

**Black Point Beach Club Association Zoning Commission
August 21st, 2020 Regular Meeting Minutes**

Present:

Jim Fox, Chairman
Jim Allen, Secretary
John Horoho
John Kycia
Charles Bruce, Alternate
Joseph Katzbek, Alternate
Barbara Koenig, Alternate

Absent:

Matt Peary

Also Present:

Jim Ventres, Zoning Enforcement Official
Steven Beauchene, Board of Governors Liaison

The Regular Meeting of the Black Point Beach Club Zoning Commission was held on Friday August 21st, 2020 at 6:00 p.m. in the Black Point Beach Clubhouse located at 6 Sunset Avenue, Niantic.

I. Call to Order and Establishment of Quorum

Mr. Fox called the Regular Meeting of the Black Point Beach Association Zoning Commission to order at 6:00 p.m.

Mr. Fox introduced the Commission Members and he noted that a quorum was present.

II. Call For And Additions to the Agenda

There were none.

III. Approval of Minutes

a. July 17th, 2020 Regular Meeting Minutes

Mr. Kycia said he was one correction, he is listed as both present and absent; he was in attendance for the July 17th, 2020 meeting.

MOTION (1)

Mr. Allen moved to approve the July 17th, 2020 Regular Meeting Minutes as amended.

Mr. Horoho seconded the motion.

Motion carried, 4-0-0.

IV. Public Comments

Public Comments is the time when members of the Black Point Beach Club Association are invited to speak to the Commission about certain matters. Items, referrals or applications subject to a decision by the Commission, a public hearing or in litigation may not be discussed.

Colleen Chapin of 53 East Shore Drive said she had some comments and concerns regarding the Property Maintenance Guide and said some of the following:

- Since we're not always great knowing how things evolve, she's hoping to get some kind of context for this.
- What problem are we trying to solve that can't be addressed by the blight ordinance?
- Some of these things are incredibly subjective and some of the language doesn't seem to apply to this community; it will be a challenge trying to interpret it.
- What kind of authority is there for someone to go on someone else's property to enforce, inspect and evaluate some of the issues that are in the maintenance document?
- She's hoping the Commission will consider this and notate it in the guide so there is some kind of context if they were to become rules.

Ms. Chapin said she also has some comments regarding the proposed zoning changes and said some of the following:

- The changes are a little confusing on a number of levels.
- Is it legal to actually apply different regulations to different properties within a given district? She said she knows there was reference that this is how the Town does it but she couldn't find anything in the Town regulations that has this sliding scale and setback rules.
- She knows the Town has different districts which have different setback requirements and she wonders if this is just a legal way to do it on a property by property basis.
- When you base some of this on the width of a lot, what exactly does that mean?
- Some properties are going to have greater than 79 feet in width but their depth may be 40 or 50 feet; she's hoping they'll be able to clarify this.
- How are odd shaped lots addressed? How do you define what the width is of the oddly shaped properties?
- She asked about #9 in the meeting minutes attachments and if that will be supersiding the preexisting nonconforming regulations or if they're looking to

mesh the two together.

Mr. Fox said they usually don't respond to public comment but out of respect for her role as ZBA Chair he will say a few things:

- These are ongoing discussions and nothing at this point is final; it's still a very active process.
- He appreciates her feedback very much.
- Some of these strangely shaped and sized lots are a challenge; the thought process behind the sliding scale is to try to allow some of these smaller lots to be fully developed.
- If we're looking to amend the language on setbacks what is the most uniform way to do that?

Ms. Chapin said she noticed they're hoping to go to public hearing next month and Mr. Fox responded that it's not going to happen anytime soon. Ms. Chapin said #6 and #7 of our current regulations allows several things that the proposed #9 does not.

V. Reports

A. Communications and Correspondence

Mr. Fox said he has no communication or correspondence to share.

B. ZEO: Jim Ventres

Mr. Ventres briefly discussed his ZEO Report. He noted construction continues and requests are still coming in; he doesn't see a slow down here or anywhere else in the State. Mr. Ventres said he's been working with the Assessor to determine who several parked vehicles at one property are registered to. He said there has been no issues with hedges.

C. Ex-Officio: Steve Beauchene

Mr. Beauchene said he has nothing to report.

D. Chairman: Jim Fox

Mr. Fox said he continues his walks during which he engages with people about whatever concerns they may have. He did get a call from a gentleman who lives on Sea Breeze, who saw our meeting minutes and inquired about potential zoning regulation changes as it pertains to nonconforming lots. Mr. Fox said he has not encountered anyone who has been opposed to the current regulation discussions.

