



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Zoning Board of Appeals Meeting Minutes - Final

Chairman John
Proctor

Regular Meeting

Wednesday, August 21, 2024

6:30 PM

Council Chamber - Remote Format

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/81074021350?pwd=qRU9G4xHZasQwAGBJ93u3gjZBiRuSm.1>

Meeting ID: 810 7402 1350 Passcode: 295550

Dial by your location:

• +1 646 558 8656 US (New York)

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL APPOINTMENT OF ALTERNATES

Present Board Member Eric Treaster
 Board Member Sharon Pealer
 Board Member Richard Murphy
 Board Member John Proctor
 Board Member John Rodolico

In addition, the following were present:

Elizabeth Burdick, Director of Planning and Land Use
Alex Samalot, Zoning Enforcement Official
Anna Wynn, Land Use Assistant

- IV. PUBLIC COMMENT (LIMITED TO NON-AGENDA ITEMS - LIMITED 3 MINS)
- V. APPROVAL OF ADDITIONS TO AND/OR CHANGES TO ORDER OF THE AGENDA
Chairman Proctor stated that public comment was added to the agenda in error and will be removed.
- VII. PUBLIC HEARINGS/APPLICATIONS

- A. Public Hearing ZBA#967 - 65 Inchcliffe Dr., Gales Ferry, CT - Applicant/Owner, Cheryl Winston (Schulman) for a 25.54' variance of Zoning Regulations Section 5.2 (Lot Frontage - R40 Zone) to reduce the lot frontage to 124.46' to correct a survey error.

The Board reviewed the exhibits of the Application.

Alex Samalot, Zoning Enforcement Officer, explained that Exhibit #7 is a deed that the applicant has stated to have superior title, He noted that the deed is dated circa 1962.

Chairman Proctor asked if the applicant was representing herself.

The applicant, Cheryl Shulman stated she is representing herself. She stated that she owns 61 and 65 Inchcliffe Drive and that 65 was an undeveloped piece of land next to her home on 61. She stated she sold 61 Inchcliffe Dr a year ago and that she is looking to sell 65. She stated she had an offer on the land and during the title search there was a discrepancy on the boundary line between 65 and 67 Inchcliffe Drive. She stated that although the description of the boundary line on both Joseph Armijo and Lelani Sanchez de Armijo (hereafter referred to as the Armijos) and her own title, the physical location of the property line differed based on what survey was being looked at. She stated that she and the Armijos both have the same title company, CATIC. She stated that CATIC had hired Mr. Meehan to conduct a survey of the property. Mr. Meehan drew the new line that the Commission is seeing on their exhibits. She stated that she and the Armijos are trying to memorialize the new property line so that she can sell the property.

Chairman Proctor clarified the variance of the application.

Cheryl Shulman stated that very few of the properties on Inchcliffe Drive have the 150 ft frontage. She stated that if you look at her old survey the property line is decreasing by 2.8ft and if you look at the Armijos survey my property is increasing by 8 ft. She stated that regardless of the discrepancy the property frontage was never conforming.

Mr. Richard Meehan stated that he is a Land Surveyor and that his office is in Manchester CT but resides in Hartford. He stated that his client is CATIC, the Title Insurance Company, and that he was hired to resolve the boundary line discrepancy between 65 and 67 Inchcliffe Drive. He explained the chain of title and the discrepancy between surveys. He passed out several exhibits that were added to the record to help illustrate his presentation to the Board.

Elizabeth Burdick, Director of Planning and Land Use, commented that a piece of Town Property shown in the exhibits is not a building lot, it is a sliver of left over land. She stated that for the record both owners have agreed to this boundary line adjustment but in order to do it they need the variance.

Board Member Eric Treaster clarified that the variance is for Section 5.2 and other details of the survey.

Chairman Proctor asked if the Armijos have seen all the documents and agree to the boundary adjustment. The Armijos said yes. The Armijos stated that they are also invested in having the discrepancy worked out.

Board Member Eric Treaster clarified rules surrounding adverse possession on the boundary line interferes with the Armijos' home.

Director Burdick stated she is not an attorney and will not comment on that.

- B** Discussion and Decision - ZBA#967 - 65 Inchcliffe Dr., Gales Ferry, CT - Applicant/Owner, Cheryl Winston (Schulman) for a 25.54' variance of Zoning Regulations Section 5.2 (Lot Frontage - R40 Zone) to reduce the lot frontage to 124.46' to correct a survey error.

Staff and the Board clarified the structure of the public hearing.

MOTION to grant the variance as requested in ZBA#967 for a 5.54 variance in Zoning Regulations Section 5.2 Lot Frontage, R40 Zone, to reduce the minimum required lot frontage from 150 ft to 124.46 ft to correct a survey error.

RESULT: APPROVED AND SO DECLARED

AYE: 5 Treaster, Pealer, Murphy, Procter, and Rodolico

VIII. OLD BUSINESS

None.

IX. NEW BUSINESS

None.

X. APPROVAL OF MINUTES

MOTION to approve Regular Annual Meeting Minutes of December 20, 2023

RESULT: APPROVED AND SO DECLARED

MOVER: Sharon Pealer

SECONDER: Richard Murphy

AYE: 5 Treaster, Pealer, Murphy, Procter, and Rodolico

XI. CORRESPONDENCE

Director Burdick and the Board discussed the structural changes of public hearings.

XII. REPORTS

Director Burdick stated that the Zoning Enforcement Officer, Alex Samalot has just accepted another position in a different town that is closer to his home for a better salary.

XIII. ADJOURNMENT

Board Member Eric Treaster moved the meeting be adjourned, seconded by Board Member Richard Murphy

The meeting adjourned at 7:33p.m.

VOTE: 5-0 Approved and so declared

Respectively Submitted,

Chairman Proctor
Zoning Board of Appeals

DISCLAIMER: Although we try to be timely and accurate these are not official records of the Town.