

PUBLIC HEARING  
CRESCENT BEACH ASSOCIATION ZONING BOARD OF APPEALS  
CRESCENT BEACH CENTER  
37 BAYVIEW AVENUE  
NIANTIC, CT 06357  
JUNE 14, 2022  
6:30PM  
AGENDA

FILED  
June 21 2022 AT 12:45 AM/PM  
*[Signature]*  
EAST LYME TOWN CLERK

- I. The meeting was called to order by J. Pasquale at 6:30pm
- II. Roll Call: Regular members present: J. Pasquale, P. Byrnes, S. Osso, T. Flanagan, P. Bryan  
Alternates present: T. Deshefy-Longhi, D. Beachy
- III. Determination of Quorum: Five regular members present
- IV. Approval of Agenda: Moved P. Byrnes , second P. Bryan, MMC
- V. New Business

Appeal #22-03 for variance by Jose David Gonzalez for property located at 45 Central Avenue, Assessor's Map No. 08.1, Lot No. 141, of Section 3.2.7 (division of conforming lot) of Crescent Beach Association General Regulations. and of Sections 2.4.1 (lot size), and 2.4.2 (lot frontage) of Crescent Beach Association Zoning Regulations.

- 1. Applicant Jose David Gonzales presented the variance request:  
Subject property is a single conforming lot that contains multiple pre-existing non-conforming use structures. These structures cannot be renovated. The proposed division of the subject property into two lots will result in the creation of two non-conforming lots. Applicant stated that it is not feasible for him to develop the property without dividing the lot into two. Mr. Gonzales presented plans as the property is now and several options for going forward. Applicant presented several alternative approaches to dividing the lot, none of which result in conforming lots (i.e. less than 7500 sq. ft. and less than 75 feet frontage).
- 2. ZBA Member questions:
  - a. Are we correct that presently there is one lot that is conforming and splitting the lot would result in two non-conforming lots? That is both would be undersized? Response: yes.
  - b. How many sewer lines are there to the property? Response: one
- 3. ZEO question: How are you defining "not feasible"? According to CBA Zoning Regulation Section 5.4.2 there has to be a reason as listed in the

regulations if this is a hardship it must be something that arises out of the land itself, how do you define feasible? Response: I am not able to make it work with only the one property – I need to do the two lots to get the investor support I need.

VI. Public Input

a) General questions and questions:

Ceil Meehan, 32 Terrace Avenue – how is it that the two houses are a hardship now and not if you divide the lots?

Ed Ryan, 6 Ramble Avenue – what kind of house will you build?

Susan Nilsen, 27 Central Avenue – Are you going to oversee the work? And if you don't get the variance will you build on the existing lot? Will it be all new construction? Do you have financial backing if you have two lots? Are you taking the property off the market?

Tom Nicholas, 38 Terrace Avenue – when will you do this? If you get the variances what is the process you will go through? Will you sell the houses you will build? Are you actually trying to realize financial gain?

b) Speaking for and against the appeal:

a. For: applicant Jose David Gonzales

b. Against:

i. Tom Nicholas, 38 Terrace Avenue

ii. Ward Woodruff, 33 Central Avenue

iii. Don and Cathy Landers, 3 Beach Avenue (letter entered into the record)

iv. Ruth Mahoney, 49 Central Avenue

J. Pasquale explained the regulation and the process that the Zoning Board of Appeals will follow.

VII. The meeting was adjourned at 7:31pm

Attest:

Pamela J. Byrnes, Secretary

06/04/2022