

1 **ZONING BOARD OF APPEALS – REGULAR MEETING MINUTES**
2 **Wednesday, January 25, 2023, at 7:00 P.M.**
3 **Public Hearing was web-based on Zoom**
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5 **I. CALL TO ORDER** – Commissioner Antonio called the meeting to order at 7:00 P.M.
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7 **II. ROLL CALL**
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9 **Present:** Laura Barkowski, Code Compliance Officer; Steven Antonio, Lawrence
10 Boardman, Mark Freeman, JoAnn Hogan, Ram Kaza, and Joshua Michelson
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12 **Absent:** Ali Rice, Sharon Thomas, and Stacey Walczak.
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14 **III. APPLICATIONS**
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16 **1. Public Hearings**
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18 **Application #22-12** Michael Caldwell, Owner/Applicant, for a variance pursuant
19 to the Simsbury Zoning Regulations Sections 3.9 for the construction of an
20 approximately 27 sq. ft. hatchway \pm 2 feet within the rear yard setback of the
21 property located at 11 Bickford Street (Assessor's Map F11, Block 105, Lot 016).
22 Zone R-15.
23

- 24 • Mr. Caldwell stated that his property is a small odd, shaped
25 lot and has spent three years trying to create a plan that does
26 not create a variance, but that has proven to be problematic.
- 27 • No matter where that hatchway is set it creates a variance.
28 There is already a hatchway present, he would just be
29 replacing it.
- 30 • Donald Tarinelli, of D. Tarinelli Architects, stated that the
31 boundary map shows that the house is currently is roughly
32 80% noncompliant, and requires updates and more living
33 space. Mr. Caldwell also needs the basement for this at-
34 home business. Over the years they made multiple sketches,
35 and all created a variance.
- 36 • Commissioner Antonio stated that a hatchway the second
37 form of egress if there were a fire and would be needed for
38 safety.
- 39 • Mr. Caldwell said he would be getting a clam hatchway, and
40 is safe, energy efficient, has a low profile, and is ascetically
41 pleasing.
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43 **MOTION:** Commissioner Antonio made a motion, seconded by Commissioner
44 Hogan, to close the public hearing for **Application #22-12** Michael Caldwell,
45 Owner/Applicant, for a variance pursuant to the Simsbury Zoning Regulations
46 Sections 3.9 for the construction of an approximately 27 sq. ft. hatchway \pm 2 feet

47 within the rear yard setback of the property located at 11 Bickford Street
48 (Assessor’s Map F11, Block 105, Lot 016). Zone R-15. The motion carried
49 unanimately. (6-0-0)
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52 **1. Discussion and Possible Action**
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54 **Application #22-12** Michael Caldwell, Owner/Applicant, for a variance pursuant
55 to the Simsbury Zoning Regulations Sections 3.9 for the construction of an
56 approximately 27 sq. ft. hatchway ± 2 feet within the rear yard setback of the
57 property located at 11 Bickford Street (Assessor’s Map F11, Block 105, Lot 016).
58 Zone R-15.
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- 60 • Commissioner Antonio stated that it is minimally invasive, they tried to not
61 have a variance, this is necessary for safety, and there is no other place to
62 put it which would yield to less of a deviation than is allowed
- 63 • Commissioner Hogan stated that the low-profile version is easier to
64 disguise, and the neighbors would not see it.
- 65 • Ms. Barkowski said that two letters from neighbors have showed support.
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67 **MOTION:** Commissioner Hogan made a motion, seconded by Commissioner
68 Michelson, to approve **Application #22-12** Michael Caldwell, Owner/Applicant,
69 for a variance pursuant to the Simsbury Zoning Regulations Sections 3.9 for the
70 construction of an approximately 27 sq. ft. hatchway ± 2 feet within the rear yard
71 setback in accordance with the plans titled, “Zoning Location Survey, B Survey,”
72 by North Star Surveying and Engineering LLC 7/2/2022 of the property located at
73 11 Bickford Street (Assessor’s Map F11, Block 105, Lot 016). Zone R-15. This
74 approval is subject to the following conditions: administrative zoning permit is to
75 be obtained. The hardship stated is the irregular shaped lot with an already
76 nonconforming property and no other options for this two-foot variance which
77 allows emergency access from the dwelling. (5-0-1)
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79 **IV. GENERAL COMMISSION BUSINESS**
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81 Commissioner Antonio stated that ZBA Board members are required to have four
82 hours of training every year. There are two opportunities: the Connecticut Land Use
83 Law for Municipal Land Use Agencies, and UCONN CLEAR.
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85 **V. APPROVAL OF MINUTES**
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87 **December 21, 2022**
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89 **MOTION:** Commissioner Kaza made a motion, seconded by Commissioner Freeman,
90 to approve the December 21, 2022, Regular Meeting Minutes as written. The motion
91 carried unanimately. Commissioner Hogan abstained. (5-0-1)
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VI. ADJOURNMENT

MOTION: Commissioner Hogan made a motion, seconded by Commissioner Michelson, to adjourn the meeting. The motion carried unanimously. (6-0-0)

Commissioner Antonio adjourned the meeting at 7:29 P.M.

Respectfully Submitted,

Amanda Blaze
Commission Clerk

DRAFT