

Present: Peter Brazaitis IV, Mark Gelormino, Theodore Root, Jr., Michael Durstin and Land Use Coordinator Polly Redmond

Absent: Chairman Thomas Rotondo and Alternate Member John Dicostanzo

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Acting Chairman M. Gelormino called the hearing to order at 7:03 p.m. All members present are seated.

2. HARWINTON CONGREGATIONAL CHURCH – APPLICATION FOR A 23 FOOT SIDE YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS TO CONSTRUCT A 12' X 16' PAVILION, 2 LITCHFIELD ROAD.

LUC Redmond reads the call to hearing as published in the Republican American on 5/4/18 and 5/12/18.

Joseph Colasurdo is present to represent explaining that the church has held chicken barbecues for fifty to sixty years and this year the Health Inspector came by and said a canopy over the barbecue was required. Discussion was held among the church leadership who gave approval to go forward with this application. The pavilion will have sonotubes, a metal roof with a smoke vent, removable lattice panel sides to be in place when not in use, electricity and water. The church is located on a one acre lot in a Country Residential zone where setbacks are 60 feet from the front yard property lines of Litchfield Road and North Road (the property is a corner lot) and 35 feet from the side property lines. When measured, the setback lines cross each other and that is the reason for the variance request. A sketch has been provided showing the proposed pavilion 12 feet from the center of a stone wall on the west side property line, shared by Thomas Schoenemann, and also showing the outline of the back of the church in relation to the pavilion.

Doug Fraser, also present with Joe Colasurdo to represent, states he has been a member of the church for 23 years and they have never needed a permit for a canopy until the Health Inspector came to inspect the church's kitchen and informed church members that a pavilion for the barbecue was needed. To note, the barbecue is held the last Saturday in February.

Thomas Schoenemann, 23 North Road, speaks in favor of the variance.

Commissioner T. Root questions whether there is a way to shift the location of the pavilion further away from the side property line by perhaps shifting it into the parking lot more. Mr. Colasurdo states that it would take up parking spaces and that the proposed location is where the barbecue has always been set up.

Commissioner M. Durstin asks if the pavilion could be rotated so it wouldn't be as close to the side property line. Mr. Colasurdo replies that they didn't consider it that way but they could, though visually it's better the way it is being proposed.

Commissioner M. Gelormino asks if the pavilion could be relocated closer to the back of the church with Mr. Colasurdo answering that the barbecue has a production line and other tables are set up for placing items.

Commissioner M. Gelormino states that the setback to the structure is measured from the overhang and asks where the 12 feet is measured from with Mr. Colasurdo answering that it was taken from the sonotube.

Discussion takes place on the possibility of relocating the pavilion two feet further away from the side property line so that it is even with the west outside wall of the church.

Commissioner P. Brazaitis asks if there is any vegetation between the structure and the neighboring land owned by T. Schoenemann. Mr. Schoenemann replies that it depends on the season but that it's mainly weeds. Mr. Colasurdo states that any trees that overhang onto the church property, and the pavilion, will be trimmed.

LUC Redmond informs the applicants that they will need to make application to the Historic District & Historic Properties Commission as the property is located in the Historical District.

3. CONTINUE OR CLOSE HEARING.

With no further comments, Commissioner T. Root **motioned** to close the hearing at 7:30 p.m., seconded by Commissioner P. Brazaitis. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING -- ESTABLISH QUORUM.

Acting Chairman M. Gelormino called the meeting to order at 7:30 p.m. All members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 12/13/17

Commissioner M. Durstin **motioned** to approve the minutes of 12/13/17, seconded by Commissioner T. Root. Motion passed unanimously with Commissioner P. Brazaitis refraining from vote due to his absence at the previous meeting.

3. DISCUSSION/POSSIBLE DECISION - HARWINTON CONGREGATIONAL CHURCH -- APPLICATION FOR A 23 FOOT SIDE YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS TO CONSTRUCT A 12' X 16' PAVILION, 2 LITCHFIELD ROAD.

Commissioner M. Durstin states that perhaps a 21 foot side yard variance would be more appropriate in order to keep the pavilion even with the west outside wall of the church. Commissioner P. Brazaitis and Commissioner T. Root both agree. The pavilion would then be 14 feet from the side yard property line. Commissioner T. Root **motioned** to grant a 21 foot side yard variance with the understanding that the structure will not be any closer to the side property line than the existing west outside wall of the church. The hardship being shape of lot and undersized lot (one acre). Commissioner M. Durstin seconded the motion and it passed unanimously.

4. CORRESPONDENCE.

None.

5. ANY OTHER BUSINESS.

None.

6. INVOICES.

None.

7. ADJOURN.

Commissioner M. Durstin **motioned** to adjourn the meeting at 7:45 p.m., seconded by Commissioner T. Root. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator/ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON CT
ON 05/23/18 AT 10:47 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK