A regular meeting of the Zoning Board of Appeals (ZBA) for the Town of Woodbridge was held in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut on Monday, January 8, 2024, attended by:

MEMBERS: Hank Nusbaum ~ Chairman, Robert Wiznia, Shawn Flynn, Kalman Watsky, and Celia Waters

ALTERNATE: Lauren Francese

EXCUSED: Chris Dickerson (alternate)

ABSENT: Aldon Hynes (alternate)

The regular meeting of the Woodbridge Zoning Board of Appeals was called to order at 7:05 pm by Chairman Nusbaum in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut. Also present for the meeting was Zoning Enforcement Officer Kristine Sullivan.

PUBLIC HEARING

Arcadia Hotel, LLC: 87 Beecher Road

Application for the ZBA to determine that the residential use of the “Caretakers House” at 87 Beecher Road is a continuing non-conforming use, dated back to the original construction in 1917

Michael and Abigail Holtzman, principals of Arcadia Hotel, LLC, were present for the public hearing. In support of the application, the following items had been submitted with the application:

- Narrative describing the historical use of the “caretakers house.”
- Land Record Map # 278 dated 10/7/1985 of the property identifying an “Apt Above Garage”.
- Pictures of the structure
- Copies of three separate Assessor’s Field Cards referencing “residential quarters” in the garage.
- Copy of application materials from the Quinnipiac Valley Health District approved March 27, 2000, identifying the subject structure as a two bedroom apartment & garage.
- An affidavit from Annabelle Kline attesting to her understanding that the carriage house was built in 1917 in conjunction with the primary residence, by the Adt and Adt/Stephenson families to accommodate caretaker(s) of the property.
- Picture of William Gosselin outside his residence caretaker’s house in the spring of 1975.
- Copies of the online Assessor’s GIS mapping of the property.

In addition to the foregoing, the applicants also submitted the following at the public hearing:

- Copies of Town Tax Records from 1920 and 1932 for the subject property
- Copy of the current Assessor’s field card for Building # 2 identifying the structure includes five rooms, including two bedrooms.

In their presentation, Mr. and Mrs. Holtzman reviewed all of the materials that they had submitted to substantiate their claim that since its construction in 1917 that the garage had always had a caretaker’s dwelling on the second floor. They noted that the question of the legality of the apartment over the garage had been raised by the Building Official who had been doing inspections related to building permits for the structure since there were no records in the Building Department files of the dwelling unit over the garage.
ZEO Sullivan explained that while the current Zoning Regulations allow for an Accessory Dwelling Unit (ADU), that an ADU is limited in size by the Connecticut General Statutes to a maximum net floor area of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less. In addition, the Zoning Regulations require that one wall of the ADU must open to grade. At this time, the option to potentially have the space be permitted as an ADU is being held in abeyance until the outcome of the ZBA application has been made.

There being no further comments or questions by Board members, the applicant or staff, the Chairman opened the public hearing for public comments. No members of the public spoke at this time.

There being no public comment, the Chairman then asked for a motion to close the public hearing.

*** Mr. Flynn moved to close the public hearing.
*** Mr. Watsky seconded
*** In favor: Nusbaum, Waters, Wiznia, Flynn, and Watsky
*** Opposed: No One
*** Abstain: No One

Unanimous approval.

The Chairman then asked for discussion and action on the application. The Board then acted as follows on the application:

*** Ms. Waters moved to find under Section 4.1.D.(d) of the Zoning Regulations, that the residential use the “caretakers house on property located at 87 Beecher road owned by Acadia Hotel, LLC, is an existing non-conforming use.
*** Mr. Wiznia seconded
*** In favor: Nusbaum, Waters, Wiznia, Flynn, and Watsky
*** Opposed: No One
*** Abstain: No One

Unanimous approval.

** APPROVAL OF MINUTES **

*** Mr. Flynn moved to approve as submitted, the minutes of the ZBA’s meetings on:
July 10, 2023;
August 8, 2023; and
October 30, 2023.
*** Mr. Wiznia seconded
*** In favor: Nusbaum, Waters, Wiznia, Flynn, and Watsky
*** Opposed: No One
*** Abstain: No One

Unanimous approval.

** OTHER BUSINESS TO COME BEFORE THE BOARD **

ZEO Sullivan briefly reviewed the training requirements for Board members required by Section 3 of PA 23-173, which updated requirements for the training of municipal land use officials.

** ADJOURNMENT OF MEETING **

*** Mr. Flynn moved to adjourn the meeting at 7:25 pm.
*** Mr. Wiznia seconded
*** In favor: Nusbaum, Waters, Wiznia, Flynn, and Watsky
*** Opposed: No One
Recused: No One
Abstained: No One

Unanimous approval.

Accordingly, the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Kristine Sullivan, Staff