

Wednesday, August 13, 2014, Town Hall, 7:00 p.m.

Present: Tom Rotondo, Mark Gelormino, Theodore Root, Mike Durstin.

Absent: Janet Duchaine, Jesse Smith, Tim Wyllie.

PUBLIC HEARING

1. Open hearing – establish quorum.

Chairman Tom Rotondo opens the public hearing at 7:15 p.m. (delayed to allow for the arrival of a fourth member). Mr. Rotondo explains that four affirmative votes are necessary to grant a variance and with just four members present, the applicant has the option to continue the hearing to a future night when perhaps five or more members may be present. The applicant and his representative are in favor of moving forward this evening. All regular members present are seated, with alternate Mike Durstin seated for Janet Duchaine. ZBA Clerk Christine Neal is present, with all proceedings recorded on audio tape.

2. Arthur C. Howland & Assoc. P.C. for Action Properties, LLC - application for variances, each for an attached deck – 10.1' side yard variance for 145 Oak Meadow Lane, 10.1' variance for 147 Oak Meadow Lane and 8' side yard variance for 155 Oak Meadow Lane, Section 5 (Multi-Family) Zoning Regulations.

Legal notice was published in the Waterbury Republican American August 2 and August 9, 2014. Mr. Paul Szymanski, P.E., of Arthur C. Howland & Assoc. P.C., is representing the applicant. Mr. Vincent Vizzo of Action Properties, LLC, is present.

Mr. Szymanski presents 2012 aerial photos of the site. While referring to the map presented and available for review by the board and the public, Mr. Szymanski explains that the lot is uniquely L-shaped and includes sections of steep topography and ledge, which limited the options in the placement of units on the property. In addition, maintaining of the required vegetative buffering and allowing for the proper radius for emergency vehicles to be able to navigate within the lot, further constrained possible layout of units on the property. Although the original plans did not include decks on the units, the first several units were built with decks and were approved, with variances unnecessary. Both 145 and 147 Oak Meadow Lane have been built. The building to include 155 Oak Meadow is slated for construction next. Members have reviewed the legal notice, application, plans, deed and list of abutters notified. Members ask questions to which Mr. Szymanski and Mr. Vizzo answer.

Chairman Rotondo opens the floor for public comment. Four neighbors within the development speak in favor of the application. There is no comment against the granting of the variances. With no further comment from those present, Chairman Rotondo closes the public hearing.

REGULAR MEETING

1. Open meeting – establish quorum.

Chairman Tom Rotondo opens the regular meeting at 7:36 p.m. All regular members present are seated, with alternate Mike Durstin seated for Janet Duchaine. ZBA Clerk Christine Neal is present, with all proceedings recorded on audio tape.

2. Approve minutes of previous meeting: 7/16/14.

Motion Mr. Gelormino, second Mr. Durstin to approve the 7/16/14 meeting minutes as submitted, passing unanimously.

3. Discussion/possible decision – Arthur C. Howland & Assoc. P.C. for Action Properties, LLC - application for variances, each for an attached deck – 10.1' side yard variance for 145 Oak Meadow Lane, 10.1' variance for 147 Oak Meadow Lane and 8' side yard variance for 155 Oak Meadow Lane, Section 5 (Multi-Family) Zoning Regulations.

Members discuss the application. **Motion** Mr. Gelormino, second Mr. Root to grant the variances as requested, hardship being the topography and shape of the lot and the need to allow workable area (radius) for emergency vehicles to navigate. The motion passes unanimously with four affirmative votes. The ZEO is to inspect the vegetative buffer to assure regulatory compliance.

4. Any other business.

Members note that Mr. Truskauskas is appealing to superior court the board's decision made at the July 16th meeting and is appealing to this board the Cease & Desist order ordered by this board and served by ZEO Dave Perkins.

It is noted that there is a need to fill the vacant alternate member position on the board.

5. Correspondence.

None.

6. Invoices.

None.

7. Adjourn.

Motion Mr. Durstin, second Mr. Gelormino at 7:45 p.m. to adjourn, passing unanimously.

Respectfully submitted,



Christine Neal
ZBA Clerk

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ON 08/20/2014 AT 4:05 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK