

**New Hartford Zoning Board of Appeals
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, March 20, 2019 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman Mary Lou Rayno, Bert Brander, Lew Chappel, Paul Griffin, Scott Goff, Alternate John Wilhelm; and Zoning Enforcement Officer Mike Lucas and consulting Zoning Enforcement Officer Rista Malanca.

ABSENT: Alternate John Rouleau and Keith Schaufler.

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

1. PUBLIC HEARINGS:

A. Thomas & Robin Buzzi/Applicant – Map 009 – Block 027 – Lot 013 – 651 Niles Road – Special Exception – Expansion of a Non-Conforming Structure – 8ft. x 8 ft. x 12 ft. (height) Mud Room Addition.

The legal notice was read into the record and was noted as having been published the requisite two times, March 8, 2019 and March 15, 2019 in The Hartford Courant. The proof of notice to the abutting neighbors was noted as having been received.

Tom Buzzi appeared before the Board regarding this application. He explained that he has a 200-year-old home which was built within twenty-four (24') feet of the right-of-way. Mr. Brander questioned the location of the setbacks. Mr. Lucas noted that it would be located eight-five (85') feet from the front yard boundary. Mr. Buzzi noted that a letter had been submitted by his neighbor in support of the proposal.

The hearing was open to the public.

David Krimmel, of 24 Dings Road, spoke in favor of the application, noting the age of the dwelling and opined that anything that can be done to modernize the home benefits not only the property owner but the Town, too.

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

MOTION: Mr. Chappel, Mr. Brander second, to modify the agenda to add the three applications under *Public Hearings* as items under *Pending Applications* too; unanimously approved.

B. Scott Spencer/Applicant – Map 015 – Block 019 – Lot 003 – 166 Maple Hollow Road – Special Exception – Expansion of a Non-Conforming Structure – Home Renovation Including Raising the Roofline of the Dwelling.

The legal notice was read into the record and was noted as having been published the requisite two times, March 8, 2019 and March 15, 2019 in The Hartford Courant. The proof of notice to the abutting neighbors was noted as having been received.

Scott Spencer, accompanied by Chris Dowzen, appeared before the Board regarding this application. Mr. Dowzen explained that the proposal is to add the roofline of the addition to just beneath the roof of the existing dwelling. He explained that Mr. Spencer is looking to convert

this current two-family home into a single-family house. It was noted that the footprint of the foundation will remain the same. Questions were asked about the age of the home and whether the proposal included adding any square footage. Mr. Spencer indicated that the home dates back to 1750 and no square footage was being added. He noted that raising of the roof will allow a person to stand upright. Mr. Dowzen confirmed that the height of the roof on the addition would not be higher than the roof of the current home.

The hearing was open to the public.

David Krimmel of 24 Dings Road spoke in favor of the application, noting the home is in his neighborhood and opined that the proposal is a restoration of a very old home such as this is great for the Town.

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

C. Gena Sciaraffa/Applicant – Map 09A – Block 105 – Lot 17-18 – 39 Rickie Drive – Variance – 1. Variance of 48.7 Feet for the Front Yard. 2. Variance of .1 Feet for the Side Yard for a Deck.

The legal notice was read into the record and was noted as having been published the requisite two times, March 8, 2019 and March 15, 2019 in The Hartford Courant. The proof of notice to the abutting neighbors was noted as having been received.

Paul Sciaraffa, identifying as the father of the applicant, appeared before the Board regarding this application. Mr. Sciaraffa explained that the home is a seasonal cottage that is used by him and his wife. He explained that as they get older, they needed better access from the primary entrance and had also created a second means of egress. Ms. Rayno noted that the deck has already been built. Mr. Brander questioned the size of the deck. Mr. Sciaraffa noted it as 12'x20'.

Ms. Malanca reported that former Zoning Enforcement Officer Ruth Mulcahy had sent a letter to the property owners after having observed the deck being constructed without permits. Ms. Malanca opined the proposal as a legitimate hardship with the setbacks being what they are in that location and the size of the lot. She noted that a second access off the dwelling for handicap access is a reasonable request. Mr. Brander questioned whether someone was handicapped. Mr. Sciaraffa explained that his wife has had two knee replacements. Mr. Brander questioned whether Mr. Sciaraffa's wife had a handicapped sticker for her car. Mr. Sciaraffa indicated that she did not.

