

**New Hartford Zoning Board of Appeals
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, May 16, 2018 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman Mary Lou Rayno, Lew Chappel (7:03PM), Paul Griffin, Scott Goff, Alternates John Wilhelm and Keith Schaufler; and Zoning Enforcement Officer Ruth Mulcahy.

ABSENT: Bert Brander and Alternate John Rouleau.

Chairman Mary Lou Rayno called the meeting to order at 7:00PM.

Mr. Schaufler was seated for Mr. Brander.

1. PUBLIC HEARINGS:

A. Ski Sundown Inc. - Map 045 - Block 136 - Lots 024, 003 & 3-1 - 126 Ratlum Road & Associated Parcels.

The legal notice was read into the record and was noted as having been published the requisite two times, May 4, 2018 and May 11, 2018 in The Hartford Courant. The proof of notice to the abutting neighbors was noted as having been received.

George Andrews, PE, of Loureiro Engineering and Associates, Inc., appeared before the Board regarding this variance application. He explained that Ski Sundown has existing snow making infrastructure on the mountain, already utilizing several ponds on their 150-acre parcel. The capacity of the reservoirs on their site is quite low and there are times wherein the resort is unable to utilize them for snow making, according to Mr. Andrews. He noted that the project proposes to extend the water connection from the MDC aqueduct, south of Lake McDonough at the corner of Farmington River Turnpike and Route 219, to be able to service as a second source of water for the facility.

Mr. Andrews explained that the construction of the pump station is what necessitates the variance. The location of the pump station is limited due to the bedrock and mountain as well as a drainage kettle in the wetlands, about fifty feet from the road, according to Mr. Andrews. He explained that the citing is also limited by appurtenances, with a meter pit and also with the drainage hole, the location where the pump will drain into the wetlands once it shuts down. He shared a drawing reflecting the parcels on which the line will run.

Mr. Andrews explained that the applicant is seeking a variance from Article 5, Section 5.6.G, for a variance of fifty (50') feet from the front yard setback requirement.

Hardships were noted with the location, and the inability to go into the embankment. Ms. Mulcahy confirmed that the applicants had already received the necessary approvals for the project from the Inland Wetlands Commission.

Mr. Goff questioned whether all the necessary easements for the project have already been obtained. Mr. Andrews explained that those are in the works. He noted that the application had not been signed by the MDC and requested that if this Board was inclined to grant the request for a variance, that it be conditioned upon his client providing a letter reflecting the authority to seek and obtain the variance.

MOTION: Mr. Goff, Mr. Chappel second, to close the public hearing; unanimously approved.

2. PENDING APPLICATIONS:

None.

3. NEW APPLICATIONS:

A. Ski Sundown Inc. - Map 045 - Block 136 - Lots 024, 003 & 3-1 - 126 Ratlum Road & Associated Parcels. - Variance: Required Front Yard Setback from Reservoir Road. Per Article 5 - Section 5.6 Paragraph G of Zoning Regulations.

The consensus of the Board was that the hardships had been established.

MOTION: Mr. Chappel, Mr. Griffin second, to approve the Variance application in the matter of Ski Sundown Inc. - Map 045 - Block 136 - Lots 024, 003 & 3-1 - 126 Ratlum Road & Associated Parcels. - Variance: Required Front Yard Setback from Reservoir Road. Per Article 5 - Section 5.6 Paragraph G of Zoning Regulations, based on the applicant's hardships of topography and the proximity to the wetlands conditioned upon the applicant providing a letter from MDC granting authority to the applicant to the proposal as presented in the public hearing; unanimously approved.

4. OTHER MATTERS:

A. Review "Bylaws".

No business discussed.

B. Review "Hardship Statement".

The Board reviewed a draft of a "Hardship Statement" that will function to provide guidance to applicants as they prepare an application.

MOTION: Mr. Goff, Mr. Chappel second, to approve the hardship declaration; unanimously approved.

5. APPROVAL OF MINUTES – October 18, 2017 & April 18, 2018:

It was noted that the October 18, 2017 Minutes has already been previously approved.

MOTION: Mr. Goff, Mr. Griffin second, to approve the April 18, 2018 Minutes; unanimously approved.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

No other business discussed.

MOTION: Mr. Chappel, Mr. Schauffler second, to adjourn at 7:35PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**