

**New Hartford Zoning Board of Appeals  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, November 18, 2015 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Chairman Mary Lou Rayno, Paul Griffin, Lew Chappel, Scott Goff; Alternates John Wilhelm.

**ABSENT:** Bert Brander, Keith Schaufler, John Rouleau.

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

**1. PUBLIC HEARINGS:**

**A. James & Sharon Creighton – Special Exception – Map 04A – Block 112 – Lot 033 – 682 West Hill Road – To Rebuild a Non-Conforming Structure.**

Ms. Rayno read into the record the legal notice that was published in The Hartford Courant on November 6, 2015 and November 13, 2015. Receipt of confirmation of notices to abutting properties was confirmed.

Mr. Tom Grimaldi of R.R. Hiltbrand Engineers appeared on behalf of the applicants. He presented a brief history of the process thus far. He noted that his clients began with the Farmington Valley Health District as two code compliant systems needed to be identified due to the fact that besides the cottage that is part of this special exception application, there is a home on the property, too. Mr. Grimaldi provided approvals of the system from the Farmington Valley Health District for the record. He noted that these are full engineered designed plans, not feasibility plans. He noted that these plans are approved and on file, and in the event of a septic system failure, a permit can be pulled tomorrow and can be implemented.

Mr. Grimaldi noted that his clients then appeared before the Inland Wetlands Commission. He explained that one preliminary meeting took place, suggestions were received, and he and his clients tweaked the plans. Approval of the plans was secured from this board, according to Mr. Grimaldi.

Mr. Grimaldi noted that his clients are within the constraints of the Floor Area Ratio. He explained that when the process first began, they were at 4.9% and the proposal is 5.9%. He also shared computations with the board.

Mr. Grimaldi shared the site layout plan. He noted that the proposed structure must be at least ten feet from the foundation wall to the existing septic tank. Mr. Grimaldi noted that it was put at eleven and a half feet to account for any possible error. He also noted that the structure is eight (8') feet off the property line from the 1.1 and 1.7 that it had been. He reported that the deck is now proposed to be fifteen (15') feet off and that the structure itself is proposed at a location at twenty-six (26') feet from the lake whereas it is presently 14.4 feet. Mr. Grimaldi noted that the dwelling is still a one bedroom home despite the two bedroom septic system. He noted that the porch will go across the front. Mr. Grimaldi then reviewed the drainage system, noting the use of low impact development.

Mr. Grimaldi then presented the proposed dwelling rendering. Mr. Scott Goff inquired as to whether Mr. Grimaldi anticipates any view issues for the neighbor because of the proposed height of the dwelling. Mr. Grimaldi opined that there would not be any view issues and presented with photographs from the neighbor's property taken with the reported permission of the neighbor. A photograph of the existing dwelling was also presented.

The applicant, James Creighton, then presented the interior layout of the home and more specifics on the structure.

**MOTION:** Mr. Goff, Mr. Chappel second, **to close the public hearing in the matter of James & Sharon Creighton – Special Exception – Map 04A – Block 112 – Lot 033 – 682 West Hill Road – To Rebuild a Non-Conforming Structure; unanimously approved.**

**2. PENDING APPLICATIONS:**

None.

**3. NEW APPLICATIONS:**

**A. James & Sharon Creighton – Special Exception – Map 04A – Block 112 – Lot 033 – 682 West Hill Road – To Rebuild a Non-Conforming Structure.**

Board members reviewed the Special Exception criteria from the zoning regulations, 7.1.B.3. Consensus was that the presentation was very thorough and complete. Members also noted that approval had been received from both the Farmington Health District and the Inland Wetlands Commission. Members agreed that it was a reasonable use of the land, that the request was minimal and that the proposed work brings the structure more into compliance with the regulations.

**MOTION:** Ms. Rayno, Mr. Griffin second, **to approve the Special Exception for James and Sharon Creighton at 682 West Hill Road to rebuild a non-conforming structure as per site plans dated September 30, 2015, sheet 3; unanimously approved.**

**4. APPROVAL OF MINUTES: October 21, 2015**

**MOTION:** Mr. Chappel, Mr. Griffin second, **to approve the October 21, 2015 Minutes; unanimously approved.**

**5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

Ms. Rayno confirmed that the board members had all received copies of both the correspondence from Mr. Denton Butler as well one from the board's attorney.

**MOTION:** Mr. Griffin, Mr. Chappel second, **to adjourn at 7:46PM; unanimously approved.**

**Respectfully submitted,**

**Pamela Colombie  
Recording Secretary**