

Town of Plymouth
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Zoning Board of Appeals
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Minutes

August 26, 2025

Call to Order: Zoning Board of Appeals Chairman Marty Sandshaw called the scheduled August 26, 2025, Zoning Board of Appeals Regular Meeting to order at 7:06 p.m., in the Mayor's Conference Room, Plymouth Town Hall.

Roll Call: Present were Zoning Board of Appeals Member/Chairman Marty Sandshaw, Zoning Board of Appeals Member Sarah Sandshaw, Zoning Board of Appeals Member Thomas Tracy and Zoning Board of Appeals Member Chip Wilcox. Also in attendance were Zoning Enforcement Officer Scott Eisenlohr, and Director of Economic Development and Planning Margus Laan.

Pledge of Allegiance

Zoning Board of Appeals Chairman Marty Sandshaw led the Zoning Board of Appeals Members and the Public Audience in the Pledge of Allegiance.

Public Introduction by Acting Chairman

Zoning Board of Appeals Chairman Marty Sandshaw read the following statement into the record: "A peculiar or unique feature of a particular piece of property that prevents the landowner from making a reasonable use of the property in conformance with the existing zoning regulations. A hardship has nothing to do with the personal circumstances of the landowner. The fact that the owner might be able make a more profitable use of the land if it were not for the zoning regulations does not equate to hardship. Proof of a true hardship is a legal requirement for a zoning board appeals to issue a variance."

Public Comment: Requested limit of no more than 3 minutes in duration. Note: Public Comment is for non-agenda topics; for agenda related items, comments need to be made during agenda item discussion for inclusion in the record on that issue

No report.

Public Hearing on Variance Applications:

Continued from July 29, 2025 Meeting-Application for 23 Meghan Boulevard, Terryville, CT

Application of Property Owner Stephen Butler for Variance of Side Yard Setback Requirement in Residence R-40 District, Section 4.C. of the Zoning Regulations, for Construction of second attached garage at 23 Meghan Boulevard/Assessor Parcel Number 019-017-003-3

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Application of Property Owner Stephen Butler for Variance Cont'd.

Zoning Board of Appeals Member Chip Wilcox made a motion, seconded by Zoning Board of Appeals Member Sarah Sandshaw, to open the Public Hearing on the Application of Property Owner Stephen Butler for Variance of Side Yard Setback Requirement in Residence R-40 District, Section 4.C. of the Zoning Regulations, for Construction of second attached garage at 23 Meghan Boulevard/Assessor Parcel Number 019-017-003-3. This motion was approved unanimously.

Stephen Butler stated per the Zoning Board of Appeals Commissioner's July 29, 2025, request to get a full plot plan, he had spoken to Bob Green, noting he is just too busy to get it done. He further stated that Bob Green recommended he ask the Board Members if his Variance gets approved would they put conditions on the plot plan, and he will get the plot plan work done down the road. Stephen Butler stated that he had spoken to Margus Laan who requested he take more pictures. He further stated that he had his friend take drone aerial photographs of the square where the garage will be, the open field and his neighbor said he doesn't mind it because he is not going to build a house on the property. Stephen Butler stated they also shortened the garage from 42 feet to 36 feet and are now asking for an eight foot variance, noting it will now be 17 feet off the property line.

Margus Laan stated he had sent the Zoning Board of Appeals Commissioners the following which he received from Stephen Butler: One of the drone aerial views, his email with three pictures and a print of one of them which shows what the site has on it including the house, the pool, the patio, the dogs roaming areas, the hoop house, sheds of various sizes, the paved areas, and the partial area used as a parking lot. Margus Laan stated the plan Stephen Butler submitted is still lacking a lot of details however it does show the pool and amenities area and that the area has been reduced. Margus Laan stated he also provided a short guide as to what is beyond the side yard setback and identifies it, as well as the covered access area. Margus Laan stated that he summarized the garage size as being 36 feet in width verses the original 42 feet; the depth is the same, and now there is an eight foot Variance, noting previously it was a 14 foot Variance. Margus Laan stated that he had doctored up Bob Green's plan to point the Commissioners to certain things and their locations. Margus Laan stated he gave the Commissioners a new print today to show that Stephen Butler has constraints added as an attachment to the house. He further stated he would have needed a variance no matter what. Margus Laan stated that because of the 10 foot distance between the existing and new building, Stephen Butler can't go back because of septic areas, and he can't go forward because it would block the existing garage which is part of the main house. Margus Laan stated what Bob Green had put together is not much different from the first round. He further stated there is a hoop house on the property, as well as containers that will be removed.