VI. OLD BUSINESS

A. Regulation Review; Discussion and review of current regulations and/or new regulations.

Mr. Fox said Mr. Ventres has supplied us with some updates as well as additional information.

- **Change to existing regulation pertaining to construction activities.**

Mr. Fox reminded the Commission this change allows construction activity to commence at 7:00 am Monday thru Friday between November 1st and April 1st; This allows for 5 extra hours per week for construction during the Winter months. Mr. Allen said this seems like common sense and he is in favor of it and Mr. Kycia agreed. Mr. Horoho, Mr. Bruce, Ms. Koenig and Mr. Katzbek all said they have no objections to this change.

- **Non-Conforming Building Regulation**

Mr. Ventres said there are some items that can be removed from our current regulations: under Section VII., item #4

"4. A nonconforming use which ceases for any reason for a continuous period of more than one (1) year, or is changed to a conforming use, shall not thereafter resume"

may be removed since it's illegal. He said he can blend the two as long as everyone still agrees with the intent.

Mr. Fox discussed how the intention of the sliding scale is to provide flexibility and noted that Ms. Chapin's comments make sense. He however doesn't know if it's possible for them to write a regulation for every size and shape lot; what's more significant is how they identify the width and the length of a lot. Mr. Ventres observed that width pertains to the back setback and not the frontage; he will add that clarification to the proposed changes.

Mr. Fox asked about the use of sliding scales in other communities and Mr. Ventres replied that East Haddam has had one for 40 years and many other towns have it as well; it's not a concern from his standpoint. He said the sliding scale is not specific to a lot but specific to all lots and in most towns the sliding scale applies to all the districts.

Mr. Ventres said that the landings are an ADA issue and dimensions of landings (not to exceed 4 feet by 4 feet) has been changed to 6 feet by 6 feet to better accommodate handicap access; this gives greater flexibility and our regulations will no longer be in conflict with the Town's 5 feet requirement.

Mr. Fox recapped the previous discussions regarding garages and sheds; currently the regulations essentially allow for a shed and garage or garage and garage; a 8 by 10 by 12 shed is permitted as is a detached garage if the 35% lot coverage is not exceeded which leads to some of the following thoughts, concerns and questions:

- The potential for a detached garage to be more than a mere garage.
- Do we need to consider amending the language to allow one shed and one garage- whether it's attached or detached?
- Should we entertain the idea of altering the size of sheds given that 12 by 12 gazebos are permitted?
- We would be limiting the number of garages while allowing for more storage by means of a larger shed.
- How do we define the garage as anything other than a place in which to store vehicles?
- We have a few properties with large sheds which qualify as garages.
- The Commission's intent is to allow all members the ability to store their belongings and the question is where do we want to offer flexibility and where do we want to draw the line?
- Do we address the regulation/definition of a garage?
- Do we just allow one accessory building as opposed to two?

Mr. Fox said Mr. Ventres has supplied us with some ideas if we choose to go in the direction of allowing a larger shed (attached.) He asked the Commission what their thoughts are and some of the following was discussed:

- Mr. Kycia said allowing a larger shed is not going to address the issue of skirting around what the definition of a garage is; we need to pinpoint what a garage is.
- Mr. Fox said what if we just modify the regulations to allow only one accessory building?
- Mr. Kycia asked how large the shed would be able to go without taking in a certain percentage of the property.
- Mr. Kycia said there has to be some way to incorporate the definition of a garage into the guidelines.
- He said as we grow as a community he thinks it will just become more of a problem; it's time for something more specific.
- Mr. Bruce asked about requiring a foundation for a garage and Mr. Ventres said if it's under 400 sq feet an out building doesn't require a foundation.
- Mr. Ventres observed that most communities don't bother defining what a garage is and zoning doesn't have the ability to see what is stored inside a garage.
- Mr. Horoho said the Webster dictionary definition of garage isn't going to satisfy our need here and nothing prevents us from creating our own definition; if we define an accessory building/shed and set a square footage of 200 feet, we can allow one of these per property.
- He said anything over 200 square feet will be considered a garage and only one of these is permitted per property as well.
- Mr. Ventres said this is a workable idea and 200 square feet is a good number to work with since it matches the existing state code.

- Mr. Allen asked about having a maximum size or if that would speak back to the percentage of the property and Mr. Ventres said the existing regulations say not more than 10% of the lot.
- Mr. Allen said his only other thought is to notate it for storage and not to be occupied.
- Mr. Fox said we're limited by what language we can use and Mr. Ventres said you can use the term "not for overnight habitation."
- Mr. Fox said his only concern about a 200 sq ft shed is what the height could be and Mr. Ventres suggested saying 16 to the peak.
- Mr. Katzbek asked what the main problem is that you want to address; why is there such a concern about shed size?
- Mr. Fox said the goal is for our regulations to match what the community wants.
- Ms. Koenig said she doesn't have an issue with larger sheds to accommodate storage.

