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**TOWN OF KENT**  
**ZONING BOARD OF APPEALS**  
41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757

**REGULAR MEETING MINUTES**

The Zoning Board of Appeals held their regular meeting on Tuesday, January 12, 2021, beginning 7:00 p.m. via Zoom.

1) Call to Order and Roll Call

Chairman DiPentima called the meeting to order at 7:03 p.m.

Board Members Present: Anthony DiPentima, Nick Downes, Dan Murray, Patricia Oris  
Staff Present: Donna M. Hayes, Secretary/Clerk

2) Appointment of Alternates(s) to Voting Status.

Chairman DiPentima elevated Ms. Oris to voting status.

3) Acceptance or Revision of Agenda

*Mr. Downes moved to accept the agenda as presented. Ms. Oris seconded and the motion carried unanimously.*

4) Reading and Approval of Meeting Minutes

**4.1. Regular Minutes of December 8, 2020.**

*Mr. Murray moved to approve the Regular Minutes of December 8, 2020 as written. Ms. Oris seconded and the motion carried unanimously.*

5) Recess Meeting. Convene Hearing

Chairman DiPentima recessed the meeting and convened the hearing at 7:04 p.m.

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**TOWN OF KENT ZONING BOARD OF APPEALS**  
**REGULAR MEETING MINUTES FOR JANUARY 12, 2021**

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**5.1 Application #01-21, Stacey J. Spence, 237 Bulls Bridge Road, Map 6 Block 11 Lot 2, relief from Section 4241, side yard setback for an addition to pre-existing, non-conforming structure.**

Ms. Spence was in attendance to present the application to the Board. She explained that she purchased the cottage at 237 Bulls Bridge Road when she purchased 235 Bulls Bridge Road located next door. The cottage is less than 600 sq. ft., is in terrible condition with areas of the structure not built on a foundation. Part of this proposal is to shore up the building, raise the ceiling height at the back of the cottage and add the foundation.

The cottage has an existing back porch and Ms. Spence's proposal is to extend the back of the house the depth of the porch and then square off the back of the house by adding the addition. Doing so would add approximately 238 square feet to the back of the house. A new septic was installed in order to accommodate the two new bedrooms that are part of the proposal. Adding on to the easterly side of the existing cottage cannot be done due to the location of a well and while she has the space in the back, that will bring her too close to the new septic. Wanting to keep the character and design of this cottage, going up was not an option for Ms. Spence.

Mr. Greenbaum, an adjoining property owner, asked for further clarification of the reason for the variance request since the new addition would not encroach any further into the setback adjoining his property. After the clarification, Mr. Greenbaum stated that he has no objection to the addition.

Chairman DiPentima did mention that livability and comfort are not a hardship and asked Ms. Spence to further clarify her hardship so that an action could be taken on the application. He also asked if Ms. Spence knew of the condition of the cottage or the nonconformity when she purchased the property. Ms. Spence knew the cottage was in rough shape but was not aware of the nonconformity. She explained that in order to buy 235 Bulls Bridge Road, she had to buy 237 also and feels the cottage is worth saving.

Mr. Downes said it was clearly an increase in the nonconformity and that he, too, was struggling with the reason for the hardship.

Mr. Murray said that the variance was for work on the west side of the building where the nonconformity had already been established and felt that the variance should be granted.

Before closing the hearing, Chairman DiPentima asked Mr. Greenbaum again if he had an objection to the proposal. Mr. Greenbaum said that he was in support of the application submitted by Ms. Spence.

**6) Close Hearing. Brief Recess**

Chairman DiPentima closed the hearing at 7:33 pm. There was no brief recess.

**7) Reconvene Meeting. Action of Appeal(s) Heard**

*Mr. Murray moved to approve the variance for Application #01-21 stating that finding the hardship of topography, the uniqueness of the lot in comparison to the surrounding lots, the proposal will be in line with the general harmony and intent of the local zoning regulations and the extension of the nonconformity is still the same encroachment on the west side with the only thing being the increase in volume which could be argued both ways. Seconded by Ms. Oris.*

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*With no further discussion, Chairman DiPentima called for a vote. Ms. Oris and Messrs. Murray and Downes voted aye with Chairman DiPentima voting nay stating that the motion made by Mr. Murray was very well put and a very credible justification, however, not one that he could accept.*

8) Old Business

No action taken.

9) New Business

No action taken.

10) Communications

No action taken.

11) Adjourn

Chairman DiPentima moved to adjourn at 7:36 p.m.

Respectfully submitted,

***Donna M. Hayes***

Donna M. Hayes, CZEO  
Land Use Administrator

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