

From: Lois Laczko December 22, 2011 1:48:48 PM  
Subject: Zoning Board of Appeals Minutes 10/26/2011 ADOPTED  
To: SimsburyCT\_ZBAMin  
Cc:

ZONING BOARD OF APPEALS  
REGULAR MEETING  
October 26, 2011

I. CALL TO ORDER

Chairman Peter Stempien called the regular meeting of the Zoning Board of Appeals to order at 7:01 P. M. in the Main Meeting Room at Simsbury Town Hall. The following members were also present: Carol Bingham, Thomas Horan, Craig MacCormac, Katie Martin, and Greg Piecuch. Also present were Lynn Charest, Zoning Compliance Officer; Lisa Gray, Commission Clerk; and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Stempien appointed Craig MacCormac to serve for John McCann.

III. PUBLIC HEARING

A. 11-11 Application of Mark F. and Jennifer S. Madura, Owners, for a Variance, pursuant to Article Three, Section A.5, and Article Eight, Section A of the Simsbury Zoning Regulations, to allow for construction of a detached garage in front of the dwelling and within the front yard setback, on property located at 30 Oxford Court. (Map H-08, Block 116, Lot 10). R-15 Zone. (Tabled from September 28, 2011 meeting.)

Mark Madura explained he is seeking a variance to rebuild an existing garage in a new location. He further explained that, since the last meeting, he has hired an engineer to determine the best placement for the garage. The engineer determined that the proposed placement, for which the variance is sought, is the best location for the garage.

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

A motion was made by Ms. Martin to approve a 17'7" variance, as requested, based on the map dated September 8, 2011, and the unique topography of the land. The motion was seconded by Mr. Piecuch, and unanimously carried.

B. 11-13 Application of Tom and Caroline Leite, Owners, for a variance for a shed (already existing) and for an in-ground swimming pool and wood deck, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations, on property located at 18 Banbury Drive. (Map A-14, Block 410, Lot 057). R-40 OS Zone.

Chairman Stempien explained that the owners have withdrawn their application for the pool and deck and have agreed to move the shed to an area of their property that would not require a variance. As of this date, the shed has not been relocated so the applicants have requested a continuance of the variance request until such time as the shed has been moved.

Zoning Board of Appeals  
Regular Meeting  
October 26, 2011  
Page 2

A motion was made by Mr. MacCormac to continue the request until the next meeting. The motion was seconded by Mr. Horan, and unanimously carried.

C. 11-14 Application of Eric Liljedahl, Greg and Mary Liljedahl, and Bob and Janet Liljedahl, Owners, for a side yard variance, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations to allow for the construction of a porch on property located at 150 Firetown Road. (Map F-08, Block 130, Lot 003). R-15 Zone.

Mary Liljedahl explained that she is seeking a six-foot side yard variance to construct a front porch. She stated her hardship to be the fact that the home was constructed prior to zoning.

Chairman Stempien read letters in favor of the request from Julia Bonczek, 154 Firetown Road, and Mr. and Mrs. Daniel Barlow, 28 Fairview.

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

A motion was made by Mr. MacCormac to approve the variance, as presented, based on the fact that construction of the home preceded zoning, and safety concerns regarding snow and ice accumulation at the front door. The motion was seconded by Ms. Martin, and unanimously carried.

D. 11-15 Application of Sheree Lyn Landerman, Owner, for a Front Yard Variance, pursuant to Article Eight, Section A of the Simsbury Zoning Regulations to install a one-car garage on property located at 48 Elm

Street. (Map K-04, Block 203, Lot 002). R-15 Zone.

Sheree Lyn Landerman explained she is seeking two front yard variances for placement of a one-car garage on this historic corner lot. Due to sight lines and access to water and sewer, she felt this was the most feasible location for the structure. Mr. Piecuch suggested that the garage could be moved over so as to only require one variance. Ms. Landerman replied that the proposed location would be more aesthetically pleasing and afford more privacy for the home. Board members attempted to demonstrate to Ms. Landerman how moving the structure out of one of the setback areas would be beneficial to her, but she was firm that she wanted to place the garage in the proposed location.

Chairman Stempien opened the hearing to public comment. Cathy Brown asked if the Board ever makes a site visit. Chairman Stempien replied that they do on rare occasions, but, usually, enough info is obtained at the meeting for the Board to make its decision.

Zoning Board of Appeals  
Regular Meeting  
October 26, 2011  
Page 3

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

A motion was made by Ms. Martin to approve the variance as stated. The motion was seconded by Mr. Piecuch. All members felt there were alternative locations where the garage could be placed. Ms. Martin amended her motion to approve a 15-foot front yard variance on Church Street. The motion was seconded by Mr. Horan. Ms. Martin then amended her motion to approve a 15-foot variance on Church Street, to be no wider than 30 feet, based on the unique layout of the property and the location of water and sewer lines. The motion was seconded by Mr. Horan, and unanimously carried.

#### IV. APPROVAL OF MINUTES

##### A. September 28, 2011

A motion was made by Ms. Martin to approve the minutes of the September 28, 2011 meeting, as presented. The motion was seconded by Mr. Horan, and passed unanimously.

#### V. ADJOURNMENT

A motion was made by Ms. Bingham to adjourn the meeting at 8:25 P.

M.

---

Thomas Horan, Secretary