The Commission further discussed garages and sheds.

Mr. Ventres asked about adding pool cabana to the list of accessory structure options.

Mr. Fox discussed how valuable the public hearing process and community feedback is to revising regulations.

Mr. Katzbek discussed the variety of shed options and designs now available and Mr. Fox suggested bringing some examples to the next meeting. Mr. Ventres said he can print some examples out as well.

VII. New Business

a. Election of Zoning Commission Officers- Secretary and Chair

Mr. Fox called for nominations.

MOTION (2)

Mr. Fox nominated Mr. Allen as Zoning Commission Secretary.

Mr. Horoho seconded the motion.

There were no further nominations.

Vote:

Motion carried, 3-0-1.

Mr. Allen abstained from the vote.

MOTION (3)

Mr. Fox moved to name Mr. Allen as Zoning Commission Secretary.

**Mr. Horoho seconded the motion.
Motion carried, 3-0-1**

Mr. Allen abstained from the vote.

MOTION (4)

**Mr. Allen nominated Mr. Fox as Zoning Commission Chair.
Mr. Kycia seconded the motion.
Motion carried, 3-0-1.**

Mr. Fox abstained from the vote.

MOTION (5)

**Mr. Allen moved to name Mr. Fox as Zoning Commission Chair.
Mr. Kycia seconded the motion.
Motion carried, 3-0-1.**

Mr. Fox abstained from the vote.

Mr. Fox.stated that the next Zoning Commission meeting will be on Friday, September 18th, 2020.

VII. ADJOURNMENT

MOTION (6)

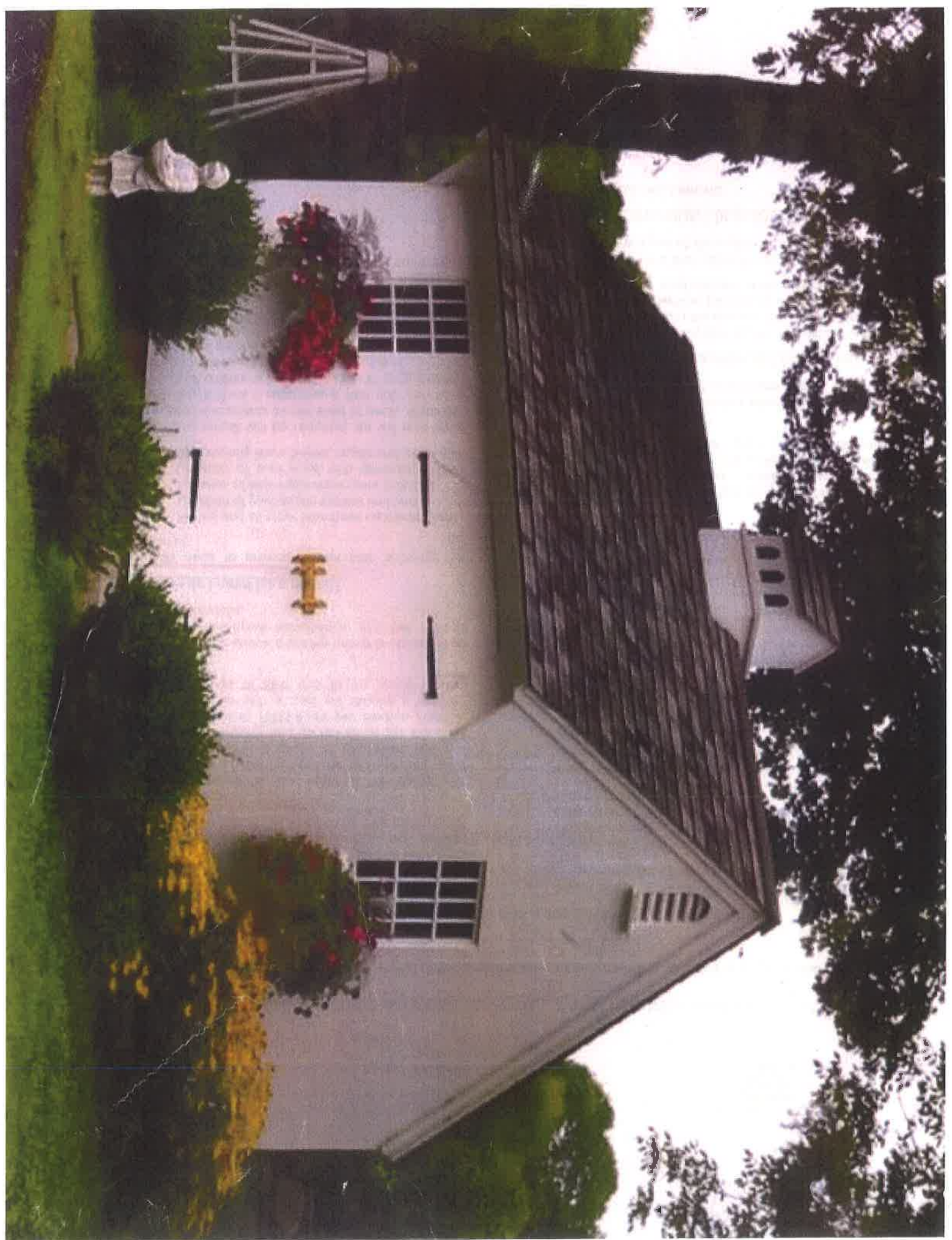
**Mr. Allen moved to adjourn the Black Point Beach Club Association Zoning Commission meeting at 7:01 p.m.
Mr. Horoho seconded the motion.
Motion carried, 4-0-0.**

