

From: Lois Laczko October 7, 2011 1:31:39 PM
Subject: Zoning Board of Appeals Minutes 07/27/2011 ADOPTED
To: SimsburyCT_ZBAMin
Cc:

ADOPTED

ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 27, 2011

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, Katie Martin, John McCann and Greg Piecuch. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Gray, Commission Clerk; and other interested parties.

II. APPOINTMENT OF ALTERNATES

Acting Chairman Horan appointed Katie Martin to serve as Secretary.

III. PUBLIC HEARING

A. 11-09 Application of Daniel J. Diodato, Owner, for a Side Yard Variance, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations, for placement of a shed on property located at 12 Middle Lane. (Map G-12, Block 109, Lot 018). R-15 Zone.

Daniel Diodato explained he is seeking a 7-foot side yard variance and 15-foot front yard variance for placement of a 6' x 10' shed. He further explained that an alternative location for placement of the shed has been identified by town staff that would not require a variance, but placement of the shed there would eliminate half of his flat lawn area in the front of his home.

Acting Chairman Horan opened the hearing to public comment.

Dawn Petersen, 11 Stebbens Brook Lane, spoke in favor of the variance and stated her opinion that placement of the shed in the suggested alternative location would be inappropriate.

Barb Conroy, 8 Middle Lane; Nancy Oaks, 11 Middle Lane; and Katherine Delino, 5 Middle Lane, all spoke in favor of the variance and their objection to placement of the shed in the alternative location. They also all spoke very highly of Mr. Diodato and his devotion to maintaining an aesthetically appealing property.

Mr. Diodato further stated that his proposed placement of the shed has been approved by the Pine Hill Homeowners Association. Zoning Board of Appeals

Michael Gannis, 9 Middle Lane, spoke in favor of the variance and noted that this request for a variance meets all eight conditions that must be proven for a variance to be granted.

There was an extensive discussion regarding whether Mr. Diodato should be required to pay a second fee since the requested placement of the shed requires both a side yard and front yard variance. Mr. Diodato contended that he was just told of the second fee requirement earlier this week.

Acting Chairman Horan read letters in favor of the variance from Paul J. and Dawn Petersen, 11 Stebbins Brook Lane, and Beverly Hanson, President of the Pine Hill Homeowners Association.

Hearing no further comments, Acting Chairman Horan closed the public hearing.

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A motion was made by Mr. Piecuch to approve the variance based on the size, shape, topography, and setbacks on the lot. The motion was seconded by Ms. Bingham. Mr. Piecuch amended his motion to include a waiver of any additional application fees, pursuant to the Zoning Board of Appeals Rules & Procedures. Mr. McCann was opposed. The motion passed.

IV. APPROVAL OF MINUTES

A. June 22, 2011

A motion was made by Ms. Bingham to approve the minutes of the June 22, 2011 meeting, as presented. The motion was seconded by Ms. Martin, and passed unanimously.

V. ADJOURNMENT

M. A motion was made by Ms. Martin to adjourn the meeting at 7:47 P.

Katie Martin, Acting Secretary