

1 **MINUTES**
2 **ZONING BOARD OF APPEALS – REGULAR MEETING**
3 **WEDNESDAY, October 25, 2023 at 7:00 P.M.**
4 **Public hearing was web-based**
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7 **I. CALL TO ORDER** – Chair Antonio called this meeting to order at 7:00 p.m.
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9 **II. Roll Call**
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11 **Present:** Code Compliance Officer, Joseph Hollis; Chair, Steven Antonio, Vice Chair
12 JoAnn Hogan; Lawrence Boardman, Mark Freeman, Ram Kaza, Joshua Michelson
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14 **Absent:** Ali Rice, Sharon Thomas, and Stacey Walczak
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16 **III. APPLICATIONS**
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18 **1. Public Hearings**
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20 **Application ZBA #23-08** of Keith Willis, Owner/Applicant, for a +/- 7 foot variance
21 to the maximum height for an accessory structure from 15' to +/- 22' on the property,
22 pursuant to the Simsbury Zoning Regulations Section 3.5 for the construction of a
23 barn on the property located at 25 Holcomb Street (Assessor's Map D05, Block 301,
24 Lot 007), zone r-80.

- 25 • Jack Kemper, Architect from Kemper Associates Architects, presented an
26 overview of the project, noting that the plan is to replace an existing cottage with
27 a new house on the 22-acre property. There are currently 2 existing barns on the
28 property. The plan is to remove the existing barns on the property and construct
29 one L-shaped barn. The grading of the property slants downward at the back of
30 the barn, which creates an issue with the current height restrictions in the town
31 regulations.
- 32 • Chair Antonio inquired about the elevation from the top of the stonework to the
33 midpoint of the roof. Mr. Nelson, President of Nelson Construction, replied that
34 the elevation is approximately 3.5' higher than the 15' allowance in the town
35 regulations.
- 36 • Chair Antonio inquired about what the midpoint is for the existing barn. Mr.
37 Kemper responded that it is the same.
- 38 • Chair Antonio asked why this project is not grandfathered in as the height of the
39 new barn is the same as the previous structure. Mr. Hollis responded that because
40 the old structure is being removed and a new structure is being built, the new
41 structure is required to comply with current regulations.

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- Mr. Nelson noted that there are two hardships associated with the project based on town regulations:
 1. Condition 4 – The regulation as it is written does not accommodate walkout grade locations.
 2. The property is 22 acres and has been a farm and will continue to be a farm. The regulation makes exceptions for special situations. A barn will automatically exceed 15’ dimension for head height required for farm equipment, trucks, etc.
 - Chair Antonio opened the floor to the public.
 - Erik Vath, resident of 15 Holcomb Street, lives next door the property and spoke in favor of this project, noting that it will improve the current property while still maintaining its original farm aesthetics.
 - Commissioner Michelson inquired about the alternate option by lowering and filling the grade. Chair Antonio replied that for a barn a higher door and roofline are required to accommodate equipment.
 - Commissioner Boardman inquired if there is a wetlands issue. Mr. Hollis noted that within the application, the proposed hardship was that by complying with the regulations and filling in the grade around the barn, it would increase the disturbance in the upland review area, which is a regulated area and could have an impact on the wetlands.

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63 **MOTION:** Chair Antonio moved to close the public hearing. Vice Chair Hogan

64 seconded the motion. The motion carried unanimously. (6-0-0).

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66 **2. Discussion and Possible Action**

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68 **Application ZBA #23-08** of Keith Willis, Owner/Applicant, for a +/- 7 foot variance

69 to the maximum height for an accessory structure from 15’ to +/- 22’ on the property,

70 pursuant to the Simsbury Zoning Regulations Section 3.5 for the construction of a

71 barn on the property located at 25 Holcomb Street (Assessor’s Map D05, Block 301,

72 Lot 007), zone r-80.

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- The Commission agreed that the regulations as written do not accommodate the needs for a barn structure. Additionally, the project replaces the existing barn with an aesthetically improved barn of similar design that is set-back further from the road.

78 **MOTION:** Vice Chair Hogan moved to approve Applications **ZBA #23-08** of Keith

79 Willis, Owner/Applicant, for a +/- 7 foot variance to the maximum height for an

80 accessory structure from 15’ to +/- 22’ on the property, pursuant to the Simsbury Zoning

81 Regulations Section 3.5 for the construction of a barn on the property located at 25

82 Holcomb Street (Assessor’s Map D05, Block 301, Lot 007), zone r-80 based on the
83 following findings:

- 84
- 85 1. The hardship being that the regulations as written do not bring into consideration
86 large farm equipment, and the grade of the land pushes the roof height higher than the
87 zoning regulations allows.

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89 Commissioner Boardman seconded the motion. The motion carried unanimously. (6-0-
90 0).

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92 **IV. GENERAL COMMISSION BUSINESS**

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94 Chair Antonio noted the upcoming election. There was no other general commission
95 business.

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97 **V. Approval of Minutes**

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99 **September 27, 2023 Regular Meeting**

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101 **MOTION:** Vice Chair Hogan moved to accept the Zoning Board of Appeals Minutes for
102 the September 27, 2023 regular meeting of the Commission. Commissioner Michelson
103 seconded the motion. The motion carried unanimously. (6-0-0).

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105 Mr. Hollis noted that the next regular meeting of the Commission is scheduled for
106 December 27, 2023. The Commission suggested scheduling a special meeting of the
107 Commission if necessary to review any applications if a quorum cannot be reached on
108 December 27, 2023 given the holiday.

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110 **VI. ADJOURNMENT**

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112 **MOTION:** Vice Chair Hogan moved to adjourn. The motion carried unanimously. (6-0-
113 0).

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115 Chair Antonio adjourned the meeting at 7:34 P.M.

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117 Respectfully Submitted,

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119 Cara Blackaby
120 Commission Clerk