Respectfully Submitted,
Brooke Stevens
Recording Secretary

Zoning Projects				31-Jul	2020	Report			
Application #	Date	Address	Name	Map/Block	Project	Fee	Appr/Denied	Status	NOTES JV
2018									
JV-11	3/7	6 East Shore	Willard	5.11/64	AC / remodel	150	A	Scr. Started	Insp 7/30/2020
JV-46	10/19/18	2 Osprey	Bayne	5.19 / 87	New Home	600	A	Renewed app	Insp 7/30/2020
2019									
JV - 1 - 19	1/25/19	20 Seaview Ave	Wunder	5.10 / 39	addition	900	A	Under Constr	Insp 7/30/2020
JV - 2 - 19	3/1/19	12 Indianola	Spalluto	5.11 / 6	addition	300	A	Completed	9/6/2019
JV - 3 - 19	4/4/19	148 Old BP Rd	Danos	5.9 / 35	deck	150	A	Completed	10/23/2019
JV - 4 - 19	4/4/19	18 Sea Breeze	Smith	5.15 / 61	porch addition	300	A	Completed	9/13/2019
JV - 5 - 19	4/4/19	35 Sunset Ave	Kycia	5.14 / 126	fence	75	A	Completed	4/12/2019
JV - 6 - 19	4/4/19	19 Blue Heron	Hyland	5.19 / 107	stairs & fence	75	A	Needs Screening	Insp 7/30/2020
JV - 7 - 19	4/12/19	53 Sea Breeze	Bogue	5.14 / 59	dormer & show	300	A	Completed	8/2/2019
JV - 8 - 19	4/12/19	57 Sea Spray	Koch	5.18 / 13	shed	75	A	Completed	8/2/2019
JV - 9 - 19	5/2/19	9 Sea Breeze	Flaherty	5.15 / 74	Home Oc	10	A	Approved	5/2/2019
JV - 10 - 19	5/9/19	9 Billow Rd	Katzbek	5.2 / 64	Garage	300	A	Completed	10/10/2019
JV - 11 - 19	5/9/19	66 Nehantic	Martone	5.10 / 82	shed	45	A	Completed	8/2/2019
JV - 12 - 19	5/9/19	53 Sea Spray	Bruce	5.18 / 14	Propane tank	45	A	Completed	8/2/2019
JV - 12 - 19	5/17/19	1 Blue Heron Ct	Weiss	5.19 / 95	Fence	75	A	Completed	8/2/2019
JV - 14 19	5/17/19	56 Sea Spray	Foley / Coffee	5.18 / 23	Deck	150	A	Completed	9/26/2019
JV - 15 - 19	5/17/19	41 Sea Spray	Horoho	5.18 / 18	Fence / screen	45	A	Completed	7/12/2019
JV - 16 - 19	6/5/19	31 Sea Spray	Allen	5.19 / 12	Fence	150	A	Completed	7/26/2019
JV - 17 - 19	6/14/19	8 Saltaire	Ferreira	5.19 / 43	shower / fire pit	75	A	Completed	7/26/2019
JV - 18 - 19	6/14/19	12 Sea Crest	Iffland	5.15 / 11	Propane tank	45	A	Completed	9/6/2019
JV - 19 - 19	7/12/19	9 Sea Spray	Wachtmeister	5.15 / 15	Fence	150	A	Under Constr	Insp 7/30/2020
JV - 20 - 19	7/24/19	74 East Shore	Sheehan	5.19 / 42	Shed	75	A	Completed	9/6/2019
JV - 21 - 19	7/24/19	10 Nehantic Dr	Dewey	5.11 / 24	Fen/bulk hd//ac	450	A	Under Constr	Insp 7/30/2020
JV - 22 - 19	9/2/19	41 Sea Spray	Horoho	5.18 / 18	Dumpster	NC	A	Removed	10/23/2019

