more or less, to land now or formerly of Royden A. Wilkinson, Sr. and Norma Wilkinson, said last line being bounded westerly by lands now or formerly of James A. Chappell, Jr., et ux, Jeremy Hill Gospel Center, Inc. and Daniel Cosgrove and Joseph J. Cegelski; thence easterly for a distance of 562 feet, mor or less, back to the point of beginning, said last line being bounded southerly by land now or formerly of Royden A. Wilkinson and Norma Wilkinson.

Reference is made to a Quitclaim Deed from Larry L. Stout to Catherine Stout, dated August 4, 1975 and recorded in Volume 48, Page 559 of the North Stonington Land Records. Reference is further made to a Certificate of Change of Name evidencing that Catherine Stout is now known as Catherine Judy Ramsey, which Certificate is dated March 22, 2006 and recorded in Volume 176, Page 1112 of the North Stonington Land Records. Reference is further made to a Fiduciary's Probate Certificate/Conservatorship for the Estate of Catherine J. Ramsey, dated November 16, 2017 and recorded in Volume 225, Page 489 of the North Stonington Land Records.



LOCATION MAP
 NOTES:
 1. REFERENCE MADE TO PLAN ENTITLED "PROPERTY/BOUNDARY & TOPOGRAPHIC SURVEY, PREPARED BY CHERENZIA & ASSOCIATES, LTD., DATED JULY 14, 2020.



SCALE: 1"=40'
 CA JOB #219096
 JANUARY 15, 2020
 DRAWN BY: TMT
 CHECK BY: SFC

ISSUED FOR PERMITTING NOT FOR CONSTRUCTION

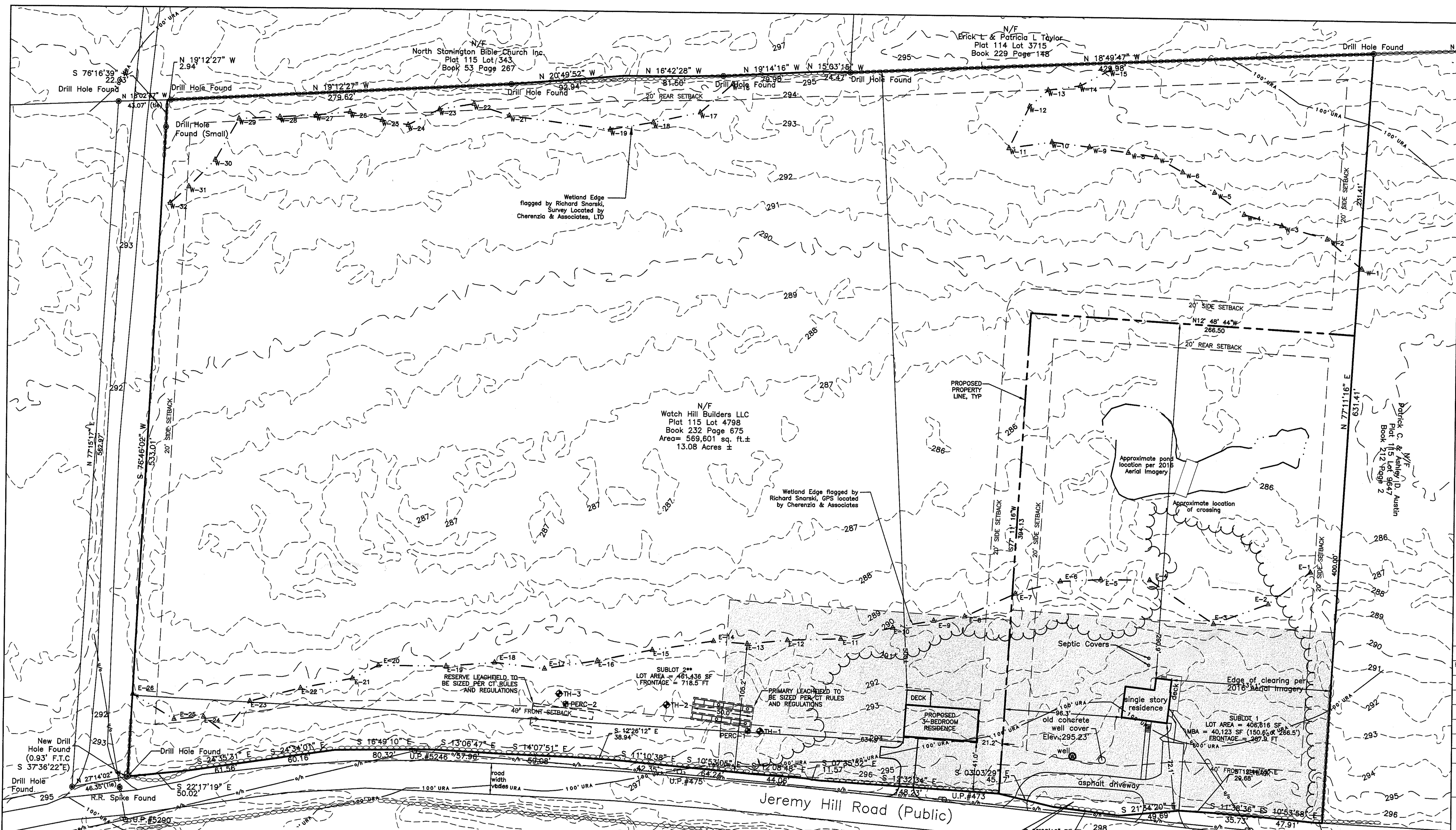
SUBDIVISION PLAN

PROPERTY OF WATCH HILL BUILDERS, LLC
 92 JEREMY HILL
 PARCEL NO. 115-4798
 NORTH STONINGTON, CT

PREPARED FOR
D'AMATO BROTHERS BUILDERS
 C/O JOHN D'AMATO, JR

STATE OF CONNECTICUT
 DEPARTMENT OF CONSTRUCTION
 REGISTRATION DIVISION

C-1
 SHEET 1 OF 1
CHERENZIA & ASSOCIATES, LTD.



