

**New Hartford Zoning Board of Appeals  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, April 20, 2016 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; Alternate John Wilhelm and Zoning Enforcement Officer Ruth Mulcahy.

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

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

**MOTION:** Mr. Griffin, Mr. Chappel second, **to add to the Agenda, under *Other Business*: *Vote on Officers*; unanimously approved.**

**1. PUBLIC HEARINGS:**

**A. Bruce H. Gresczyk/Gresczyk Farms LLC/Applicant – Bruce H. & Bernadette Gresczyk/Owner – Variance – Map 021 – Block 017 – Lot 010 – From Front Yard Setback of 100 Feet to 50 Feet to Add on to a Packing Shed.**

Ms. Rayno read into the record the legal notice that was published in The Hartford Courant the requisite two times. Receipt of confirmation of notices to abutting properties was confirmed.

On behalf of the applicant, Gresczyk Farms LLC, Mr. Bruce Gresczyk and Mr. Henry Gresczyk appeared before the Board regarding this application. Mr. B. Gresczyk provided a brief history on the subject property, noting that back when it was first purchased by he and his wife in 1983, the setbacks at the time in that location were fifty (50') feet. He explained that in the late 1980s, setbacks in this location were modified to one hundred (100') feet, and that he was told that his property was grandfathered, as a pre-existing, non-conforming use and that a permit would be granted for structures. Mr. B. Gresczyk noted that three greenhouses were erected within the one hundred (100') feet setback. He noted that the State of Connecticut owns the development rights for most of the property. Mr. B. Gresczyk explained that there are two building envelopes, Building Envelope A, the envelope that is subject to this application, which is several hundred feet from Route 202, as indicated on a survey prepared by Land Surveyor David Little.

Mr. B. Gresczyk then noted on the survey the area with which he needs to stay within due to the development rights as well as the area that further where because of the state's unrestricted right to drain water through his property as a result of the rock cut from the widening of Route 202.

**Mr. Tony Lombardi of 21 Timberline Drive** questioned whether the hours of operation of the farm would change that could negatively effect noise level. Mr. H. Gresczyk indicated that the hours would not change and that if a change were to occur with noise, the result would be less not more.

**Ms. Polly Pobuda of 22 Church Street** spoke in support of the variance, noting that the applicants have been business owners in town for a great number of years.

An unidentified neighbor questioned the location of the addition of the barns. Once the area was pointed out on the survey, the neighbor noted quickly that he was in support of the application.

Ms. Mulcahy pointed out that the unique hardship of this property is the fact that the Department of Transportation right of way cuts into the applicant's property for over two hundred (200') feet which is unique to that property, noting that it is a geographic hardship unique to this particular property.

**MOTION:** Mr. Goff, Mr. Chappel second, **to close the public hearing in the matter of Bruce H. Gresczyk/Gresczyk Farms LLC/Applicant – Bruce H. & Bernadette Gresczyk/Owner – Variance – Map 021 – Block 017 – Lot 010 – From Front Yard Setback of 100 Feet to 50 Feet to Add on to a Packing Shed; unanimously approved.**

**2. PENDING APPLICATIONS:**

None.

**3. NEW APPLICATIONS:**

**A. Bruce H. Gresczyk/Gresczyk Farms LLC/Applicant – Bruce H. & Bernadette Gresczyk/Owner – Variance – Map 021 – Block 017 – Lot 010 – From Front Yard Setback of 100 Feet to 50 Feet to Add on to a Packing Shed.**

**MOTION:** Mr. Chappel, Mr. Goff second, **that in the matter of Bruce H. Gresczyk/Gresczyk Farms LLC/Applicant – Bruce H. & Bernadette Gresczyk/Owner – Variance – Map 021 – Block 017 – Lot 010 – From Front Yard Setback of 100 Feet to 50 Feet to Add on to a Packing Shed, due to the unusual hardship defined by the State of Connecticut Department of Transportation right of way on the property, and with regards to Envelope A as defined by the State of Connecticut Department of Agriculture Farmland Preservation Program, the Board finds it reasonable to grant a variance of fifty (50') feet for the entire Envelope A as this property can only be developed for agriculture use as approved by the State of Connecticut Department of Agriculture; unanimously approved.**

**4. APPROVAL OF MINUTES: February 17, 2016**

**MOTION:** Mr. Chappel, Mr. Griffin second, **to approve the February 17, 2016 Minutes; unanimously approved.**

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

**A. Vote on Officers:**

**MOTION:** Ms. Griffin, Mr. Goff second, **to nominate Mary Lou Rayno for Chairman of the Zoning Board of Appeals; unanimously approved.**

**MOTION:** Ms. Rayno, Mr. Goff second, **to nominate Paul Griffin for Vice Chairman of the Zoning Board of Appeals; unanimously approved.**

Ms. Rayno reported that the bylaws of the Board need to be updated and that a draft of the proposed bylaws will be forwarded electronically by Land Use Assistant Laura White.

**MOTION:** Mr. Wilhelm, Mr. Griffin second, **to adjourn at 7:29PM; unanimously approved.**

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Secretary**