

**New Hartford Zoning Board of Appeals
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Monday, February 19, 2020 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, Alternates Art Jackman, John Wilhelm and Keith Schaufler; and Zoning Enforcement Officer Mike Lucas.

ABSENT: None.

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

1. PUBLIC HEARINGS:

A. Martin F. & Roberta R. Seifert - Map 04A – Block 112 – Lot 037A_38 – 704 West Hill Road - Special Exception per 7.1.C.2, Increase in Floor Area Ratio to 17.2%.

Martin Seifert and Roberta Seifert appeared before the Board regarding this application. Ms. Rayno confirmed that notice had been provided to the abutting property owners via certified mail. The legal notice for the public hearing was read into the record with it noted as having run the requisite two times, February 7, 2020 and February 14, 2020, in The Hartford Courant.

Mr. Lucas reported that over the last year, he and Consulting Zoning Enforcement Officer Rista Malanca had worked with the West Hill Lake Association to rewrite some of the regulations affecting the West Hill Overlay District. He explained that the regulations for this overlay district had been formerly perceived as too prescriptive that did not fit every lot in that area. Mr. Lucas noted that the stormwater management regulations had been updated, too. Through these changes, the buffer strip necessary from the lake was reduced from seventy-five (75') feet to twenty-five (25') feet, according to Mr. Lucas. As a result, this proposal no longer requires a variance and rather only requires approval for a special exception, he explained.

Mr. Brander questioned the amount of the increase in floor area ratio (FAR) that was being sought. Ms. Rayno noted that the applicants FAR was currently under twelve percent but were requesting a FAR of 17.2%.

Ms. Rayno questioned whether the height of any of the buildings were being increased. Mr. Seifert indicated that the height of the new buildings will be very close to the height of the current buildings and that the only variable to that plan would be whether a rock is hit during construction. He noted that the proposal is below the thirty-four (34') foot requirement and is below the road requirement. Mr. Seifert explained that elevation drawings have been included. Mr. Brander questioned the precise height. Mr. Seifert noted that the lower building is 31.1' and the upper building is below 30'.

Mr. Seifert reported that his proposed plans had been approved by the Inland Wetlands Commission and should have no environmental net impact. He explained that they would like to include garages on both dwellings. He noted that the upper building increases in size by six square feet and will include the garage underneath the home. The lower building will also include a two-car garage located to the side of the home, according to Mr. Seifert. He noted that the lower building also increases in size by about forty-six square feet.

Noting that the parcel is a non-conforming lot, Mr. Goff questioned whether the new construction can deviate from its current footprint. Mr. Lucas noted that the development meets the setbacks for the zone. Discussion ensued.

The Board recessed at 7:19PM and reconvened at 7:23PM.

The Board continued their discussion of whether the proposal was increasing a nonconformity or whether the only nonconformity was the size of the lot.

The hearing was open to the public.

Paul Wollenberg of 652 West Hill Road spoke in favor of the application, opining that the applicant had done his homework in terms of stormwater management.

Mr. Lucas read aloud a letter from John Mendela of 711 West Hill Road sharing his concerns with the view being obstructed through the proposed improvements and how such obstructions could impact his property values.

Mr. Seifert submitted photographs from Google Earth revealing what had been the view of the area prior to the clean-up efforts he undertook after purchasing the property.

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

2. PENDING APPLICATIONS:

A. Martin F. & Roberta R. Seifert - Map 04A – Block 112 – Lot 037A_38 – 704 West Hill Road - Special Exception per 7.1.C.2, Increase in Floor Area Ratio to 17.2%.

MOTION: Mr. Chappel, Mr. Brander second, to approve the increase in Floor Area Ratio to 17.2% for this application as proposed on plans; Motion approved with Mr. Brander, Mr. Chappel, Mr. Griffin, and Ms. Rayno voting aye while Mr. Goff abstained.

3. NEW APPLICATIONS:

None.

4. OTHER MATTERS:

The Board discussed possibly scheduling a Special Meeting to review the proposed changes to this group's bylaws. Ms. Rayno reported that she had attended the

5. APPROVAL OF MINUTES – November 20, 2019:

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

MOTION: Mr. Chappel, Mr. Brander second, to adjourn at 7:48PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**