ZONING CHART
 (BASED ON ZONE R60: MEDIUM DENSITY RESIDENTIAL)
 REFERENCE MADE TO NORTH STONINGTON ZONING REGULATIONS, AMENDED JULY 25, 2019
 CHAPTER 4 - DIMENSIONAL REQUIREMENTS

	REQUIRED	PROPOSED SUBLOT 1	PROPOSED SUBLOT 2**
LOT AREA (401)	60,000 SF	106,816 SF	461,436 SF
MIN. BUILDABLE AREA (401.2)*	32,400 SF	40,123 SF	26,434 SF
FRONTAGE (403)	200 FT	267.9 FT	718.5
IMP COVER (405)	20%	3.9%	0.5%
MAX PRINCIPAL BUILDING HEIGHT (406)	40 FT	EXISTING BLDG TO	TBD
FRONT BLDG SETBACK (404)	40 FT	72.1 FT	41.0 FT
SIDE BLDG SETBACK (404)	20 FT	98.3 FT	21.2 FT
REAR BLDG SETBACK (404)	20 FT	290.8 FT	503.2 FT

* MIN. BUILDABLE AREA SIDE DIMENSION IF SQUARE (402.3) SHALL BE EQUAL TO 180 FT.
 MIN. BUILDABLE AREA SIDE DIMENSION IF RECTANGLE (402.3) SHALL BE EQUAL TO 140 FT.
 ** SUBLOT 2 DOES NOT MEET ZONING REGULATION 402.3 MINIMUM BUILDABLE AREA: SIZE AND SHAPE, IF RECTANGLE. SUBLOT 2 WILL BE SUBJECT TO VARIANCE APPROVAL PRIOR TO DEVELOPMENT.
 REQUESTED VARIANCES: SECTION 402.2 MINIMUM BUILDABLE AREA REQUIREMENTS AND SECTION 402.3 SHAPE AND LOCATION

LLHD
 edgeLight Health District
 Promoting healthy communities

SITE INVESTIGATION FOR A SUBSURFACE SEWAGE DISPOSAL SYSTEM
 Property Address: 92 Jeremy Hill Road
 Town: North Stonington

DEEP TEST PIT DATA/SOIL DESCRIPTIONS
 DATE: 5/8/2020 (Record all Test Pits)

TEST PIT: 1	TEST PIT: 2	TEST PIT: 3
0-10": topsoil	0-13": topsoil	0-12": topsoil
10-23": light brown fine sandy loam, some silt	13-31": light brown fine sandy loam, some silt	12-33": light brown fine sandy loam, some silt
23-84": grey-brown wet silty sand, gravel	31-84": grey-brown wet silty sand, gravel	33-83": grey-brown wet silty sand, gravel
Mottles: 40"	Mottles: 34"	Mottles/Seeping: 35"
GW: 73"	GW: 61"	GW: 63"
Ledge: not observed	Ledge: not observed	Ledge: not observed
Roots: 16"	Roots: 16"	Roots: 16"
Restrictive: mottling at 40"	Restrictive: mottling at 34"	Restrictive: mottling at 35"

GROUNDWATER TABLE (Near max., below max., etc.): near max
 SOIL MOISTURE (High, medium, low, etc.): high
 Perc- to be conducted by engineer

SPECIAL CONDITIONS

Design Flow > 2000 GPD	Suitable for Sewage Disposal	X
Public Water Supply Watershed	Unsuitable for Sewage Disposal	
Probable High Groundwater	Additional Investigation Req'd	
Slope > 25 percent	Wet Season Monitoring Req'd	
Perc Rate < 1 min/inch	Retest During Wet Season	
Perc Rate > 30 min/inch	Licensed Engineer Plan Req'd	
Ledge < 5 feet below grade	Other:	
Limited Suitable Area		
Open Watercourse or Wetlands		
Flood Plain / Seasonal Flooding		
Max. G.W. < 36 inches below grade		

CONCLUSIONS

LOCATION DRAWING INCLUDING ALL TEST PITS AND PERCOLATION HOLES- provided by engineer

DESIGN RECOMMENDATIONS/COMMENTS
 MLLS applicable, high mottling and seepage observed.

LEGEND

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE	---	---
BUILDING SETBACK LINE	---	---
MAJOR CONTOUR	---10---	---
MINOR CONTOUR	---9---	---
OVERHEAD WIRE	---o/h---	---
STONE WALL	---o---o---o---	---
UTILITY POLE	---o---	---
WETLAND FLAG	---WF-#---	---
TEST HOLE LOCATION	---TH-#---	---
PERCOLATION TEST LOCATION	---PERC-#---	---
MINIMUM BUILDABLE AREA (MBA)	---	---