Stephen Butler stated that he would like to keep the hoop house if possible, noting it is now 10 feet from the property line and that he has already sold the containers.

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Application of Property Owner Stephen Butler for Variance Cont'd.

Margus Laan stated the outline of the house is still not accurate, noting when you look at the arial view you will see a lot going on in the property, noting most of it is nice but raises concerns should it be approved. Margus Laan questioned the overall zoning statistics, noting we don't know what the numbers will work out to be. He further stated that Stephen Butler may need another Variance for coverage, and this should be addressed as part of the discussion, noting it is a concern to him. Margus Laan stated that he provided the Commissioners with a copy of the minutes to refresh the Commissioner's memories, as well as drawings to remind the Commissioners what the project is going to look like, noting the drawings in the packets are for what is proposed, and that the building is six feet longer than what is proposed.

When questioned by Margus Laan, Stephen Butler stated that because the building is six feet longer there will be no door on the side of the garage.

Zoning Enforcement Officer Scott Eisenlohr stated the Commission had requested a zoning table on the plans enabling the specs on the site to be seen.

Margus Laan stated the zoning table cannot be done until Bob Green has finished all of the calculations and briefly elaborated.

Stephen Butler questioned if his Application for a Variance is approved can the zoning table be added as a condition to the Variance, noting Bob Green said he just can't get to it right now because he's so busy.

Marty Sandshaw stated he wanted to thank Stephen Butler for reducing the size noting the 17 foot setback is very doable. He further stated the Commission had asked for a detailed plan so they could look at the coverage and the existing features on the property.

Stephen Butler stated all of these requests could be added to the conditions if this Variance Application is approved tonight and further, if the hoop house exceeds it, he will get rid of it.

Marty Sandshaw stated there are three options for the Commissioners to consider as follows: The Commissioners can ask for a continuance; they could deny the Application without Prejudice or take it and accept the Variance as it is presented with the 17 foot side yard without knowing what the area coverage is; a brief discussion followed.

Zoning Board of Appeals Chairman Marty Sandshaw made a motion, seconded by Zoning Board of Appeals Member Chip Wilcox, to grant the Variance as presented, with the condition that the hoop house has to be removed if it comes down to a percentage cover so that the coverage is within the regulations.

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Application of Property Owner Stephen Butler for Variance Cont'd.

Discussion:

Margus Laan stated he would recommend when the numbers are submitted there needs to be documentation of the numbers, i.e., how the numbers were determined, how the square footage was calculated, etc.

Zoning Enforcement Officer Scott Eisenlohr stated what is being asked for is a zoning table.

Zoning Board of Appeals Chairman Marty Sandshaw stated they are referring to anything that is covering the land, noting each building will need a percentage, i.e., the swimming pool, the house, the patio, the new garage, sidewalks, driveways, etc., anything that is covering the land.

When questioned by Zoning Enforcement Officer Scott Eisenlohr, Marty Sandshaw stated the Commission would like the zoning table as soon as possible. He further stated he doesn't want the whole situation to take advantage of the Commission.

Stephen Butler stated as soon as he leaves the Commission meeting this evening he will call Bob Green and request he takes care of this project as soon as possible.

Zoning Board of Appeals Member Thomas Tracy stated Stephen Butler answered his questions regarding the hoop house; and he did reduce the size of the building, so he feels he's making some good efforts.

Zoning Board of Appeals member Sarah Sandshaw stated she felt Stephen Butler was working with the Commission with the constraints that he has on him. She further stated that Bob Green is backed up with work and there is nothing that Mr. Butler can do about it. Zoning Board of Appeals Member Sarah Sandshaw stated Mr. Butler reduced the size so she feels he is working with the Commission as best he can.

Zoning Board of Appeals Member Chip Wilcox stated that he is okay with what has transpired so far.

Vote:

This motion was approved unanimously.

When questioned by Stephen Butler, Zoning Board of Appeals Chairman Marty Sandshaw stated that because he has his Variance, he can begin working with the Building Department to do whatever is needed. Zoning Board of Appeals Chairman Marty Sandshaw stated that Stephen Butler must wait 15 days before he begins working in case someone decides to appeal the Variance.

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Application of Property Owner Stephen Butler for Variance Cont'd.

