

Minutes of BPBCA ZBA March 19th, 2026, Public Hearing & Regular Meeting - 03/19/26

Date and time: 03/19/26 6:00 PM to: 03/19/26 6:58 PM

Present: Brooke Stevens, Recording Secretary, Tom Wunder, ZBA Chair, Kim Craven, Regular Member, Sally Cini, Regular Member, Brendan Fox, Regular Member, Pat Kolosowski, Regular Member, Arlene Garrow, Alternate Member, Colleen Chapin, Alternate Member

CC: Jim Fox, Zoning Commission Chairman

Location: BPBCA Clubhouse & Via Zoom

Link: <https://app.meetingking.com/meetings/433111>

Topics

1. Call to Order

Note Tom Wunder, ZBA Chair, called the Public Hearing of the BPBCA Zoning Board of Appeals to order at 6:00 p.m.; a quorum was present.

2. Public Hearing

Note Mr. Wunder stated that the Hearing concerns an application from Melinda and Harry Graus for a variance at 27 East Shore Drive. The request is to reduce the required northeast setback from 16.6 feet to 10.6 feet to allow modifications to an existing non-conforming structure.

Note Public notice was properly completed:

*Published in The New London Day on March 4th and March 11th, 2026.

*Nearby property owners (within 50 feet) were notified by mail.

*Mailing certificates are on record.

Note Mr. Wunder detailed the procedures for the record:

*The Applicant (or Representative) will present the request.

*Public comments will be heard.

*Board members may ask questions afterward.

Note He also reviewed the legal criteria for granting a variance:

*Must demonstrate unusual hardship specific to the property.

*Hardship cannot be self-created.

*Financial reasons alone do not qualify.

*Approval requires at least four Board Members.

*Approved variances are permanent and tied to the property.

Note see attachment.

 [3973_001.pdf](#)

Note Mr. Wunder introduced the Board- himself, Ms. Cini, Ms. Craven, Ms. Kolosowski and Mr. Fox. All ZBA Board Members affirmed for the record that they have no conflict of interest.

Note John Paul Mereen of Gerwick Mereen Land Surveying, LLC came forward representing the Applicant.

Note see attachment.

 [27-East-Shore-ZBA-Application.pdf](#)

Note Mr. Mereen detailed some of the following:

- *The Applicants want to add a porch to the front of the existing house.
- *The home is already non-conforming, which is common in the area.
- *Many nearby homes were built before current zoning regulations.
- *The proposal would reduce the setback from 16.6 feet to 10.6 feet.

Note He confirmed that adjacent property owners have signed in support of the variance and stated there are no objections from neighbors. He emphasized that the request is straightforward- adding a covered front porch.

Note Chairman Wunder opened the floor for public comments and no in-person opposition or support was voiced.

Note He read a written statement into the record from Thomas and Robin Meggers of 28 East Shore Drive, who expressed support for the variance. They were unable to attend or sign earlier but wanted their approval recorded.

2-1. Discussion

Note Ms. Craven noted some of the following:

- *The required setback is 20 feet.
- *The existing structure is 16.6 feet (already non-conforming.)
- * The proposal reduces to 10.6 feet, nearly half the required.

Note Ms. Craven asked whether measurement includes stairs or only covered porch.

Note Mr. Wunder said the setback appears to apply to covered deck only and Mr. Mereen confirmed that the measurement likely applies to deck only but could not confirm exact stair dimensions.

Note Mr. Wunder noted that the rendering depicts three steps and estimated that this represents an additional two feet of encroachment.

Note Jim Fox, of 15 Blue Heron, and the Zoning Commission Chair, was in the audience and read the following from the Zoning Regulations:

- *Stairs/landings not permitted in setbacks without variance.
- *Landings allowed up to 6 ft x 6 ft.
- *Regulations updated for ADA compliance.

Note Ms. Craven interpreted that the encroachment would result in an approximate minimum setback of 14 feet. She noted that the proposed 10.6-foot setback exceeds this limit, even before accounting for the stairs.

Note Ms. Craven asked about the height and elevation of the porch and requested clarification on step height.

Note Mr. Mereen estimated that the porch would align with the existing finished floor, roughly 3 feet above grade. He explained there would be one step down to the porch and then three steps to the ground. He also confirmed that only limited design details are available at this stage.

Note Ms. Craven asked about the stone wall shown in the rendering and Mr. Mereen confirmed that the wall is not part of application and would have required separate approval.

Note Mr. Wunder asked whether the setback is measured from the property line or pavement and emphasized the importance of an accurate measurement method.

Note Ms. Craven raised concern about the corner lot intersection visibility and noted a potential safety risk for vehicles, cyclists, and pedestrians.

Note Mr. Mereen stated the porch would not impact sight lines and Mr. Wunder confirmed that zoning includes sightline protections and that the proposal appears compliant with visibility requirements.

Note Ms. Craven asked the Applicant to state what the hardship is.

Note Mr. Mereen responded that no specific hardship had been identified to him- only references to existing neighborhood non-conformities.

Note Mr. Wunder clarified that hardship is still required for approval.

Note Mr. Wunder also noted that the porch is not parallel to the property line and that the 10.6-foot measurement reflects only the closest point. Ms. Craven confirmed that the property is a corner lot located at the intersection.

Note There were no further Board Member comments.

Decision MOTION (1)

Ms. Cini moved to close the Public Hearing at 6:26 p.m.

Ms. Craven seconded the motion.

Motion carried, 5-0-0.

3. Regular Meeting

Note Mr. Wunder opened the Regular Meeting.

Note Ms. Cini:

- *Acknowledged that the porch is visually appealing.
- *Noted historical non-conformity in the neighborhood.
- *Stated that no hardship exists and aesthetics are not valid justification.
- *Proposal extends further into setback significantly.
- *Cannot vote for approval despite how lovely it looks.
- *Even if had more definite figures it would still be moving well into the road.
- *Already have patio.

Note Ms. Craven expressed concerns regarding:

- *Lack of precise measurements.
- *Height and grade uncertainty.
- *Existing steps already within setback.
- *Proposal would increase non-conformity significantly.
- *Possible future expansion once approved.
- *Unclear hardship justification.
- *Concurs with Ms. Cini and cannot vote for approval.

Note Ms. Kolosowski said the rendering is a lovely thought, but it doesn't demonstrate a hardship.

Note Mr. Fox:

- *Acknowledged no clear hardship but property is already non-conforming.
- *Neighbor support is present.
- *Believes no safety impact.
- *Supports approval.

Note Mr. Winder emphasized:

- *That they must follow current Zoning Regulations.
- *Existing non-conformity does not justify expansion.
- *Aesthetic improvement is not valid hardship.
- *Cannot support granting the variance.

Decision MOTION (1)

Mr. Wunder moved to approve the application of Melinda and Harry Graus for property located at 27 East Shore Drive (Assessor's Map 05.11, Lot 4), for a variance to reduce the required front northeast setback from 20 feet to 10.6 feet to permit construction of a covered front porch/deck.

Ms. Craven seconded the motion.

Mr. Wunder called for the vote:

Ms. Craven- Nay.

Ms. Cini- Nay.

Ms. Kolosowski- Nay.

Mr. Fox- Yay.

Mr. Wunder- Nay.

Motion failed, 1-4-0.

The Board finds that:

1. The Applicant did not demonstrate a unique hardship related to the property.
2. The request represents a substantial increase in an existing non-conformity.
3. The justification provided was primarily aesthetic, which is not a valid basis for a variance.
4. The proposal is inconsistent with Zoning Regulations regarding front setbacks and expansion of non-conforming structures.
5. Approval would set an undesirable precedent for further encroachments.

Note Mr. Wunder stated that the motion did not pass, and the variance request was denied.

Note Chair Wunder advised the Applicant that this decision will be published in the New London Day Newspaper, and that the Applicant has the right to appeal the decision to the Connecticut Superior Court within 15 days of publication.

Note Mr. Mereen thanked the Board for their time and consideration.

Decision MOTION (2)

Mr. Wunder moved to adjourn the March 19th, 2026, Regular Meeting of the BPBCA ZBA at 6:58 p.m.

Ms. Cini seconded the motion.

Motion carried, 5-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary