

**ZONING BOARD OF APPEALS
REGULAR MEETING
February 18, 2015 – 7:00 PM
NEW HARTFORD TOWN HALL- 530 MAIN STREET
MINUTES**

PRESENT: Chairman Mary Lou Rayno, Paul Griffin, Scott Goff, Lew Chappel; Alternates John Wilhelm and Keith Schaufler; Zoning Enforcement Officer Steve Sadlowski.

ABSENT: Bert Brander, John Rouleau.

Chairman Mary Lou Rayno called the meeting to order at 7:00PM. Alternate Keith Schaufler was seated for Bert Brander. The entire proceedings were recorded digitally and are available in the Town Hall.

1. PUBLIC HEARINGS:

A. Robert Garfield, 1050 Litchfield Turnpike – to allow recently constructed sheds to remain installed within the front and side yard setbacks.

Ms. Rayno read into the record the legal notice for the application, and confirmed its publication in The Hartford Courant on February 6, 2015 and February 13, 2015. Zoning Enforcement Officer Steve Sadlowski confirmed that abutters of the subject property had been properly noticed of the hearing.

Mr. Robert Garfield appeared before the board and provided details surrounding his application for a Variance. He explained that the topography of his property is very steep with a quick, sharp drop in elevation off the back of his property. He noted that he has only about ten (10) feet of back yard before the drop so locating his wood shed behind the house would be impractical. He also explained the history behind the car port he erected on the property. Ms. Rayno inquired as to when the two structures were constructed. Mr. Garfield explained that both were constructed by himself of scrap wood in October of 2014. Board members reviewed the diagram of the property contained in the application, noting that the woodshed is five (5) feet from the side yard property boundary and that the car port is ten (10) feet from the side yard property line. Review of a survey from the property file of the Land Use Office occurred. Mr. Lew Chappel inquired whether the shed depicted on the survey was still on the property. Mr. Garfield indicated that it was but that it was very old.

Mr. Sadlowski reported that he visited the subject property and confirmed the sharp drop after about ten feet or so of rear yard. He opined that a shed could be erected in this location but that it may prove difficult and impractical to get in and out for the purposes of retrieving fire wood.

Board members inquired about the existing metal shed located on the property. Mr. Garfield responded that it is likely to be taken down soon. Board members also inquired as to whether it was feasible to move the woodshed to the other side of the property. Mr. Goff asked whether the firewood could be stored under the deck. Mr. Garfield responded that it could not as there are boats stored there and it isn't flat enough. In response to a question regarding the size of the two structures, Mr. Garfield indicated that both were eight feet by ten feet (8'x10'). Mr. Keith Schaufler inquired what the front yard setback requirement is for the property. Mr. Sadlowski explained that it is one hundred feet but that would put all structures behind the house, in the location of the sharp drop. As alternatives and compromises were discussed, Mr. Goff suggested that the wood may be covered merely with tarps thus eliminating the need for a variance for a structure.

Discussion ensued regarding the possible approval of a temporary variance, subject to a time restriction and imposing of a deadline for the removal of the car port.

MOTION: Mr. Chappel, Mr. Paul Griffin second, **to close the public hearing in the matter of Robert Garfield, 1050 Litchfield Turnpike – to allow recently constructed sheds to remain installed within the front and side yard setbacks; unanimously approved.**

2. PENDING APPLICATIONS:

A. Robert Garfield, 1050 Litchfield Turnpike – to allow recently constructed sheds to remain installed within the front and side yard setbacks.

MOTION: Mr. Chappel, Mr. Griffin second, **in the matter of Robert Garfield, 1050 Litchfield Turnpike – to allow recently constructed sheds to remain installed within the front and side yard setbacks, we find that the applicant has shown that a hardship in the land exists, that the yard has steep slopes that preclude the applicant from practically building to the rear. We also find that what has built is not out of the ordinary for the area and that this variance will be in harmony with the general purpose and intent of the zoning regulations and was issued with due respect to conserving the public health, safety, convenience, welfare and property values of the neighborhood.**

We hereby grant a ninety-five (95') foot front yard variance for the wood shed and an eighty-five (85') foot front yard variance for the car port. Additionally, we grant a fifteen (15') foot side yard variance for the wood shed and a ten (10') foot side yard variance for the car port. Any further modifications will require further action from this board. The metal shed shown on the site plan straddling the eastern property line shall be removed by July 1, 2015. The car port must be removed by July 1, 2020, and by September 1, 2020, the wood shed must be moved to the location where the car port was, thus reducing its front yard variance to eighty-five (85') feet and its side yard variance to ten (10') feet. Any further modifications will require further action from this board; unanimously approved.

3. NEW APPLICATIONS:

None.

4. APPROVAL OF MINUTES: OCTOBER 15, 2014

MOTION: Mr. Chappel, Mr. Griffin second, **to approve the October 15, 2014 Regular Meeting Minutes; unanimously approved.**

5. OTHER BUSINESS TO COME BEFORE THE COMMISSION:

Discussion on the application process for Appeals and Variances occurred. Ms. Rayno and Mr. Chappel noted that the instructions already do indeed direct applicants to detail the hardship as part of the application. Consensus of the board was that the applications need to include, in detail, exactly what the hardship is perceived to be. Mr. Chappel suggested either putting something on the website and/or a handout, explaining that the board wants to see in writing what the variance being sought is as well as the hardship present, along with any available sketches, drawings, or plans serving as supplements to the written narrative.

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MOTION: Mr. Goff, Mr. Chappel second, **to adjourn the meeting at 8:02PM, unanimously approved.**

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**