Zoning Board of Appeals Chairman Marty Sandshaw the 15-day wait period is a condition of the Variance. Zoning Board of Appeals Chairman Marty Sandshaw stated the Commission awaits more detailed information on the property and noted that as a reminder, the hoop house may have to be removed.

New - Application for 3 Lynn Avenue

Application of Property Owner Yvette Wylie for Variance of Section 4C. Maximum Building and Site coverages for the construction of Accessory Building at 3 Lynn Avenue/Assessor Parcel Number 033-024-003; part of Special Permit review before Planning and Zoning Commission for Accessory Building under provisions of Section 4.3.iii. of the Zoning Regulations

Margus Laan stated Robert Colapietro and Yvette Wylie want to build a 1,200 square foot barn in the rear section of their property at 3 Lynn Avenue however they found out in order to build it they will exceed the footprint allowance for the property. He further stated the Planning and Zoning Commission has a special permit application from them to build the barn, but the Planning and Zoning Commission cannot approve anything that does not meet Zoning Regulations. Margus Laan stated that the Planning and Zoning Commission directed them to come to a Zoning Board of Appeals meeting to get a Variance of Footprint and they also need a Variance of Lot Coverage. The lot coverage is conditional if they want to have a driveway from the street to the barn, they will start exceeding the coverage allowance. Margus Laan stated their Surveyor Todd Clark came out with existing building coverage noting they are at 14% of the 15% maximum allowed and once the barn is constructed, they will be at 21%. Margus Laan stated Todd Clark did impervious (lot) coverage with the barn they will be at 25% and that is less than 30% so they don't have a problem, but should they add a driveway they will be beyond that. Margus Laan stated that he figured out what the coverage is with the building and with the existing driveway and how much overage the pool creates for coverage, noting when you add those together you are at 25.1%. He further stated if you add the new driveway that adds 990 square feet (Todd Clark's estimate) and that will bring you to 30.8% lot coverage. Margus Laan stated the house itself is 2,404 square feet and currently just the house has a footprint of 13.55% with the decks and the garage, which is part of the footprint. He further stated that when you add the new barn to it, it brings it to 3,604 square feet which equates to 20.3% and that is 5.3% points above what it should be, so they need a Variance of at least up to 21% footprint which is a 6% point Variance and briefly elaborated.

Zoning Board of Appeals Chairman Marty Sandshaw stated they will be up to 30.8% coverage if they put the driveway in and regulations state 30%.

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Application for 3 Lynn Avenue Cont'd.

Margus Laan stated that he recommends it go to 32% and that allows you to have a little wider driveway. Margus Laan stated he is recommending they obtain a Variance of Coverage even though they don't need it right now because it will be in place should they decide to put in a driveway.

Zoning Board of Appeals Member Sarah Sandshaw made a motion, seconded by Zoning Board of Appeals Member Chip Wilcox, to approve the Variance for a 32% coverage for the proposed building and possible future driveway, and a Variance of 6% with a footprint and overall coverage with a Variance of 2% bringing it to 32%. This motion was approved unanimously.

Review, deliberate and motion and vote to approve, to amend or reject the minutes of July 29, 2025 Regular Meeting

Zoning Board of Appeals Member Chip Wilcox made a motion, seconded by Zoning Board of Appeals Member Thomas Tracy, to accept the July 29, 2025, Regular minutes as presented. This motion was approved unanimously.

Administrative Matters

Zoning Board of Appeals Chairman Marty Sandshaw read Zoning Board of Appeals Member Chip Wilcox's resignation out loud for the Public Audience.

Zoning Board of Appeals Chairman Marty Sandshaw made a motion, seconded by Zoning Board of Appeals Member Sarah Sandshaw, to accept the resignation of Chip Wilcox from the Zoning Board of Appeals with deep regret. This motion was approved unanimously.

Zoning Board of Appeals Chairman Marty Sandshaw thanked Zoning Board of Appeals Member Chip Wilcox for all that he has done for the Zoning Board of Appeals.

When questioned by Margus Laan, Zoning Board of Appeals Chairman Marty Sandshaw stated he would like to have all Public Hearings taken care of at one time and then the Commission would move forward with the rest of the Agenda just like the Board has always done.

Adjournment

There being no further business of the Zoning Board of Appeals, Zoning Board of Appeals Member Sarah Sandshaw made a motion, seconded by Zoning Board of Appeals Member Thomas Tracy, to adjourn at 7:58 p.m. This motion was approved unanimously.

Respectfully Submitted,
Patricia A. Hale, Recording Secretary