

**Town of Andover, CT Zoning Board of Appeals**  
January 20, 2021 at 7:00 P.M.  
**Location: Via Virtual Meeting via Zoom Website Platform**

Regular Meeting and Public Hearing Minutes

**Members Present:** Chair William Desrosiers, Kathleen Skorka, Gerard Crème, Walter Weir, Bill Munroe

**Members Absent:** None

**Others Present:** Zoning Agent – Jim Hallisey, Board Clerk – Mindy Gosselin, Donna Phillips, Bill Phillips, Megan Phillips, Thomas Florentino, Andrew Bushnell, Allan Parkington

1. Call to Order: W. Desrosiers called the meeting to order at 7:08pm.
2. Roll Call/Seating of Alternates
3. Additions/Changes to the Agenda: None.
4. Public Participation: No one wished to speak.
5. Open Public Hearing:
  - a. **Application - #ZBA-21-01** - Application of William Phillips & Donna Phillips (Applicant/Property Owner), 57 Hendee Road, aka Assessor's Map 28, Block 3, Lot 12. Applicant is seeking relief from Section 10.5, and in accordance with Section 4.1.2a, of the Andover Zoning Regulations to allow for the deposition of fill and the construction of a single-family residence in the Flood Prone District.

J. Hallisey indicated that a site walk may be necessary and W. Desrosiers agreed.

T. Florentino stated that he was the applicant's agent. He explained the property from a historical perspective, stating that Bill Phillips and his sister Donna Phillips purchased the property which had an existing house that was disheveled and deteriorating. Their intent was to turn it into a new single-family residence for use by the family. If the variance is granted, Bill and Donna would transfer the lot to Megan Phillips – who is currently living in 57 Hendee Rd. Megan's intention is to build a single-family home where the Phillips family will live. Donna Phillip will live in the stone house that is existing. So, there will be two, stand alone, single family residential homes occupied by the family.

W. Desrosiers wanted to clarify that although T. Florentino stated that this property will only be used by family members, that the property can be sold at any time to someone else.

W. Desrosiers questioned if this is a division of the property to create two separate lots or is it two dwellings on one piece of property. T. Florentino stated that there are two existing lots. They are using 57 Hendee as address because the second lot doesn't have an address designation.

A. Parkington asked about the size of the lot. T. Florentino stated that it is currently 8.4 acres. As proposed, it would be ~1.4 acres and the remaining ~7 acres would be combined with 57 Hendee Rd.

W. Desoriers asked if that was a conforming lot size for zoning. A. Bushnell stated that 60,000 sq ft is required and the proposed size is 60,297 sq ft.

W. Desoriers asked for clarification on the deposition of fill. A. Bushnell stated that because the work is in a flood plain area, adding fill can decrease storage volume for flood waters. Therefore, when fill is used to build the house up to get it above flood elevation, fill will be removed/taken from elsewhere on the property. The plan is to take 600 yards from the west side of the home and move it to the east side where the house is.

W. Weir asked how many vertical feet would be gained by adding fill. A. Bushnell said that it is 3.5 feet would be gained on average.

G Crème asked if the whole property is on the flood plain. A. Bushnell stated that not all of the property is on the flood plain but there is flood plain all along the river.

G Crème stated that it looks like the driveway comes out just before the town property, there is a triangle of town property. A. Bushnell explained that there used to be a sharp curve in the road and it was subsequently straightened and pushed to the side. The land that was left over from that realignment project belongs to the town (triangle piece of property). A. Bushnell stated that it is more of a town right of way.

G Crème asked about the proposed size of the home and if there has been any feedback from neighbors. A. Bushnell stated that it would be an 1,800 sq ft raised ranch and there has been no feedback to his knowledge. J. Hallisey stated that he received an inquiry from a neighbor asking about filling in a flood plain. J. Hallisey explained to the resident that whatever volume of the floodplain is filled, is made up elsewhere.

G. Crème and J. Hallisey both expressed the difficulty in reading the proposed plan.

W. Desoriers asked if the driveway will be going through the town property. A. Bushnell stated that it will not go through the town property.

K. Skorka asked if the town is liable if the property floods. J. Hallisey stated that he was unsure and that he will look into it and talk to the Town Attorney.

T. Florentino stated that if the variance is granted, the applicants intend to exceed regulations by proposing the height to be in excess of what the town is requiring. The Phillips have been working with J. Hallisey and the town's land use attorney Mark Branse.

J. Hallisey requested that a full-sized map be provided by the applicant for the site walk. A. Bushnell said that is doable.

W. Desoriers MOVED to schedule a site walk for application #ZBA-21-01 Saturday January 23<sup>rd</sup> at 9am. SECONDED by Walter. By roll call vote, 5:0:0.

The public hearing was continued.

6. New Business:

- a. **Application - #ZBA-21-01** - Application of William Phillips & Donna Phillips (Applicant/Property Owner), 57 Hendee Road, aka Assessor's Map 28, Block 3, Lot 12. Applicant is seeking relief from Section 10.5, and in accordance with Section 4.1.2a, of the Andover Zoning Regulations to allow for the deposition of fill and the construction of a single-family residence in the Flood Prone District.

This application was continued to the next meeting.

7. Commission Open Discussion: No discussion.

8. Administrative Report from Zoning Agent: Nothing to report.

8. Approval of Meeting Minutes October 21, 2020

G. Crème MOVED to approve the October 21, 2020 meeting minutes as presented. W. Weir SECONDED. By roll call vote, MOTION CARRIED 4:1:0 with B. Munroe abstaining.

9. Public Participation: No public participation.

10. Adjournment:

W. Weir MOVED to adjourn the meeting at 7:36 p.m. G. Crème SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

Respectfully submitted by Mindy Gosselin,

*Mindy Gosselin*

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.