



Town of Coventry, CT

05/09/2022

ZBA-22-4

ZBA Application

Status: Active

Date Created: Mar 31, 2022

Applicant

Stephen Penny
stpenny@pbolaw.com
202 West Center Street
Manchester, CT 06040-4855
860-646-3500

Location

0 RILEY MOUNTAIN RD
Coventry, CT 06238

Owner:

LEFEBVRE LINCOLN E + LEFEBVRE LUKE C +
284 BOSTON TPK COVENTRY, CT 06238

Additional Applicant Info: Please note that "?" bubbles throughout the application provide additional helpful information when hovered over.

Applicant Type

Attorney

Application Information

Type of Application:

A variance in the application of the zoning regulations is requested

IF variance, activity being applied for:

Other

Detail of the specific, land-based hardship with respect to the zoning regulations. Upload a file below if necessary.

This 22.20 acre parcel does not provide 25,000 square feet of buildable land due to ledge.

If you wish to upload a file regarding hardship:



Uploaded by ... on

Property Info

Map Block Lot M/B/L

Building Type or Project Type

18/--/38

One & Two Family

Zone

GR-80

Occupancy Type

Residential

Development Title

Lincoln Lefebvre

Briefly describe the proposed project and/or activity.

Lot division to separate a 4.08 acre lot from existing 20.20+ acre parcel to permit a single family house to be built on new 4.08 parcel with 5,200+/- square feet of 'buildable land', with the septic system to be located on that land. The proposed 4.08 acre house lot is over twice the size of the minimum lot area requirement in the GR-80 zone, so the standards of the zoning regulations and local Plan of Conservation and Development will not be compromised. The house is not required to be built in the buildable land area. A parcel at 214 Boston Turnpike will be combined with the abutting 20.20 acre parcel to preserve the same number of parcels (2). The 'buildable land' regulation was designed to avoid the development of multiple small parcels on substandard land.

Because the lot size standard of the zoning regulations is more than met and the character of the neighborhood would not change, and because the circumstance of a 22.20-acre parcel not being able to meet the regulatory standard of 25,000 square feet of buildable land is unique, and also because a properly functioning septic system can be constructed on the proposed lot, the application of the 'buildable land' regulation to this property would constitute an undue and unnecessary hardship. This is exactly why the concept of zoning variances was introduced into land use law.

Amendment on 4/28/22*

This 22.20+/- acre (967,032 square feet) parcel does not provide 25,000 square feet of buildable land due to ledge. 'Buildable land' is defined in the regulations as, "Land that does not have any of the following characteristics: (i) slopes in excess of twenty percent (20%); (ii) bedrock observed, known or reasonably anticipated to be within four feet (4') of the surface; (iii) a seasonally high water table observed, known or reasonably anticipated to be within eighteen inches (18") of the ground surface; (iv) inland wetland soils, as defined by Conn. Gen. Stat. Section 22a-38; or (v) land that is submerged during the mean annual high water level of watercourses, as defined Conn. Gen. Stat. Section 22a-38." The only one of these characteristics that cannot be met on the subject parcel is with respect to bedrock. Nonetheless, while the standard in the definition is bedrock within 4' of the surface, state regulations permit a septic system to be constructed on land where the bedrock is within 2' of the surface, and this standard can be met. Furthermore, the 'buildable land' regulation was designed to avoid development of multiple small parcels on substandard land. Here, the applicant is seeking to create only one 4.08-acre single-family residential lot on the existing 22.20+/- acre parcel. Because the proposed building lot is more than twice the size required in the GR-80 zone, the standards of the zoning regulations and local Plan of Conservation and Development will not be compromised, and the character of the neighborhood would not be changed. Because the circumstance of a 22.20-acre parcel not being able to meet the regulatory standard of 25,000 square feet of buildable land is unique, and since a properly functioning septic system can be constructed on the proposed lot, the application of the 'buildable land' regulation to this property would constitute an undue and unnecessary hardship, rendering a 22.20+/- acre parcel of substantially diminished value for no practical reason. This situation is exactly why the

concept of zoning variances was introduced into land use law.

Additional Project Info

Existing Gross Sqft

--

Structure Size (Proposed Gross Sqft)

--

Existing Parking Spaces

--

Proposed Parking Spaces

--

Total Acreage / Sqft

--

Linear Feet

--

Disturbed Acres

--

Is Property Located in Groundwater Protection District?

Legal Notices

Notifying abutting property owners using return-recipient mail is a requirement. Please indicate below if you need the mailing addresses provided to you:

Yes, I need abutting property owner mailing addresses

Posting a Public Hearing sign on each street frontage is a requirement. Please indicate below if you need a sign from the town hall (\$3.00 per sign):

Yes, I need a Public Hearing sign(s) from the town hall

I am aware that there is a non-refundable \$760 fee (\$100.00 application fee, \$600.00 legal notice fee and \$60.00 State fee) plus a \$3.00 fee for each Public Hearing sign, to be paid when the application is submitted.

