

**ZONING BOARD OF APPEALS
REGULAR MEETING – MINUTES
SEPTEMBER 24, 2013 –7:00PM
NEW HARTFORD TOWN HALL- 530 MAIN STREET**

PRESENT: Chairman Mary Lou Rayno, Paul Griffin, John Rouleau; Alternates Lew Chappel and John Wilhelm; Zoning Enforcement Officer Rista Malanca, CZEO.
ABSENT: Bert Brander, Scott Goff.

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

1. PUBLIC HEARINGS:

A. Richard Lesinski & Deborah Watkins, 25 Davis Drive – Special Exception per Article 7, Section 7.1B of the Town of New Hartford Zoning Regulations to Increase Size of Nonconforming Structure (Mud Room Addition in Side Yard Setback).

Ms. Rayno read into the record the legal notice for this matter and verified the presence in the file of proof of notice to abutting neighbors. Richard Lesinski and Deborah Watkins addressed the Board regarding this matter. Ms. Watkins reviewed the maps and plans with the Board, explaining that they wished to construct an 8-foot by 10-foot mudroom off the kitchen of their existing house. The mudroom addition would be six inches further back from the property line than the existing structure. Mr. Lesinski stated that the project had been reviewed and approved by the Farmington Valley Health District.

Ms. Rayno asked whether the addition would be the same height as the existing structure. Ms. Watkins explained that addition would be one story; however the rest of the house was 2 stories. Ms. Malanca reviewed with the Board sketches of the elevations and floor plan prepared by the applicants' builder. She asked Mr. Lesinski what the total height of the addition would be, and Mr. Lesinski's builder, present in the audience, responded that the total height of the addition would be approximately 12 feet. Ms. Malanca confirmed that FVHD approval was present in the file for this application. Mr. Lesinski stated there was currently a stoop and roof overhang at the location proposed for the addition; therefore, the project was only expanding slightly beyond what currently existed. He stated that his property, at .28 acres, was actually a slightly larger lot for the Laurel Acres area. Members of the Board reviewed the survey submitted as a part of this application, noting that it had recently been prepared for this application. Ms. Malanca noted that the proposed activity met the floor area ratio requirements necessary to obtain a zoning permit; no special exception was necessary.

Mr. Chappel questioned what the side yard setback requirement was for Mr. Lesinski's property. Ms. Malanca explained that the side yard setback was 20 feet; however, Mr. Lesinski's existing house was located 8 feet from the side property line. Ms. Malanca noted that the survey showed a proposed deck at the back of the house; she noted for the record that the application was only for the mudroom addition. She explained that, as the property had two front yards, the proposed deck would actually require a variance. Ms. Watkins explained that, although the property address was on Davis Drive, the house actually faced Rickie Drive.

Hearing no further questions from the Board, Ms. Rayno opened the floor to public comment; however, no one present expressed a desire to speak.

MOTION Mr. Griffin, second Mr. Wilhelm, to close the public hearing in the matter of **Richard Lesinski & Deborah Watkins, 25 Davis Drive – Special Exception per Article 7, Section 7.1B of the Town of New Hartford Zoning Regulations to Increase Size of Nonconforming Structure (Mud Room Addition in Side Yard Setback)**; unanimously approved.

2. **PENDING APPLICATIONS:**

- A. **Richard Lesinski & Deborah Watkins, 25 Davis Drive – Special Exception per Article 7, Section 7.1B of the Town of New Hartford Zoning Regulations to Increase Size of Nonconforming Structure (Mud Room Addition in Side Yard Setback).**

The Board discussed the application, with several members expressing their desire for a condition regarding the maximum permitted height for the mudroom addition.

MOTION Mr. Griffin, second Mr. Chappel, to approve the application in the matter of **Richard Lesinski & Deborah Watkins, 25 Davis Drive – Special Exception per Article 7, Section 7.1B of the Town of New Hartford Zoning Regulations to Increase Size of Nonconforming Structure (Mud Room Addition in Side Yard Setback)** as per all oral and written testimony which includes hand-drawn sketches prepared by G.A.J. Enterprises depicting the elevations of the proposed addition entitled “East Elevation”, “Floor Plan”, and “Cross Section” as well as a surveyed plan prepared by Peter Keefe, with the exception of the proposed deck on plans which is not part of this approval, and with the condition that the mudroom addition shall not exceed one story and approximately 12 feet in height in order to provide adequate pitch for the roof; unanimously approved.

3. **READING OF THE MINUTES:**

- A. **August 27, 2013 regular meeting.**

MOTION Mr. Griffin, second Mr. Chappel, to approve the minutes of the August 27, 2013 regular meeting with the correction of the word “from” to “room” in item 2A at the end of the last paragraph on page 3; unanimously approved.

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

- A. **Regular Meeting Schedule for 2014.**

Members of the Board reviewed the proposed meeting schedule, noting the change from fourth Tuesdays to 3rd Wednesdays.

MOTION Mr. Griffin, second Mr. Wilhelm, to adopt the Regular Meeting Schedule for 2014 as presented; unanimously approved.

MOTION Mr. Chappel, second Mr. Griffin, to adjourn at 7:21PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Board Clerk