

From: Lois Laczko December 2, 2009 11:47:50 AM
Subject: Zoning Board of Appeals Minutes 10/28/2009 ADOPTED
To: SimsburyCT_ZBAMin
Cc:

ADOPTED

ZONING BOARD OF APPEALS
REGULAR MEETING
October 28, 2009

I. CALL TO ORDER

Chairman Peter Stempien called the regular meeting of the Zoning Board of Appeals to order at 7:32 P. M. in the Main Meeting Room of Simsbury Town Hall. The following members were also present: Tegan Blackburn, Nancy Haase, Sharon Lawson, Katie Martin, and John McCann. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Arakelian, Commission Clerk, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Stempien appointed Tegan Blackburn to serve for Thomas Horan, and Katie Martin to serve as Secretary.

III. PUBLIC HEARINGS

A. 09-15 Application of William and Joan Cirilli, Owners, requesting a front variance from Article Eight, Section A of the Simsbury Zoning Regulations to construct an addition to the garage on property located at 29 Rosewood Drive. (Map D-16, Block 403, Lot 006). R-40 Zone.

William Cirilli explained that he is seeking a 6-foot front yard variance to expand his existing garage. He stated his hardship to be the topography and shape of the lot, as well as amendments to the Zoning Map which changed the original A-Zone to R-Zone.

Chairman Stempien opened the hearing to public comment and read letters in favor of the application from Angela and Maurice Ging, 15 Pine Glen Road; Allison Mesquita, 18 Pine Glen Road; and Zhong and Nancy Chen, 27 Rosewood Drive.

Hearing no further comments, Chairman Stempien closed the public hearing.

A motion was made by Ms. Martin to grant the variance, as requested, because the zoning change has made it difficult to make best use of the property. The motion was seconded by Ms. Haase, and unanimously carried.

B. 09-16 Application of Kurt R. Manser and Judith Ebbets, Owners, requesting a side yard variance from Article Eight, Section A of the Simsbury Zoning Regulations to build a garden shed on property located at 17 Notch Road (Map A-15, Block 404, Lot 035). R-40 Zone.

Kurt Manser explained he is seeking a 26-foot side yard variance for placement of a 10'x16' garden shed. He noted that, while his lot is 1.7 acres, 2/3 of the lot is impacted by the existence of a large pond and wetland soils, as well as a septic field, thereby limiting the area for the placement of the shed.

Zoning Board of Appeals
Regular Meeting
October 28, 2009
Minutes
Page 2

Chairman Stempien suggested that the proposed shed could be placed next to an existing 15'x15' shed, thereby not requiring a variance. Mr. Manser objected to that suggestion because it would infringe on an established garden.

Chairman Stempien opened the hearing to public comment and read letters in favor of the variance from Jason Puntty, 12 Notch Road; Ruth Ritchie, 16 Notch Road; and Jennifer Collies, 13 Notch Road.

Hearing no further comments, Chairman Stempien closed the public hearing.

A motion was made by Ms. Martin to grant the variance, as requested. The motion was seconded by Ms. Lawson. Mr. McCann was in favor. All others were opposed. Motion failed.

C. 09-17 Application of Roger Potter, Owner, requesting a side yard variance from Article Eight, Section A of the Simsbury Zoning Regulations to construct a shed for storing wood on property located at 29 Harvest Hill Road (Map D-10, Block 147, Lot 090). R-40 Zone.

Bonnie Potter explained that she is seeking a 16-foot side yard variance to complete construction of a 6'x16' shed to cover firewood. She further stated that the lot is 1.26 acres, but it is dominated by an open watercourse and wetland soils extending across the backyard and widening at

the northwest corner of the lot. There is also a septic system and leaching field located in the front yard, to the left of the driveway.

Chairman Stempien opened the hearing to public comment and read a letter in favor of the variance from Nancy Cote and Jean LeBlanc, 27 Harvest Hill Road.

Hearing no further comments, Chairman Stempien closed the public hearing.

A motion was made by Ms. Martin to approve the variance to construct a shed to hold firewood, the hardship being the topography, the existence of wetlands, and the fact that there is no other suitable location for the shed. The motion was seconded by Ms. Haase, and unanimously carried.

IV. APPROVAL OF MINUTES

A. September 23, 2009 Regular Meeting

A motion was made by Ms. Martin to approve the minutes of the September 23, 2009 regular meeting, as presented. The motion was seconded by Ms. Haase, and unanimously carried.

Zoning Board of Appeals

Regular Meeting

October 28, 2009

Minutes

Page 3

V. OTHER MATTERS

A. Chairman Stempien read a letter from Hiram Peck requesting endorsement to obtain funding of approximately \$5,000.00 so that Code Studio principals can appear at least twice before they finalize the Town Center Code.

A motion was made by Ms. Haase to approve funding not to exceed \$10,000. The motion was seconded by Ms. Lawson, and unanimously carried.

VI. ADJOURNMENT

A motion was made by Ms. Haase to adjourn the meeting at 8:57 P. M.

Peter Stempien, Chairman