Attorney Info: please enter if applicable

Name of Law Firm

Law Office of Stephen T. Penny

Name of Lawyer

Stephen T. Penny

Address of Law Firm: Street, City, State, Zip

202 West Center Street, Manchester, CT 06040

Phone Number

860-646-3500

Email

stpenny@pbolaw.com

Engineer Information: please enter if applicable**Company Name**

Bushnell Associates LLC

Engineer Name

Andrew Bushnell

Address: Street, City, State, Zip563 Woodbridge Street, Manchester, CT
06042**Phone Number**

860-643-7875

Registration #

24591

Insurance Expiration

04/16/2022

Email

abushnell@bushnellassociatesllc.com

Administrative**Consultant Reviews and Inspections****Acknowledgments**

I hereby certify that all information in relation to this application to be true and accurate to the best of my knowledge. The applicant and owner grants permission to the Coventry Zoning Board of Appeals, its members, and Agent to enter upon the property for the purpose of inspection and to perform any tests which are necessary.



I HEREBY ACKNOWLEDGE AND CERTIFY THAT I'M PERSONALLY FAMILIAR WITH ALL THE INFORMATION PROVIDED IN THIS APPLICATION AND THAT ALL STATEMENTS AND REPRESENTATIONS MADE ARE TRUE TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THAT I AM AWARE OF THE PENALTIES FOR OBTAINING A PERMIT THROUGH DECEPTION OR THROUGH INACCURATE OR MISLEADING INFORMATION.



The applicant and owner grants permission to the Coventry Zoning Board of Appeals, its members, and Agent to enter upon the property for the purpose of inspection and to perform any tests which are necessary.






I agree that my electronic signature below is equivalent to a handwritten signature and is binding for all purposes related to this transaction.

Stephen T. Penny

03/31/2022

Attachments

-  LEFEBVRE SURVEY PLANS.pdf
 Uploaded by Stephen Penny on Mar 31, 2022 at 11:26 am
-  Bloom v. ZBA Norwalk.pdf
 Uploaded by Stephen Penny on Apr 27, 2022 at 11:14 am
-  Recorded Warranty Deed V1250 P613.pdf
 Uploaded by Stephen Penny on Mar 31, 2022 at 11:28 am

History

Date	Activity
Mar 30, 2022 at 4:06 pm	Stephen Penny started a draft of Record ZBA-22-4
Mar 31, 2022 at 11:16 am	Stephen Penny altered Record ZBA-22-4, changed ownerEmail from "" to "linclefevre@yahoo.com"
Mar 31, 2022 at 11:16 am	Stephen Penny altered Record ZBA-22-4, changed ownerPhoneNo from "" to "860-216-2518"
Mar 31, 2022 at 11:16 am	Stephen Penny altered Record ZBA-22-4, changed ownerStreetName from "284 BOSTON TPK" to "BOSTON TPK"
Mar 31, 2022 at 11:16 am	Stephen Penny altered Record ZBA-22-4, changed ownerStreetNo from "" to "284"
Mar 31, 2022 at 11:31 am	Stephen Penny submitted Record ZBA-22-4
Mar 31, 2022 at 11:31 am	approval step Application Review was assigned to Brigit Tanganelli on Record ZBA-22-4
Mar 31, 2022 at 1:59 pm	Brigit Tanganelli approved approval step Application Review on Record ZBA-22-4
Mar 31, 2022 at 1:59 pm	approval step Zoning Plan Review was assigned to Alexa Gorlick on Record ZBA-22-4
Apr 4, 2022 at 1:45 pm	Heidi Leech changed Hearing Date from "" to "05/17/2022" on Record ZBA-22-4
Apr 4, 2022 at 1:45 pm	Heidi Leech changed Advertising Date from "" to "05/05/2022" on Record ZBA-22-4
Apr 4, 2022 at 1:46 pm	Heidi Leech changed Second Advertising Date from "" to "05/12/2022" on Record ZBA-22-4
Apr 4, 2022 at 1:46 pm	Heidi Leech changed Hearing Time from "" to "7:00 pm" on Record ZBA-22-4
Apr 4, 2022 at 1:46 pm	Heidi Leech changed Location from "" to "Town Hall Annex " on Record ZBA-22-4
Apr 18, 2022 at 12:37 pm	Alexa Gorlick approved approval step Zoning Plan Review on Record ZBA-22-4
Apr 18, 2022 at 12:37 pm	approval step Admin Check for Fee and Release was assigned to Heidi Leech on Record ZBA-22-4
Apr 19, 2022 at 11:53 am	Heidi Leech approved approval step Admin Check for Fee and Release on Record ZBA-22-4
Apr 25, 2022 at 10:53 am	completed payment step Permit Fee on Record ZBA-22-4
Apr 25, 2022 at 10:53 am	approval step Board/Commission Review and Approval was assigned to Alexa Gorlick on Record ZBA-22-4

Date	Activity
Apr 28, 2022 at 3:09 pm	Brigit Tanganelli changed Detail of the specific, land-based hardship with respect to the zoning regulations. Upload a file from "This 22.20 acre parcel does not provide 25,000 square feet of buildable land due to ledge." to "This 22.20 acre parcel does not provide 25,000 square feet of buildable land due to ledge. " on Record ZBA-22-4
Apr 28, 2022 at 5:45 pm	Alexa Gorlick changed Briefly describe the proposed project and/or activity. from "Lot division to separate a 4.08 acre lot from existing 20.20+ acre parcel to permit a single fami" to "Lot division to separate a 4.08 acre lot from existing 20.20+ acre parcel to permit a single fami" on Record ZBA-22-4
Apr 28, 2022 at 5:46 pm	Alexa Gorlick changed Application Recieved from "" to "04/28/2022" on Record ZBA-22-4
May 2, 2022 at 10:14 am	Alexa Gorlick changed Applicant Type from "Owner" to "Attorney" on Record ZBA-22-4