

Wednesday, March, 9th, 2016, Town Hall, 7:00 p.m

Present: Tom Rotondo , Mark Gelormino, Theodore Root, Mike Durstin, Attorney Mike Rybak

Absent: alternate Kevin Ferrarotti, Jesse Smith, Janet Duchaine

PUBLIC HEARING 1

1. Open hearing-establish quorum. 7:06pm

Chairman Rotondo established a quorum, Clerk Janelle Nadeau is present Proceedings are being recorded on audio tape.

Laurie Chapman, 315 Litchfield Rd. Applicant was requesting a 35' side yard variance on each side of the property and a 75' rear yard variance for construction of a 16'x24' shed, Section 5 (Country Residential) Zoning Regulations.

2. ZBA Clerk Janelle Nadeau reads the public notice into the record, applicant presents and members ask questions and discuss. Chairman Rotondo opens the floor for public comment. Chairman Rotondo closes the public hearing at 7:14 p.m.

Regular Meeting

1. Open meeting-establish quorum.

Chairman Rotondo opens the regular meeting at 7:14 pm. All regular members are present; Kevin Ferrarotti, Janet Duchaine and Jesse Smith are absent. Clerk Janelle Nadeau is present; proceedings are being recorded on audio tape.

2. Approve minutes of previous meeting: 11/24/2015

Motion Mr. Gelormino, second Mr. Root to approve the 11/24/15 meeting minutes as submitted, passing unanimously.

3. Discussion/possible decision- Laurie Chapman, 315 Litchfield Rd. Applicant was requesting a 35' side yard variance on each side of the property and a 75' rear yard variance for construction of a 16'x24' shed, Section 5 (Country Residential) Zoning Regulations.

Members discuss, with mention from Mr. Gelormino he has been on the lot before and verifies it is an off shaped lot.

Motion Mr. Gelormino, second by Mr. Root to grant a 55' rear yard variance and no side yard variance for construction of a shed not as applied for, hardship being the shape of the lot and location of the house. The motion passes unanimously.

4. Truskauskas vs. Zoning Board of Appeals-consider and act on a possible settlement.

- a. Attorney Michael Rybak speaks regarding the settlement. As of 5pm, Attorney John Febroriello has not responded to a stipulation signed by Attorney Mott. Stipulation states Mr. Truskauskas may not use the property for contracting business. All equipment tools and any other commercial activity shall be permanently removed from the subject premises within 7 calendar days after this stipulated judgment is fully executed. If the board is comfortable with the basic principles of the stipulation, the board can vote to grant Mr. Rotondo discretion to sign an agreement. Mr. Truskauskas is agreeing to cease operations of his contracting business out of his home. According to Attorney Rybak, it is in the Town's best interest to settle, consistent with the board's decision and zoning regulations.

Motion: Mr. Gelormino, second by Mr. Durstin, to empower the Chairman to see if agreement satisfies the ZBA's ruling at his discretion, passing unanimously.

5. **Correspondence.**

- a. Budget request for 2016-2017

Motion: Mr. Durstin, second by Mr. Root to approve the budget request 2016-2017. The motion passes unanimously.

- b. Client update from Attorney Steven E. Byrne regarding Folsom v. Zoning Board of Appeals.

Invoices. None

Adjourn.

Motion Mr. Durstin, second by Mr. Root at 7:52 p.m. to adjourn, passing unanimously.

Respectfully submitted,

Janelle R. Nadeau

ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON CT
ON 03/15/16 AT 11:39 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK