

# MINUTES

## Sachem's Head Association Zoning Board of Appeals

### Town of Guilford, Connecticut

January 28, 2026

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A meeting of the Sachem's Head Association Zoning Board of Appeals was held on January 28, 2026, at 6:30 p.m. The meeting was commenced virtually via Google Meet. With Chairman Jeffrey Cooper presiding, the meeting was called to order at 6:32 p.m.

**ZBA Members Present and Voting:** Jeffrey Cooper, Chairman; Barbara Riley; and Jonas Liaponis, constituting a quorum of the Board.

**Also Present:** Jeff Beatty, Attorney at Law, representing the applicants and the applicants: Marie and Leighton Lee

Chairman Cooper certified that the legal notice for the public hearing was duly posted in the Guilford Courier in the January 15<sup>th</sup> and January 22<sup>nd</sup> editions and that the hearing was held within the time and manner required by the Sachem's Head Association Zoning Regulations.

The Chairman informed the meeting's audio was being recorded as required by Connecticut statute.

The meeting was called on the application of Leighton Lee III and Marie S. Lee, owners of property located at 600 Colonial Road, Guilford, Connecticut, seeking a side lot line setback variance for an existing pergola constructed on the westerly side of the property in connection with an existing swimming pool. The pergola constitutes an accessory structure and does not comply with the minimum twelve (12) foot side lot line setback required in the B Zoning District. The applicants requested a variance of approximately ten (10) feet from the required setback to permit the pergola to remain in its present location.

Mr. Beatty appeared on behalf of the applicants and made a presentation setting forth the facts in support of the application. He described the history of ownership of the property, the existing configuration of the residence and swimming pool, and the circumstances under which the pergola was constructed. Mr. Beatty noted that the applicants were not aware at the time of construction that the pergola constituted an accessory structure subject to setback requirements and that the variance application was submitted promptly once this issue was brought to their attention.

Mr. Beatty further explained that the established location of the residence and pool, together with existing landscaping, created a limited lawn area between the house and pool. The pergola's present location takes advantage of existing mature trees that provide shade and screening. Alternative locations on the property would not provide comparable sun protection, would be more visually intrusive, and would materially reduce the utility of the pergola. The present location was described as both the most suitable and least impactful location on the property.

The Board reviewed the application materials, including the site plan prepared by Noyes Vogt Architects, Guildford Town Clerk Map No. 3349 showing the dimensions of the lot, photographs of the property, and a letter from counsel dated January 28, 2026. The Board noted that the pergola is located a substantial distance from Colonial Road, is difficult to view from the street, and is screened from neighboring properties.

The Board further noted that letters of support from neighboring property owners had been submitted and that no communication opposing the application had been received.

Following Mr. Beatty's presentation and there being no further comment from any party, Chairman Cooper announced that the Board would proceed to vote on the application. Thereupon, the Sachem's Head Association Zoning Board of Appeals voted unanimously to grant the requested side lot line setback variance.

In granting the variance, the Board found that special circumstances and practical difficulties existed with respect to the property due to the established location of the residence, swimming pool, and landscaping, which limited feasible alternative locations for the pergola. The Board concluded that these circumstances were unique to the property and did not generally apply to other properties in the neighborhood and constituted a hardship upon which a variance could be granted.

The Board further found that the requested relief was the minimum necessary to address the hardship; that the pergola is an accessory structure customarily associated with a single-family residence and swimming pool; and that the variance could be granted without detriment to the public welfare or impairment to the intent or integrity of the Sachem's Head Association Zoning Regulations. The Board also found that granting the variance would not adversely affect neighboring properties or property values.

The meeting was adjourned at approximately 6:50 p.m.

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Respectfully submitted,

Jeffrey Cooper  
Chairman  
Sachem's Head Association Zoning Board of Appeals