

NOANK FIRE DISTRICT  
ZONING COMMISSION  
10 WARD AVE NOANK, CT 06340

Approved Minutes of the Regular Meeting

Date: February 20, 2024

A link to the recording of the meeting:

[https://1drv.ms/u/s!ApV\\_BVCbHuQwwAJfSlGrxH-g0hui?e=UgtBpm](https://1drv.ms/u/s!ApV_BVCbHuQwwAJfSlGrxH-g0hui?e=UgtBpm)

[Times shown correspond to recording.]

Call to Order: Chair Beth Steele called the meeting to order at 7:06 PM.

Members Present: Dana Oviatt, Blake Powell, Chair Beth Steele, Peter Drakos and Michael Hewitt seated for Rick Smith. Others: Janet Sutherland, Clerk.

A. Chairman's Remarks - None

B. Public Comment - Issues Not on the Agenda - None

C. Public Hearing on Applications for Design Review - None

D. New Business -

1. Application of Allison and Ross Nasin for a Certificate of Design Appropriateness to replace a garage at 239 Prospect Hill Road

Chair Steele described the application to replace a garage with a new garage. All determined the application was complete. Steele and Drakos discussed the levels of review, then all agreed on a site plan review. Steele asked the commission whether a public hearing would be necessary, all replied no. [4:01]

**Motion (Drakos / Powell):** I move that the Noank Zoning Commission find that the application of Allison and Ross Nasin for a Certificate of Design Appropriateness to replace a garage with a new garage at 239 Prospect Hill Road, Noank, is complete; and that based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity, and/or public health and safety, the appropriate level of review for the application is a Site Plan Review without a Public Hearing under Section 2.26.6.5; and that all specific submittal requirements that are not included in this application be waived because they would not aid the Commission in its determination of the application's compliance with Section 2.26.

There was no discussion on the motion.

**Motion to receive application carried unanimously, 5:0.**

Steele then invited the applicant to begin their presentation.

Nasin began the presentation by showing photos of the subject property and neighboring homes and structures. Nasin described the previous bungalow style garage was previously removed, and the same footprint would be kept with an increase in height for the new garage. The old garage was dilapidated and could not be repaired.

Chair Steele asked if the new garage would be prefab, Nasin replied yes, Kloter Farms build would be a similar style to others in the neighborhood. Drakos questioned the location of the garage, Nasin showed the footprint located on the left rear (south-west) side of the property. Hewitt questioned whether the garage would on the same footprint, Nasin replied yes. Hewitt then asked the height of the former garage, Nasin was unsure of the previous garage's height, but the new one would be approximately 20.5ft tall. Oviatt asked whether the garage would be black in color, Nasin replied yes with vertical boards. Steele asked for height of the old garage, Nasin was unsure. Powell asked if ZEO Mulholland approved the new height per regulations, Nasin replied yes. Steele asked if there would be any exterior lighting, and would it be pointed downwards, Nasin replied yes to both.

Powell asked whether the project had been discussed with neighbors, Nasin replied yes. Drakos asked if the wood would be painted black, Nasin replied a very dark grey. Steele asked if roofing would be asphalt shingles, Nasin replied yes to match the house which also has charcoal grey shingles. Hewitt asked if the garage would have heating, perhaps a mini split replied Nasin, and added the garage would just be used for storage. Powell asked if a car would be parked inside, Nasin replied yes. [13:37]

**Motion (Drakos / Hewitt):** I moved that the application of Allison and Ross Nasin, for a Certificate of Design Appropriateness to replace an existing garage with a new garage at 239 Prospect Hill Road, Noank, be approved because it meets the criteria set forth in Section 2.26 of the Zoning Ordinance for the Noank Fire District.

**Motion carried unanimously, 5:0.**

2. Application of Peter J Springsteel Architect LLC for a Certificate of Design Appropriateness for a second-floor addition and alterations to an existing single-family residence at the property of Kevin and Joyce Kristen Flanagan at 242 Elm Street

Solicitation of Public Interest - Elizabeth Pendery, 83 High St, Noank. Asked if this was the house on Marsh Road, Steele replied no, it is on Elm Street on the bay side.

All found the application is complete, all in favor of a site plan review without a public hearing. [16:58]

**Motion (Drakos / Hewitt):** I move that the Noank Zoning Commission find that the application of Peter J Springsteel Architect LLC for a Certificate of Design Appropriateness for a second-floor addition and alterations to an existing single-family residence at the property of Kevin and Joyce Kristen Flanagan at 242 Elm Street, Noank, is complete; and that based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity, and/or public health and safety, the appropriate level of review for the application is a Site Plan Review without a Public Hearing under Section 2.26.6.5; and that all specific submittal requirements that are not included in this application be waived because they would not aid the Commission in its determination of the application's compliance with Section 2.26.

**Motion carried unanimously, 5:0.**

Steele then invited the applicant to begin their presentation.

Springsteel began his presentation depicting the third phase of an ongoing project at 242 Elm Street, and showed neighboring properties within 200ft of the property. The front elevation facing Elm Street will have a second-story and enclosed porch with white trim windows and architectural asphalt shingles. All work to be completed is in the front (western) area of the building.

Powell questioned whether the rear of the house would remain as existing, Springsteel replied yes. Steele asked if the bump-out would remain within the same footprint as the existing porch, Springsteel replied yes. Steele noted the clapboard was replaced with shake, Springsteel replied yes the house would all be shingle. Oviatt questioned plans for exterior lighting, Springsteel replied only recessed lighting in the porch. There were no additional questions. [23:18]

**Motion (Drakos / Hewitt):** I move that the application of Peter J Springsteel Architect LLC, for a Certificate of Design Appropriateness for a second-floor addition and alterations to an existing single-family residence at the property of Kevin and Joyce Kristen Flanagan at 242 Elm Street, Noank, be approved because it meets the criteria set forth in Section 2.26 of the Zoning Ordinance for the Noank Fire District.

**Motion carried unanimously, 5:0.**

3. Application of Peter J Springsteel Architect LLC for a Certificate of Design Appropriateness for the demolition of an existing garage and dwelling, and the construction of a new single-family residence at the property of Timothy K Burke at 20 Terrace Avenue [24:19]

Steele described the application for the demolition of an existing home and garage and the construction of a new single-family residence at the subject property, then solicited public interest.

Elizabeth Pendery, 83 High St - questioned the architect's plan and how it fits into the character of the neighborhood, specifically the exterior stairs leading to the second floor. Pendery then questioned having living space on the second floor. Pendery then noted the new house would have similar characteristics to neighboring residences, but noted the widow's walk is typical of a sea captain's house therefore it did not relate to the character of the house.

Diane Hitchcock, 13 Terrace Ave - did not see any access to the widow's walk shown in plans, and questioned the purpose if not functional. Hitchcock then expressed concern with how close the house would be to the small but used wetlands that are full of frogs, then questioned whether the environmental impact had been looked at, Steele replied it had. [28:09]

Matt McMan, 13 Terrace Ave - noted any plans for the property would be an improvement, and added unkept trees, threatened poles and lines. McMan expressed concern over the building's new location in the lowest part of the property. It would be more likely to be damaged in a storm, and could return to a state of disrepair.

Karen Steever, 17 Terrace Ave - noted the proposed driveway goes through an area where water settles after rain. Steever then asked the architect if the widow's walk is functional and whether it could be accessed from inside the house. Steele replied comments were solely for the commission. Steever reiterated concern regarding the new location on the property and a potential continued lack of upkeep. [31:57]

Commission determined the application is complete and required a site plan review. Steele asked the commissioners whether a Public Hearing would be required. [32:50] Drakos questioned whether this determination could be made after the applicant's presentation, Steele replied it would need to be decided at this point. Oviatt noted there were many comments from the people present, many don't relate to Design Review but to be on the safe side would prefer a Public Hearing. Steele noted comments were received from the public and could be addressed by the architect. Drakos additionally felt the commission could address the comments with the architect. Hewitt noted zoning questions asked were separate from Design Review and would probably not be addressed by a Public Hearing. Powell noted no additional information was required for a decision. All agreed on no Public Hearing. [36:42]

**Motion (Drakos / Hewitt):** I move that the Noank Zoning Commission find that the application of Peter J Springsteel Architect LLC for a Certificate of Design

Appropriateness for the demolition of an existing garage and dwelling, and the construction of a new single-family residence at the property of Timothy K Burke at 20 Terrace Avenue, Noank, is complete; and that based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity, and/or public health and safety, the appropriate level of review for the application is a Site Plan Review without a Public Hearing under Section 2.26.6.5; and that all specific submittal requirements that are not included in this application be waived because they would not aid the Commission in its determination of the application's compliance with Section 2.26.

**Motion carried unanimously, 5:0.**

Steele then invited the applicant to begin their presentation.

Springsteel began his presentation by noting the entire lot is located in a flood zone and therefore initially suggested placing the house at the highest elevation, but the owner preferred the view from the lower location and the distance from the street. Springsteel added the lower level cannot be finished living space due to FEMA restrictions. Springsteel noted the subject property is located in two zoning districts; WC (Waterfront Commercial) in the western corner and RV (Residential Village) district takes up the majority of the lot. Springsteel showed the FEMA flood zones on the property and noted the home was built in accordance with 100 year storm regulations. Style would be similar to Federal and Victorian homes in the neighborhood. [42:20]

Springsteel displayed plans of the living level with one-bedroom and one-bathroom with a view from the deck. The widows walk shown is non-functional and would be a decorative element breaking up the long linear roof line. [43:06] Hewitt asked for the dimensions of the proposed home, Springsteel replied 44ft x 24ft 8in and the deck is about 10 ft. Springsteel then showed lower level plans for storage and garage space. Stairs would be exterior coming off portico, with an elevation facing March Ave. Attic would not be living space. The homes exterior will have painted PVC trim, double hung windows, architectural asphalt shingles, and clapboard siding with a 6in exposure. The rhythm of the windows is consistent with others in the neighborhood added Springsteel, and noted the center door is very traditional. The elevated living space is not common but is necessary in a flood zone, and seen in other communities.

Hewitt questioned where the façade faced, Springsteel replied it faces Terrace Ave and the porch would face Marsh Rd. Drakos questioned the plan for trees, Springsteel replied he was unsure at the time, but believe they should be removed and replaced. [46:00] Drakos asked about the white wall on the property, Springsteel replied all should be removed in his opinion. Powell asked whether the lack of internal stairs was the owner's choice or a flood zone requirement, Springsteel replied the owner's choice. Steele noted the pull-in garage had no internal stairs, Springsteel replied Burke has simple needs and

budget, hence the proposed residence.

Oviatt questioned whether the stairs could be divided into two levels, Drakos noted there would be two levels divided by a landing. Springsteel suggested an addition of lattice under the stairs to help ground them. [48:40] Drakos asked how far out the stairs extend, Springsteel stated the porch is 4ft and the stairs about 10ft to 12ft.

Steele requested clarification regarding the driveway entrance, Springsteel replied the driveway would enter from Marsh Rd. [50:00] Steele then asked if the current entrance is on Terrace Ave, Springsteel replied yes and added the owner was aware of the flooding issue. Powell questioned the low window height on the lower level, Springsteel replied that traditional Noank homes have taller windows on the first floor, while this home will have the same size windows throughout. Hewitt noted his concern regarding the driveway placement, Springsteel stated the driveway should remain further from the stop sign. [54:00] Hewitt noted preference in having the driveway entrance be on Terrace Ave.

