

**New Hartford Zoning Board of Appeals
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Town Hall – 530 Main Street
November 16, 2021 at 7:00 PM**

PRESENT: Chairman Mary Lou Rayno, Paul Griffin, David Jones, Keith Schaufler, Alternates Art Jackman and John Wilhelm.

ABSENT: Lew Chappel and Alternate Tony Persechino.

Chairman Mary Lou Rayno called the meeting to order at 7:00PM. Mr. Wilhelm was seated for Mr. Chappel. Ms. Rayno acknowledged the passing of beloved, long-time board member Bert Brander.

MOTION: Mr. Griffin, Mr. Jones second, to amend the agenda to add the June 15, 2021 Minutes under Approval of the Minutes; unanimously approved.

MOTION: Mr. Griffin, Mr. Schaufler second, to amend the agenda to add *Election of Officers* to follow *Approval of Minutes*; unanimously approved.

1. PUBLIC HEARINGS:

A. Mazuronis, Edward G JR and Christine M. - Map 09A- Block 105 – Lot 42A – 39(A) Aquatic Road – Tear down and Rebuild of a Single Family Home. Increase in Floor Area Ratio from 10% to 12.4%.

The legal ad for the public hearing was read aloud with it being noted as having been published in the Hartford Courant on November 4, 2021 and November 11, 2021. Ms. Rayno reported having received the certificate(s) of mail, serving as evidence that notice had been provided to abutting property owners. Mr. Lucas confirmed receipt of the certificate(s) of mail, serving as evidence that notice had been provided to the abutting property owners.

Principal Engineer Tom Grimaldi of RR Hiltbrand, accompanied by his clients Edward and Christine Mazuronis, appeared before the Board regarding this application. He provided copies of the approvals received from the Farmington Valley Health District. Additionally, Mr. Grimaldi distributed copies of photographs of the site.

Mr. Grimaldi reviewed the plans, noting the parcel is comprised of .97 acres with property being located on both sides of Aquatic Road. He initially reviewed the existing conditions sheet of the submitted site plan. Mr. Grimaldi noted the septic system was on the eastern side of Aquatic Road, explaining that one dwelling will remain while the other dwelling is proposed to be demolished and reconstructed. He noted the property would be bumped back from the lake, from 48.7 to 50.8, and would become more conforming with the side yard setback, too. The distance from the side yard boundary would go from 5' to 12.4'. Mr. Grimaldi explained the necessary setback distances from the well prevented the proposed location from being even further away.

Mr. Grimaldi noted that the proposed dwelling will have a full basement. He described how the plan would improve the site's non-conformities. He then reviewed elevation drawings of the proposed dwelling. He noted the height would rise from 22' to 28'. The square footage for each floor was reviewed with Mr. Grimaldi noting the first floor will have 1284 sq ft, the second floor would have 695 square feet, and the basement would have 1185 square feet.

The impervious surface was discussed. Mr. Grimaldi confirmed it was being reduced from 16% to 14.8%, with the runoff being mitigated from the roof into a drywell.

Ms. Rayno questioned the increase in height. Mr. Grimaldi noted that they wanted to raise the house. He noted that no view would be impeded across the street as that property is owned by the applicant.

Ms. Rayno questioned whether the other structure has any proposed expansion. Mr. Grimaldi indicated that there was a small interior renovation to meet the requirements of the health district, in that it is currently a two-bedroom house that must be reduced to a one-bedroom house.

Inquiry was made about whether the basement would include any bathroom or bedroom. Mr. Lucas confirmed. Mr. Grimaldi noted that there is no living space in the walkout basement. He indicated that the basement will have no plumbing.

Mr. Jackman questioned the structure on the plans identified as “tent”. Mr. Grimaldi indicated that structure will be removed.

The hearing was open to the public.

Nelson Sly of 57 Aquatic Road questioned how the floor area ratio was calculated. He thought it strange that a building proposed at this size would only have two bedrooms. He questioned how this property was able to have two houses, recalling this parcel being ordered to remove one of the dwelling units. Mr. Lucas indicated that he was unaware of such a correspondence being included in the parcel file.

Discussion ensued over calculating floor area ratio and what exists currently.

Zygmunt Karoliszyn of 31 Aquatic Road questioned why two dwellings would be allowed on this property, noting that originally the second one was an outbuilding that was redone with the notion that the front one would be demolished. He indicated that the outbuilding was not livable space and only after it was demolished, a certificate of occupancy would be issued.

Ms. Rayno questioned when the building was converted from storage to living space. Mr. Mazuronis noted that the property was part of the camp where kids and caretakers used to occupy the buildings. Ms. Rayno questioned how long the building had been connected to the septic system. Mr. Mazuronis noted that they had been connected a long time and explained that the septic system located across the road, had a 2000-gallon tank and 165’ of fields.

Judith Harmon of 31 Aquatic Road relayed the history of the three parcels that comprised the former camp, noting that it had been broken up into the three properties in 1984. Ms. Harmon contended that at the time it was broken up, each parcel contained one dwelling unit. She noted that the former owner of the subject property had never properly noted the neighbors prior to breaking it up. She noted that a stop order had been issued by former Building Official Paul Volovski, with the front house was to be torn down.

Mr. Sly questioned whether the current zoning allows two livable spaces on one property. Ms. Rayno confirmed that if the houses are there, it does. Mr. Sly indicated that there had never been approval granted for two separate dwelling units.

Mr. Lucas advised Mr. Sly that he should have his legal counsel look into this during the fifteen-day appeal period following an approval by this board. He noted that this property is not being considered a rental and suggested that this board can condition their approval that neither house can be rented. Ms. Harmon noted that it had already been cited and picked up by the Town as an illegal unit but was not followed up with. Additionally, she noted that one of the units was already rented out last year.

Mr. Karoliszyn requested that Mr. Lucas review the history of this property, specifically whether it was done legally. Mr. Lucas agreed.

Mr. Griffin requested the numbers be reviewed again. Mr. Grimaldi noted the upper dwelling as 1820 square feet and the lower building was 2088 square feet.

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

2. PENDING APPLICATIONS:

A. Mazuronis, Edward G JR and Christine M. - Map 09A- Block 105 – Lot 42A – 39(A) Aquatic Road – Tear down and Rebuild of a Single Family Home. Increase in Floor Area Ratio from 10% to 12.4%.

Mr. Wilhelm and Mr. Jones were pleased to see the impervious surface be reduced.

MOTION: Mr. Griffin, Mr. Schaufler second, to approve the application in the matter of Mazuronis, Edward G JR and Christine M. - Map 09A- Block 105 – Lot 42A – 39(A) Aquatic Road – Tear down and Rebuild of a Single Family Home. Increase in Floor Area Ratio from 10% to 12.4%; unanimously approved.

3. OTHER MATTERS:

A. Approve 2022 Meeting Schedule.

MOTION: Mr. Griffin, Mr. Wilhelm second, to approve the 2022 meeting schedule as presented; unanimously approved.

4. APPROVAL OF MINUTES: June 15, 2021 and August 17, 2021.

Mr. Jackman was seated in place of Mr. