

TOWN OF HARWINTON ZONING BOARD OF APPEALS

Wednesday, May 11, 2011, Town Hall, 7:00 p.m.

Present: Tom Rotondo, Janet Duchaine, John Bigos, Mark Gelormino, Theodore Root

Absent: Jesse Smith, John Christian, Nancy Shanley-Schnyer

PUBLIC HEARING

1. Open hearing – establish quorum.

Chairman Rotondo opened the public hearing at 7:11 p.m. All regular members are present and seated, with a quorum established. Proceedings are recorded on audio tape.

2. Dennis & Roberta Peron- application for 32.3' front yard variance for a covered porch and garage, Section 5 (CR) Zoning Regulations, 189 Delay Road.

ZBA Clerk Mrs. Neal reads the public notice into the record as published in the Waterbury Republican American 4/30/11 and 5/7/11. Mr. Peron presents his plans for a 10' x 12' covered porch and 24' x 24' garage to be attached to the existing home. There are no other members of the public present.

Members discuss the application, referring to the plans provided. Members have reviewed file contents including application (accepted 4/25/11), legal notice of hearing, Assessors map of property B5-04-0010 and abutters, list of abutters noticed, Assessors street card, copy of deed (vol. 77, p. 107), TAHD approval dated 3/22/11 with sketch from the 1993 installation of onsite sewage disposal, and plans entitled "Zoning Location Survey Prepared for Dennis & Roberta Peron Showing Proposed Garage, Delay Road", dated March 31, 2011, prepared by Berkshire Engineering & Surveying, LLC, Bantam. Applicant requests the above stated variance on the 0.691 acre lot. Members ask questions of the applicant, with Mr. Peron answering. Mr. Peron explains that the onsite septic and future reserve area are both located just behind the existing home and proposed garage. Behind this area the land slopes downward. There is a drainage pie running from the back of the home which travels from about 10' to an eventual depth of 3' in the rear yard. Mr. Peron states that due to the location of existing and future reserve septic, the garage and porch could not be pushed further back than the proposed location shown.

Chairman Rotondo closes the hearing at 7:23 p.m.

REGULAR MEETING

1. Open meeting – establish quorum.

Chairman Rotondo opened the meeting at 7:23 p.m. All regular members are present and seated, with a quorum established. Proceedings are recorded on audio tape.

2. Approve minutes of previous meeting: 4/13/11.

Motion Mrs. Duchaine, second Mr. Gelormino to approve the 4/13/11 meeting minutes as submitted, passing unanimously.

3. Discussion/possible decision - Dennis & Roberta Peron- application for 32.3' front yard variance for a covered porch and garage, Section 5 (CR) Zoning Regulations, 189 Delay Road.

Members discuss, noting that the lot is non-conforming as it is smaller than required by Zoning Regulations. The existing house is located entirely in the front yard setback. There is discussion as to the neighboring homes and that, in general, homes and garages exist closer to the road than current Zoning Regulations stipulate. Granting the variance would not be inconsistent with the neighborhood. **Motion** Mr. Gelormino, second Mr. Bigos to **grant the variance** as requested, with the hardship being the size and shape of the lot. The motion passes unanimously.

4. Variance application form.

The Board plans to amend the current variance application form and as a first step will review application forms from various towns around the state. Members are provided ten or so ZBA/variance applications from other towns located primarily in the northwest corner of the state, but also several from other regions. Scanning these briefly, several redeeming attributes are discovered, discussed, and noted, such as (1) increased readability due to formatting into boxed sections neatly organized and more easily read during and after filling out the form, (2) inclusion of space to record the decision of the hearing at the top of the first page and (3) provision of examples to some of the key questions on the form to further enhance understandability of what is asked of the applicant. Chairman Rotondo quotes Section 15.2.2 of the Zoning Regulations which describes types of situations where a variance *may* be granted. Members note that inclusion of this or very similar wording would be appropriate. Mrs. Neal is to email applications to members for a more thorough review by the members on an individual basis in preparation for further discussion at the next meeting.

5. Any other business. None.

6. Correspondence. None.

7. Invoices. None.

8. Adjourn. **Motion** Mr. Gelormino, second Mr. Root at 5:58 p.m. to adjourn, passing unanimously.

Respectfully submitted,

Christine Neal
ZBA Clerk