Drakos questioned the proximity to wetlands located nearby, Springsteel replied that he met with ZEO Bill Mulholland and discussed this subject. Springsteel researched the wetlands on the Town of Groton's GIS map and found no wetland soils in the area [54:55], which is determined by soil samples and not presence of water, and this research had been provided to the commissioners. Springsteel noted the depression across (south of) Marsh Rd is a drainage retention area in his interpretation. Springsteel noted even if the depression was wetlands, the house is located over 100ft away.

Springsteel commented on exterior lighting, with recessed for the front porch, and under the deck to light up the garage. Drakos asked what the driveway would be made of, Springsteel replied probably crushed stone, and added that a silt fence would be installed to help prevent erosion running on to the street until landscaping is complete. Steele asked about proposed landscaping, Springsteel replied none. Springsteel concluded his presentation. [1:01:07]

**Motion (Drakos / Hewitt):** I move that that the application of Peter J Springsteel Architect LLC, for a Certificate of Design Appropriateness for the demolition of an existing garage and dwelling, and the construction of a new single-family residence at the property of Timothy K Burke at 20 Terrace Avenue, Noank, be approved because it meets the criteria set forth in Section 2.26 of the Zoning Ordinance for the Noank Fire District.

The commission then discussed the motion. [1:02:55] Steele commented the proposed house would be a huge improvement, and noted landscaping and the driveway entrance were of concern. Springsteel added the entrance location was out of the commission's purview. Powell commented the driveway is a Public Works issue, and Design Review should be the focus.

Oviatt stated he took no issue with the cupola, but questioned the front door access and appearance. Drakos noted the cupola would be nonfunctional and none are present in the area. Springsteel commented the function is to break up the roof line, and asked commissioners if they prefer a cupola over a widows walk since they are different.

Drakos noted wetlands proximity should be an issue. Powell commented the property would have to comply with Groton Inland Wetlands Regulations. Powell added the new house would be an improvement. [1:09:16]

Steele asked commissioners if they wanted to place conditions on landscaping, such as 3ft tall. Hewitt stated obstruction of corners is spelled out in the Regulations and should be emphasized due to the high traffic area. Commissioners then discussed landscaping regulations. Powell suggested a condition for landscaping to keep a sightline. Drakos suggested a condition to include lattice to minimize the visual impact of the exterior stairs. Springsteel noted he could return with a landscape plan for the property.

The following conditions were placed on the motion: the Architect come back with a landscape plan that includes, but is not necessarily limited to, ensuring adequate visibility on the adjacent roadways, and screening of front staircase with either lattice and / or plant screening.

**Motion (Drakos / Hewitt):** I move that the application of Peter J Springsteel Architect LLC, for a Certificate of Design Appropriateness for the demolition of an existing garage and dwelling, and the construction of a new single-family residence at the property of Timothy K Burke at 20 Terrace Avenue, Noank, be approved because it meets the criteria set forth in Section 2.26 of the Zoning Ordinance for the Noank Fire District, and that said approval be subject to the following conditions: the Architect come back with a landscape plan that includes, but is not necessarily limited to, ensuring adequate visibility on the adjacent roadways, and screening of front staircase with either lattice and / or plant screening.

**Motion carried unanimously, 5:0.**

G. Old Business -

A. Short-Term Rentals - Update on short-term rentals

Steele discussed a case being decided in the Supreme Court that could have major implications on their regulations, but at this junction it is premature to take any action since it is unsure hours this ruling could affect us if at all. The decision could be made by late September.

H. Approval of Meeting Minutes - The minutes of the Regular Meeting of December 19, 2023 were approved without objection.

I. The ZEO Reports for December 2023 and January 2024 were received.

**Motion to Adjourn carried unanimously at 8:30pm (Hewitt/Powell).**

Respectfully submitted,  
Janet Sutherland  
Zoning Clerk