Mr. Goff questioned whether the decking is already complete. Mr. Sciaraffa indicated that it was not as he still needed to screw down the decking and some minor landscaping. He explained that all work ceased after having received the letter from the Town. In reviewing the survey, Mr. Goff noted that the decking is 1.3 feet from the road or seventeen feet from the center line of the road. Ms. Malanca indicated that while the decking is 1.3 feet from the property boundary, there is grassy surface between the boundary and the actual road. Mr. Goff noted that the A2 survey should have depicted the setbacks.

The hearing was open to the public. No comment was received.

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

2. PENDING APPLICATIONS:

A. Thomas & Robin Buzzi/Applicant – Map 009 – Block 027 – Lot 013 – 651 Niles Road – Special Exception – Expansion of a Non-Conforming Structure – 8ft. x 8 ft. x 12 ft. (height) Mud Room Addition.

MOTION: Mr. Goff, Mr. Chappel second, to approve the Special Exception for a mud room addition; unanimously approved.

B. Scott Spencer/Applicant – Map 015 – Block 019 – Lot 003 – 166 Maple Hollow Road – Special Exception – Expansion of a Non-Conforming Structure – Home Renovation Including Raising the Roofline of the Dwelling.

MOTION: Mr. Griffin, Mr. Brander second, to approve a Special Exception for a home renovation including raising the roofline of the dwelling subject to the following condition:

1. Addition is no higher than the existing house; unanimously approved.

C. Gena Sciaraffa/Applicant – Map 09A – Block 105 – Lot 17-18 – 39 Rickie Drive – Variance – 1. Variance of 48.7 Feet for the Front Yard. 2. Variance of .1 Feet for the Side Yard for a Deck.

MOTION: Mr. Brander, Mr. Griffin second, to approve per the as-built presented due to the hardship of a steep topography and location of lot, noting the deck as a reasonable use. The railings can not be any closer than existing deck and that a finding has been made that this is not for financial gain; Motion approved with Mr. Brander, Mr. Goff, Mr. Griffin and Mr. Rayno voting aye while Mr. Chappel was opposed.

Following the motion but preceding the vote, the Board discussed the application. Ms. Rayno reported having visited the site and observing the homes in this area as very close together. She opined it a reasonable request for a homeowner to have a small area to come out of the home and to also have access on the side for fire extension. Questioning the hardship, Mr. Griffin noted that if this one is granted, there would be hardships up and down the street. Ms. Malanca explained that the property slopes back. Mr. Brander commented that the survey should have therefore included topography. Mr. Goff noted that had the applicant approached the Board before, they might have suggested the deck be less or smaller. Mr. Griffin noted the size of the lot as very small.

3. NEW APPLICATIONS:

None.

4. OTHER MATTERS:

Mr. Lucas reported that a Special Meeting is scheduled for April 23, 2019 to hear the Klaus Gorski application.

Ms. Rayno reported that Farmington Valley Health District is amenable to attending an evening meeting with this Board. The meeting would likely also include Director of Health Jennifer Kertanis as well as Senior Sanitarian Pat Gigliotti. Ms. Rayno reported that FVHD would like to review the questions ahead of the meeting. Mr. Goff questioned whether the letter from the Town's legal counsel, Attorney Mark Branse, had been forwarded to FVHD. Ms. Rayno indicated that she was unsure but would check into it. Mr. Lucas indicated that he would meet with Ms. Rayno to draft a letter to FVHD to explain the impetus behind both the meeting and the correspondence from Attorney Branse.

After discussing a potential date, the Board agreed that the meeting with FVHD would likely be scheduled for sometime in May.

5. APPROVAL OF MINUTES – February 20, 2019:

MOTION: Mr. Brander, Mr. Griffin second, to approve the February 20, 2019 Minutes; unanimously approved.

MOTION: Mr. Brander, Mr. Chappel second, to adjourn at 7:57PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**