

Present: Chairman Thomas Rotondo, Michael Durstin, Mark Gelormino, Theodore Root, Jr., Alternate Member Peter Brazaitis IV and Land Use Coordinator Polly Redmond      Absent: Alternate Member John Dicostanzo

## PUBLIC HEARING

### 1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Rotondo called the hearing to order at 7:00 p.m. All members present are seated.

### 2. THEODORE & MARGARET KELLEY, 128 BIRGE PARK ROAD, FOR A 22.4' FRONT YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS FOR A 21' X 21' GARAGE LOCATED IN A TR ZONE. PROJECT INCLUDES A 6' X 9' ADDITION TO AN ENCLOSED PORCH AND AN 8' X 14' COVERED PORCH DECK WITH ROOF OVERHANG.

Greg Mele, Eastside Electric Home Improvement Division, 178 Birge Park Road, is present to represent along with Theodore Kelley. A photo of the house taken from the road facing east is distributed by Mr. Mele. Plans by GM2 Associates, Inc. titled Improvement Location Survey, dated October 2016 is reviewed. Mr. Mele explains that the topography of the land prevents the proposed garage to be moved further back as the land slopes downward. The location of the well and septic also prevents relocating the proposed garage. The lot is non-conforming containing 0.55 acres and the existing house is almost entirely out of the building envelope. It is noted that the driveway will be modified to connect to the proposed garage once it is built. With no further comment from Commissioners and no one in the audience to comment, M. Gelormino **motioned** to close the public hearing at 7:10 p.m., seconded by M. Durstin. Motion passed unanimously.

## REGULAR MEETING

### 1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Rotondo called the regular meeting to order at 7:10 p.m. All members present are seated.

### 2. APPROVE MINUTES OF PREVIOUS MEETING: 10/12/16

M. Durstin **motioned** to approve the minutes of 10/12/16 as presented, seconded by T. Root, Jr. Motion passed unanimously with P. Brazaitis IV refraining from vote due to him not being a member of the commission on 10/12/16.

### 3. DISCUSSION/POSSIBLE DECISION - THEODORE & MARGARET KELLEY, 128 BIRGE PARK ROAD, FOR A 22.4' FRONT YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS FOR A 21' X 21' GARAGE LOCATED IN A TR ZONE.

M. Gelormino **motioned** to grant the variance for the following reasons: the fact that most of the house, built in 1950 and prior to Zoning Regulations, is out of the building envelope, the topography of the land sloping to the rear of the property preventing the proposed garage to be located within the building envelope, that the proposed garage does not extend beyond the front line of the house and that there is no side yard encroachment as the proposed garage meets the 25 foot side yard setback. T. Root, Jr. seconded the motion and it passed unanimously.

**4. CORRESPONDENCE.**

An email has been received in the Land Use office from Commissioner Janet Duchaine announcing that she has resigned from the Zoning Board of Appeals as she lives out of state for most of the year. LUC Redmond has asked Ms. Duchaine to send a written and signed letter giving her resignation. Chairman Rotondo asks alternate member P. Brazaitis IV to be diligent in attending the next few ZBA meetings to complete a quorum. He will talk to Michael Criss, First Selectman, to request that P. Brazaitis IV be appointed as a regular member of the board.

**5. INVOICES.**

None.

**6. ADJOURN.**

M. Gelormino **motioned** to adjourn the meeting at 7:15 p.m., seconded by T. Root, Jr. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator/ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON CT  
ON 01/18/17 AT 9:30 AM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK