

From: Carrie Vibert July 11, 2012 12:15:33 PM  
Subject: Zoning Board of Appeals Minutes 05/23/2012 ADOPTED  
To: SimsburyCT\_ZBAMin  
Cc:

ZONING BOARD OF APPEALS  
REGULAR MEETING – ADOPTED MINUTES  
May 23, 2012

I. CALL TO ORDER

Acting Chairman Thomas Horan called the regular meeting of the Zoning Board of Appeals to order at 7:00 P. M. in the Main Meeting Room at Simsbury Town Hall. The following members were also present: Carol Bingham, Tegan Blackburn, Paul Cocchi, Dennis Fallon, Katie Martin, and Greg Piecuch. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Gray, Commission Clerk; and other interested parties. Mr. Piecuch left the meeting at 8:02 P. M.

II. APPOINTMENT OF ALTERNATES

Mr. Horan appointed Katie Martin to serve as Secretary, Tegan Blackburn to serve for Peter Stempien, and Dennis Fallon to serve for Craig MacCormac.

III. PUBLIC HEARING

A. 12-06 Application of Raymond Zeiner, Owner, for a variance for the placement of an existing, unpermitted shed in front of a dwelling, pursuant to Article Three, Section A.5, of the Simsbury Zoning Regulations, on property located at 65 Woodchuck Hill Road. (Map A10, Block 420, Lot 007 + 8). R-40 Zone.

Raymond Zeiner distributed photos depicting his property, including a shed he placed in the front of his dwelling in November 2011. He explained he is seeking a variance to allow for the shed to remain in its present location. He further explained that alternative placement on the property is inhibited by the steep topography, easements, the position of the home on the property, and the location of a well and septic system.

The Board discussed possible alternative locations for the shed, but determined that any alternative location would require a variance and it would be difficult for them to recommend an alternative placement without knowing how much of a variance would be required.

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

A motion was made by Mr. Martin to approve the variance based on the topography of the property and the placement of the home on the property. The motion was seconded by Ms. Bingham.

A motion was made by Ms. Blackburn to reopen the public hearing. The motion was seconded by Mr. Fallon, and unanimously carried.

Mr. Zeiner requested to have his application tabled to the next meeting to allow him an opportunity to seek an alternative location for the shed.

A motion was made by Mr. Piecuch to table the application to the next meeting, as requested. The motion was seconded by Ms. Martin, and unanimously carried.

B. 12-07 Application of Robert A. Picarello, Owner, for a variance to accommodate a proposed addition to the single-family dwelling, pursuant to Article Eight, Section A, of the Simsbury Zoning Regulations, on property located at 1 Old Oak Drive. (Map D19, Block 609, Lot 87). R-40 Zone.

Robert Picarello explained that he is seeking a 5-foot side yard variance for construction of a 16' x 22' addition. He further explained there is no other reasonable alternative for placement of the addition because of a sewer line on the property and the odd shape of this corner lot.

Keith DeAngelo, builder and designer of the addition, confirmed that there is no reasonable alternative for placement of the addition.

Mr. Horan opened the hearing to public and read letters in favor of the variance from Dennis and Julia McGoldrick, Curtis and Elizabeth Sinatro, Peter and Lydia Tedone, and Richard and Joan Fortier. Hearing no further comments, Mr. Horan closed the public hearing.

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

C. 12-08 Application of Benny Gjonbalaj, Agent for Southmeadow Associates, LLC, Owner, for a variance for the placement of an awning over the sidewalk for outdoor dining and access to his restaurant, pursuant to Article Eight, Section A, of the Simsbury Zoning Regulations, on property located at 562 Hopmeadow Street (Map G12, Block 132, Lot 036). B-1 Zone.

Benny Gjonbalaj explained that he is seeking a 6-foot side yard variance to install an awning for outdoor dining on the side of his existing restaurant, to improve safety conditions on the property.

Mr. Horan opened the hearing to public comment and read a letter from Maryanne Strindberg expressing parking concerns and requesting that they be addressed. Ms. Blackburn noted that parking concerns are not relevant to this application.

Hearing no further comment, Mr. Horan closed the public hearing.

A motion was made by Mr. Fallon to approve the variance based on safety concerns. The motion was seconded by Ms. Martin, and unanimously approved.

#### IV. APPROVAL OF MINUTES

##### A. March 28, 2012

A motion was made by Ms. Martin to approve the minutes of the March 28, 2012 meeting, as presented. The motion was seconded by Ms. Bingham. Ms. Blackburn abstained. Motion passed.

#### V. ADJOURNMENT

A motion was made by Ms. Martin to adjourn the meeting at 8:11 P. M.

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Katie Martin, Acting Secretary