

From: Carrie Vibert May 31, 2012 10:55:31 AM
Subject: Zoning Board of Appeals Minutes 03/28/2012 ADOPTED
To: SimsburyCT_ZBAMin
Cc:

ZONING BOARD OF APPEALS
REGULAR MEETING – ADOPTED MINUTES
March 28, 2012

I. CALL TO ORDER

Acting Chairman Thomas Horan called the regular meeting of the Zoning Board of Appeals to order at 7:10 P. M. in the Main Meeting Room at Simsbury Town Hall. The following members were also present: Carol Bingham, Paul Cocchi, and Greg Piecuch. Dennis Fallon arrived at 7:21 P. M. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Gray, Commission Clerk; and other interested parties.

II. APPOINTMENT OF ALTERNATES

Mr. Horan appointed Paul Cocchi to serve for Peter Stempien, and Carol Bingham to serve as Secretary.

III. PUBLIC HEARING

A. 12-04 Application of Immacolata C. Cheffer, Owner, for a side yard variance for the installation of a generator, pursuant to Article Eight, Section A, of the Simsbury Zoning Regulations, on property located at 2 Clifdon Drive. (Map F-04, Block 302, Lot 057). R-40 Zone.

Acting Chairman Horan advised all present that he has known the applicant for several years but did not feel that that would influence his decision-making.

Mrs. Cheffer explained she is seeking a six-foot side yard variance for placement of a generator.

Her husband, John Cheffer, further explained that his wife requires electrical power to operate a Continuous Positive Airway Pressure (CPAP) machine and that the portable generator that is currently on the property is insufficient to meet her needs. He also stated that possible locations for placement of the generator are limited because of manufacturer recommendations, code requirements, access to utilities, the position of

the home on the lot, and restrictions placed on the property because it is a corner lot.

Mr. Horan opened the hearing to public comment and read letters in favor of the application from William and Sandra Vincelette, 1 Clifdon Dr.; John and Karen Ann Barrett, 3 Clifdon Dr.; John and Carina McCann, 4 Clifdon Dr.; Sandy Miller, 5 Tower Dr., and Tammy Warner, 7 Tower Dr. He also read a letter from Mrs. Cheffer's doctor, Natalya Thorevska, M. D., confirming Mrs. Cheffer's need for the CPAP machine and generator, and a letter from the Cheffers' contractor, James Wilfinger, confirming that the proposed placement is the best location for the generator unit. Hearing no further comments, Mr. Horan closed the public hearing.

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A motion was made by Ms. Bingham to approve the variance, as requested, based on the restrictions placed on the property because it is a corner lot. The motion was seconded by Mr. Fallon, and unanimously carried.

B. 12-05 Application of Wendy and Dave Heller, Owners, for a side yard variance for the installation of a generator, pursuant to Article Eight, Section A, of the Simsbury Zoning Regulations, on property located at 3 Elliott Drive. (Map F-06, Block 306, Lot 024). R-40 OS Zone.

Wendy Heller explained she is seeking a 13-foot side yard variance for placement of a full-house generator, as one of her children has asthma and requires use of an electronic nebulizer in an emergency. She further explained that locations for possible placement of the generator are limited due to manufacturer recommendations, code restrictions, and the topography of the lot.

Mr. Horan opened the hearing to public comment; hearing none, he closed the public hearing.

A motion was made by Mr. Piecuch to approve the variance, as requested, based on the topography of the lot. The motion was seconded by Mr. Fallon, and unanimously carried.

IV. APPROVAL OF MINUTES

A. February 22, 2012

A motion was made by Mr. Piecuch to approve the minutes of the February 22, 2012 meeting, as presented. The motion was seconded by Mr. Cocchi, and

passed unanimously.

V. ADJOURNMENT

 A motion was made by Ms. Bingham to adjourn the meeting at 7:50 P.
M.

Carol Bingham, Acting Secretary