JV - 23 - 19	9/8/19	14 White Cap	Donnelly	5.15 / 81	Shed	150	A	Completed	10/30/2019
JV - 24 - 19	9/11/19	27 East Shore	Graus	5.11 / 4	addition	450	A	Under Constr	Insp 7/30/2020
JV - 25 - 19	9/18/19	95 East Shore	Fagan	5.19 / 96	Shed	150	A	Completed	11/21/2019
JV - 26 - 19	10/4/19	75 East Shore	Ferreira	5.19 / 42	Shed	150	A	Completed	12/7/2019
JV - 27 - 19	10/5/19	23 Sea Crest	McLaughlin	5.15 / 27	Dumpster	NC	A	Installed	Insp 7/30/2020
JV - 28 - 19	10/5/19	16 Osprey	Villecco	5.19 / 100	Fence	75	A	Completed	12/7/2019
JV - 29 - 19	10/5/19	6 Sea Spray	Maxwell	5.15 / 1	POD	NC	A	Removed	11/21/2019
JV - 30 - 19	10/5/19	5 East Shore	Walsh	5.11 / 52	App Ext Add	250	A	Completed	12/7/2019
JV - 31 - 19	10/11/19	2 Osprey	Bayne	5.19 / 87	App Ext N Hse	250	A	Under Constr	Insp 7/30/2020
JV - 32 - 19	10/11/19	18 Saltaire	Miller	5.19 / 47	Porch Landing	\$150	A	Under Constr	Insp 7/30/2020
JV - 33 - 19	10/11/19	40 Sunrise	Colella	5.14 / 96	Fence	75	A	Completed	10/23/2019
JV - 34 - 19	10/18/19	21 Seaview Ave	Reis	5.15 / 45	Pool	450	A	Under Constr	Insp 7/30/2020
JV - 35 - 19	10/18/19	39 Woodland	Carlson	5.10 / 5	Fence	150	A	Completed	11/21/2019
JV - 36 - 19	10/18/19	27 Woodland	Martin	5.9 / 22	Raise House	450	A	Completed	6/19/2020
JV - 37 - 19	10/18/19	6 Sea Spray	Maxwell	5.15 / 1	New House	900	A	Completed	4/24/2020
JV - 38 - 19	11/14/19	57 Nehantic Road	Zito	5.10 / 86	Deck	150	A	Completed	4/3/2020
JV - 39 - 19	11/14/19	46 Bellaire Rd	Neun	5.10 / 95	Deck	300	A	Completed	5/1/2020
JV - 40 - 19	11/14/19	17 Sea View Ave	Baril	5.15 / 47	New House	1,050	A	Completed	6/11/2020
JV - 41 - 19	11/26/19	9 Ridge Trail	Manwarring	5.9 / 29	HVAC	150	A	Completed	1/17/2019
JV - 42 - 19	12/10/19	23 Bellaire Rd	Bookmillar	5.10 / 44	Propane tank	45	A	Completed	12/27/2019
JV - 43 - 19	12/20/19	53 Sea Breeze	Bogue	5.14 / 59	Dormer	300	A	Completed	5/23/2020
JV - 44 - 19	12/30/19	23 Sea Crest	McLaughlin	5.15 / 27	addition	450	A	Under Constr	Insp 7/30/2020
2020									
JV - 1 - 20	1/15/20	17 Woodland	Guzy	5.9 / 31	Hot tub / fence	75	A	Tub in	Insp 7/30/2020
JV - 2 - 20	2/12/20	18 Sea Breeze	Smith	5.15 / 61	Garage	300	A	Completed	7/10/2020
JV - 3 - 20	2/12/20	47 Indianola	Consedine	5.10 / 67	Dumpster	NC	A	Installed	Insp 7/30/2020
JV - 4 - 20	2/12/20	7 Sea Breeze	Elevado	5.15 / 75	Fence	150	A	Completed	2/14/2020
JV - 5 - 20	2/12/20	20 Seaview Ave	Wunder	5.10 / 39	Addition Ext App	250	A	Under Constr	Insp 7/30/2020

JV - 6 - 20	3/3/20	22 Ridge Trail	Mazerolle	5.9 / 24	Propane tanks	75	A	Completed	7/30/2020
JV - 7 - 20	3/3/20	22 Ridge Trail	Mazerolle	5.9 / 24	Generator	150	A	Completed	7/30/2020
JV - 8 - 20	3/7/20	6 Sea Spray	Potts	5.15 / 1	Propane tank	150	A	Completed	4/9/2020
JV - 9 - 20	3/7/20	109 E. Shore	Reeder	2.7 / 13	New Porch	300	A	Under Constr	Insp 7/10/2020
JV - 10 - 20	3/14/20	71 East Shore	Frechette	5.19 / 34	Fence	75	A	Completed	4/9/2020
JV - 11 - 20	3/27/20	71 East Shore	Frechette	5.19 / 34	Propane tank	150	A	Completed	4/9/2020
JV - 12 - 20	4/3/20	49 Sunset Ave	Moffett	5.14 / 121	Fence	150	A	Completed	4/9/2020
JV - 13 - 20	4/3/20	8 Saltaire Ave	Gardner	5.19 / 43	pool/shed/propan	300	A	Completed	6/11/2020
JV - 14 - 20	4/9/20	47 Indianola	Consedine	5.10 / 67	porch & enclose	300	A	Under Constr	Insp 7/30/2020
JV - 15 - 20	4/24/20	49 Sunset Ave	Moffett	5.14 / 121	Det. Garage	150	A	Completed	7/10/2020
JV - 16 - 20	5/16/20	23 Sea Breeze	Stafford	5.15 / 65	HVAC	300	A	Completed	7/10/2020
JV - 17 - 20	5/16/20	71 East Shore	Frechette	5.19 / 34	HVAC	75	A	Completed	7/10/2020
JV - 18 - 20	5/23/20	3 Palette Ave	Koeing	5.15 / 66	Dumpster	0	A	Installed	Insp 7/30/2020
JV - 19 - 20	5/23/20	12 Indianola	Spalluto	5.11 / 6	Pool	300	A	Under Constr	Insp 7/30/2020
JV - 20 - 20	5/23/20	75 East Shore	Ferreira	5.19 / 43	Fence	75	A	Completed	7/10/2020
JV - 21 - 20	5/23/20	41 Seabreeze Ave	Ferreira	5.14 / 64	HVAC	45	A	Completed	7/10/2020
JV - 22 - 20	5/23/20	32 Woodland	Lombardo	5.9 / 15	Det. Garage	150	A	Not started	Insp 7/30/2020
JV - 23 - 20	6/6/20	48 Nehantic	Etienne	5.10 / 76	Closet	300	A	Under Constr	Insp 7/30/2020
JV - 24 - 20	6/6/20	5 Cottage Lane	Litvinoff	5.14 / 9	Garage	300	A	Not started	Insp 7/30/2020
JV - 25 - 20	6/6/20	23 Sea Crest	McLaughlin	5.15 / 27	Shed	150	A	Completed	6/11/2020
JV - 26 - 20	6/22/20	1 Whitecap	Amara	5.11 / 75	Deck	150	A	Under Constr	Insp 7/30/2020
JV - 27 - 20	6/22/20	23 Bellaire	Bookmiller	5.10 / 44	Fence	75	A	Completed	7/30/2020
JV - 28 - 20	6/26/20	48 Nehantic Dr	Etienne	5.10 / 76	Attached Garage	300	A	Under Constr	Insp 7/30/2020
JV - 29 - 20	7/6/20	3 Palette Ave	Koeing	5.15 / 66	Additions / renov	750	A	Under Constr	Insp 7/30/2020
JV - 30 - 20	7/19/20	10 Sea Breeze	Giamalis	5.15 / 57	Addition / renov	900	A	Not started	Insp 7/30/2020
JV - 31 - 20	7/31/20	53 Nehantic Dr	Rudds	5.10 / 88	HVAC	75	A		
JV - 32 - 20	7/31/20	65 East Shore	Maxwell Trust	5.15 / 1	Fence	150	A		
JV - 33 - 20	7/31/20	36 Sea Crest	Smith	5.15 / 21	HVAC	150	A		





Town of Hebron

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- PLANNING/ZONING
- BUILDING
- HEALTH
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WHAT INFORMATION IS NEEDED IN ORDER TO INSTALL A SHED OR DECK ON MY PROPERTY

The information in this handout is to help guide you in the permitting requirements for accessory structures and addresses the common questions asked.

Do I need a permit for my shed, barn, garage or deck?

- A building permit is not required for one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet as per Section R105.2. **If the shed is part of a barrier for a pool, then a building permit will be required.**
- A building permit is not required for decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4 as per Section R105.2. **Decks associated with a pool will require a building permit regardless of size due to the safety barrier requirements.**
- **In both situations above a zoning permit is still required in order to determine compliance with the Hebron Zoning Regulations.**

What information do I need for a permit?

- You will need to provide a plot plan showing the location of;
 - House and all other structures on the property
 - Location of your septic system and well
 - Location of any wetlands on your property
 - Location of your shed with dimensions from the property lines, house, septic and wetlands.
- If a building permit will be required, we will also need construction documents for the shed or deck. If you are constructing a deck I recommend that you download DCA-6-2012 edition, a free publication at www.awc.org which addresses the code requirements for the construction of a deck.

How do I get a site plan of my property?

- You can obtain a copy of your site plan from our office if available in our file or you can go to the Assessor's office and request a copy of your site plan from the GIS system.

How close can I be to my property line?

- Decks attached to the house shall meet the setback requirements for the zoning district the property is in.
- Sheds must meet the minimum setback requirements established by the zoning regulations. You can call our office to obtain information on the zoning district you are in and the setback requirements.
- If the shed meets the following criteria you are allowed to be no closer than 10'-0" to the side or rear property lines;
 - Located entirely behind the plane of the rear wall of the principal building (house)
 - It is located behind all front yard setbacks
 - No larger than 200 square feet in size

How large of a shed can I build?

- The maximum footprint of the shed cannot exceed 900 square feet for lots up to 5 acres in size and 1,200 square feet for lots greater than 5 acres in size per the Hebron Zoning Regulations.

If I have wetlands on my property, how far away do I need to be?

- The regulated area is 100'-0" from the wetlands delineation. Some areas around Town have a regulated up to 300'-0". Any activity in the regulated area requires approval from the conservation commission.
- Any activity in a conservation easement shall require approval from the conservation commission.

How far away from my septic system do I have to be?

- Sheds and decks under 200 square feet and placed on stone (no foundation) are exempt from the health code, otherwise sheds with no foundation or drains must be a minimum of 5'-0" from any part of the septic system.
- If the shed is on a foundation it must be a minimum of 15'-0" from any part of the septic system.

How far away from my well do I have to be?

- No separation requirements

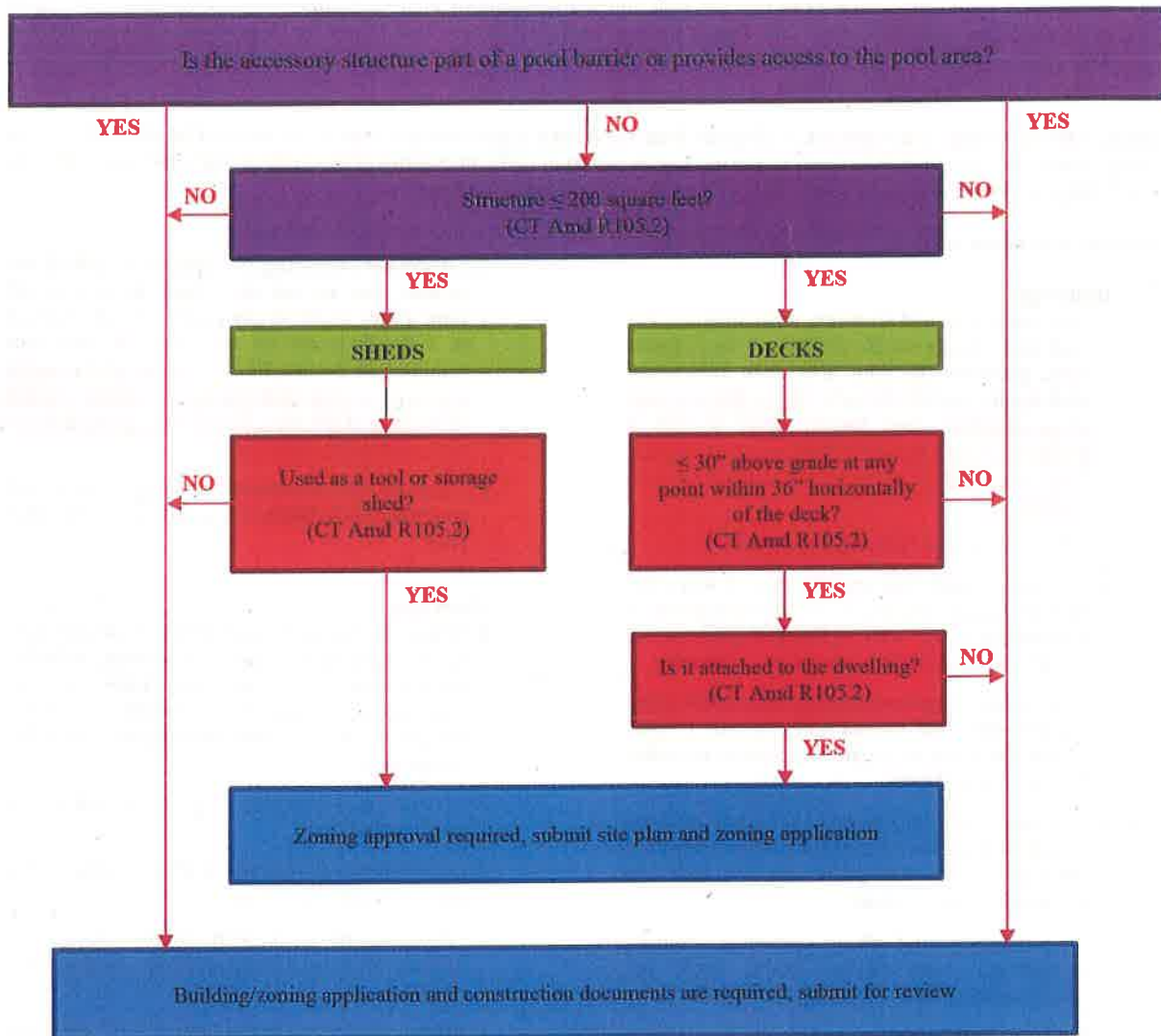


Town of Hebron

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- PLANNING/ZONING
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- CONSERVATION

FLOW CHART TO AID IN THE DETERMINATION IF A BUILDING PERMIT IS REQUIRED FOR THE CONSTRUCTION OF A SHED OR DECK IN ACCORDANCE WITH THE 2009 IRC PORTION OF THE 2005 STATE BUILDING CODE.



- Accessory structures shall be supported on undisturbed natural soils or engineered fill and shall be anchored to resist wind-induced uplift and overturning (CT Amd R403.1)
- Sheds with an eave height > 10 feet are required to be frost protected (CT Amd R403.1)
- A building permit is required for any utilities run to the shed or deck.
- This document is to be used as a guide only and cannot possibly cover all situations, nor is it intended to do so. If you have any questions, please contact the Building Official at 860-228-5971 ext. 142 or jsummers@hebronct.com

WHAT DOES NOT REQUIRE A BUILDING PERMIT

R105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

R105.1.1 By whom application is made. Pursuant to section 29-263 of the Connecticut General Statutes, application for a permit shall be made by the owner in fee or by an authorized agent. If the application is made by a person other than the owner in fee, it shall be accompanied by an affidavit of the owner or a signed statement of the applicant witnessed by the building official or such official's designee to the effect that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. If the authorized agent is a contractor, such contractor shall follow the provisions of section 20-338b of the Connecticut General Statutes. The applicant shall include the full names and addresses of the owner, agent and the responsible officers, if the owner or agent is a corporate body.

R105.2 Work exempt from permit. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws, statutes, regulations or ordinances of the town, city or borough, or the State of Connecticut.

Permits shall not be required for the following work:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²). Sheds that are part of a required pool barrier shall require a building permit regardless of the size. Please keep in mind that a zoning permit is still required.
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 3 feet (914 mm) in height measured from finished grade at the bottom of the wall to finished grade at the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways and on-grade concrete or masonry patios not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work not involving structural changes or alterations.
7. Prefabricated swimming pools that are equal to or less than 24 inches (610 mm) deep.
8. Swings, non-habitable tree houses and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4. Decks that provide access to a pool shall require a building permit regardless of the size. Please keep in mind that a zoning permit is required.

11. Repairs that are limited to 25 percent of roof covering and building siding within one calendar year.

Electrical:

1. Minor repairs and maintenance: A permit shall not be required for minor repair work, including replacement of lamps and fuses or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Listed cord-and-plug connected temporary decorative lighting.
3. Reinstallation of attachment plug receptacles but not the outlets therefore.
4. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

Gas:

1. Portable heating or cooking appliances with a self-contained fuel supply.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances with a self-contained fuel supply.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping contained within any heating or cooling equipment regulated by Chapters 18 to 24, inclusive, of this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in Sections R105 and R109 of this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

R105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

R105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

R107.1 General. The building official may issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official may grant a single 180-day extension for demonstrated cause.

Exceptions: The following shall be exempt from permit requirements:

1. Tents used exclusively for recreational camping purposes.
2. Tents less than 350 square feet (32.52 m²) in total area.
3. Tents 900 square feet (83.61 m²) and smaller in total area when occupied by fewer than 50 persons that have no heating appliances and no installed electrical service, and are erected for fewer than 72 hours.