

**TOWN OF HARWINTON  
ZONING BOARD OF APPEALS**

Wednesday, August 10, 2011, Town Hall, 7:00 p.m.

Present: Tom Rotondo, John Bigos, Mark Gelormino, Theodore Root, John Christian, Jesse Smith,  
Nancy Shanley-Schnyer

Absent: Janet Duchaine

**PUBLIC HEARING #1**

**1. Open hearing – establish quorum.**

Chairman Rotondo opened the public hearing at 7:00 p.m. All regular members present are seated. Alternate John Christian is seated for Mrs. Duchaine, with a quorum established. Proceedings are recorded on audio tape.

**2. Jill Baker – application for 14' side yard variance for an addition to the rear of existing home, Section 5 (Town Residential Zone) Zoning Regulations, 312 Scoville Hill Road.**

ZBA Clerk Mrs. Neal reads the public notice into the record as published in the Waterbury Republican American 7/30/11 and 8/6/11. Ms. Baker presents proposal: 12' x 12' addition.

Members discuss the application, referring to the sketch provided, having reviewed file contents including application (accepted 7/21/11), legal notice of hearing, Assessors map of property B8-01-0043 and abutters, list of abutters noticed, Assessors street card, copy of deed (vol. 168, p. 875), and hand drawn sketch with dimensions and distances to property lines of existing house, front porch, and proposed addition. Applicant requests the above stated variance on the 0.61 acre lot. Members ask questions of the applicant, with Ms. Baker answering. Neighbors William and Edith Sochon, 308 Scoville Hill Road, are in favor of granting the variance, with Mr. Sochon commenting that their adjacent lot to the south (along Norton Passway) is also a small, narrow lot.

There is some discussion about the accuracy and relative precision of the stated distances and dimensions on the sketch. Ms. Baker based her measurements on iron pins having been placed by surveyor(s) and feels confident in the stated numbers. The sketch shows the proposed addition at 10.5' from the property line, with the application and legal notice stating a requested variance of 14.0', not 14.5', which would be the requirement for the regulation of a 25' side yard set back. Ms. Baker understands that the board cannot grant a larger variance than what has been requested on the application and noticed in the newspaper and could still move forward with her proposal at 14.0' if granted the variance.

Chairman Rotondo closes this first hearing at 7:15 p.m.

**PUBLIC HEARING #2**

**1. Open hearing – establish quorum.**

Chairman Rotondo opened the second public hearing at 7:15 p.m. All regular members present are seated with the exception of Mark Gelormino who recuses himself. Alternate John Christian is seated for Mrs. Duchaine and alternate Jesse Smith is seated for Mr. Gelormino, with a quorum established. Proceedings recorded on audio tape.

**2. Robert & Loriann Ericson – application for 10' side yard variance and 10' front yard variance for a front porch, Section 5 (Town Residential Zone) Zoning Regulations.**

ZBA Clerk Mrs. Neal reads the public notice into the record as published in the Waterbury Republican American 7/30/11 and 8/6/11. Mr. and Mrs. Ericson present proposal: 28' x 8' front porch.

Seated members discuss the application, referring to the sketch provided. Members have reviewed file contents including application (accepted 7/21/11), legal notice of hearing, Assessors map of property B8-02-04 and abutters, list of abutters noticed, Assessors street card, copy of deed (vol. 147, p. 73), and hand drawn sketch with dimensions and distances to property lines of existing house and proposed front porch. Applicant requests the above

stated variance on the 0.46 acre lot. Seated members ask questions of the applicant, with Mr. and/or Mrs. Ericson answering. As a member of the public, Mr. Gelormino comments that he feels confident that the side property line depicted on the sketch is accurate as the applicant utilized multiple pins placed by a surveyor he hired in obtaining an A2 survey of his adjoining property.

Chairman Rotondo closes the second 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 present are seated, with Mr. Gelormino being re-seated and Mr. Smith unseated. A quorum is established. Proceedings are recorded on audio tape.

### 2. Approve minutes of previous meeting: 5/11/11.

Clerk Mrs. Neal notes that the two typos corrected on the minutes distributed to members for this meeting have yet to be corrected in the minutes filed at Town Hall. **Motion** Mr. Gelormino, second Mr. Root to approve the 5/11/11 meeting minutes with the two typos corrected, passing unanimously.

### 3. Discussion/possible decision - Jill Baker – application for 14' side yard variance for an addition to the rear of existing home, Section 5 (Town Residential Zone) Zoning Regulations, 312 Scoville Hill Road.

Members discuss, noting that the lot is non-conforming, small and narrow. Granting the variance would not be inconsistent with the neighborhood. **Motion** Mr. Gelormino, second Mr. Root to **grant the variance** as requested, hardship being the size and shape of the lot, motion passing unanimously.

### 4. Discussion/possible decision - Robert & Loriann Ericson – application for 10' side yard variance and 10' front yard variance for a front porch, Section 5 (Town Residential Zone) Zoning Regulations.

Mr. Gelormino recuses himself and Mr. Smith is seated for Mr. Gelormino. Seated members discuss, noting that the lot is non-conforming, small and narrow. Granting the variance would not be inconsistent with the neighborhood. **Motion** Mr. Root, second Mr. Smith to **grant the variances** as requested, hardship being the size and shape of the lot and placement of the house. The motion passes unanimously.

### 5. Variance application form.

Mr. Gelormino is reseated and Mr. Smith unseated. This agenda item is tabled.

### 6. Any other business.

Clerk Mrs. Neal reports that legal notices to the newspaper for each applicant cost on average \$260 to \$280, with the fee collected per application at \$155 plus \$60 DEP fee, of which \$58 goes directly to the State of CT, perhaps consideration of an increase in the application fee is appropriate. This option may be discussed further at such time as amending the variance application form is considered.

Draft Annual Report to the Board of Finance for fiscal year 2010-2011 is distributed for review by the members.

### 7. Correspondence.

Chairman Rotondo reads memo from Town Clerk and letter from Litchfield ZBA.

### 8. Invoices.

None.

### 9. Adjourn.

**Motion** Mr. Gelormino, second Mr. Christian at 7:54 p.m. to adjourn, passing unanimously.

Respectfully submitted,

Christine Neal  
ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON, CT  
ON 8-11-11 AT 11:18 AM  
ATTEST: PATRICIA K. WILLIAMSEN, TOWN CLERK