

Wednesday, July 10, 2013, Town Hall, 7:00 p.m.

Present: Tom Rotondo, Janet Duchaine, Mark Gelormino, Theodore Root, Jesse Smith, Nancy Shanley-Schnyer.

Absent: Kerri Ouellette.

PUBLIC HEARING

1. Open hearing – establish quorum.

Chairman Tom Rotondo opens the public hearing at 7:02 p.m. He explains hearing and meeting procedures and members of the board introduce themselves. All regular members present are seated and alternate Jesse Smith. ZBA Clerk Christine Neal is present, with all proceedings recorded on audio tape.

2. Diana Bone - application for 45' front yard variance for a covered deck and a 22' front yard variance for a barn, Section 5 (Country Residential Zone) Zoning Regulations, 880 South Road. ZBA Clerk Mrs. Neal reads the public notice into the record as published in the Waterbury Republican American 6/29/13 and 7/6/13. Applicant Ms. Bone presents her application for variances. Seated members discuss the application, referring to the A-2 survey provided by the applicant. The proposed covered deck is to be attached to the front of the existing home to provide cover for the front entrance. The proposed barn is to be used for horses and hay storage and replaces two existing sheds which are more non-conforming than the proposed barn. Ms. Bone explains that there is significant slope behind the proposed barn. The survey shows where the "499 line" (flood line if dam fails) runs behind the proposed barn. Members view the FEMA flood plain map. The applicant plans to take down the existing non-conforming shed and her other smaller shed which exists within the right of way on the other side of the applicant's property line. Ms. Bone explains that the slope of the land allows for the lower level of the barn to be at ground level in the rear for the horses and the upper level to be at ground level in the front for hay. The applicant mentions that the barn being constructed into the hillside as proposed allows for a more even temperature for the horses year round. Members have reviewed file contents including application, legal notice of hearing, Assessors map of property and abutters, list of abutters noticed, Assessors street card and copy of deed. Although the lot itself is large, most of it is in the floodplain. Lead Mine Brook runs just behind the rear property line and wetlands also exist in the rear area. Members ask questions of the applicant, with Ms. Bone answering. Chairman Rotondo opens the floor for public comment. Neighbor Mr. William Bircher, 854 South Road, speaks in favor of the application. 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 7:23 p.m. All regular members are present and seated, with a quorum established. Clerk Christine Neal is present and proceedings are recorded on audio tape.

2. Approve minutes of previous meeting: 2/13/13.

Motion Mr. Gelormino, second Mr. Root to approve the 2/13/13 meeting minutes as submitted, passing unanimously.

3. Discussion/possible decision – Diana Bone - application for 45' front yard variance for a covered deck and a 22' front yard variance for a barn, Section 5 (Country Residential Zone) Zoning

Regulations, 880 South Road.

Seated members discuss the application. **Motion** Mr. Gelormino, second Mr. Root to grant the 45' front yard variance for the front covered deck as applied for as the house is non-conforming, existing in the front yard setback. The motion passes unanimously. **Motion** Mr. Gelormino, second Ms. Duchaine to grant the 22' front yard variance for the barn, hardship being the topography of the land, with the condition that the two more non-conforming sheds be removed within one year of construction of the barn. The motion passes unanimously. Clerk Mrs. Neal is to inform the applicant of procedures in recording the variance in the land records and applying to Zoning through the Land Use Coordinator.

4. Any other business.

Members discuss the Zoning Board's decision, spring 2013, to approve Althea Stowe's application for an accessory building on a vacant lot following this board's denial for requested variances at the February 2013 ZBA meeting. It is the Zoning Board of Appeals consensus that the proposal for the accessory building violates current Zoning Regulations with regard to use; front, rear and side yard variances; and percentage coverage of the lot. **Motion** Mr. Root, second Mr. Gelormino that a letter be sent from this board to Atty. Rybak requesting his opinion regarding the Zoning Commission's approval of the application to Zoning after denial of variances by the Zoning Board of Appeals. The motion passes unanimously.

5. Correspondence.

None.

6. Invoices.

None.

7. Adjourn.

Motion Mr. Gelormino, second Mr. Root at 8:07 p.m. to adjourn, passing unanimously.

Respectfully submitted,

Christine Neal
ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON CT
ON 7-17-13 AT 6:00pm
ATTEST NANCY E. ELDRIDGE TOWN CLERK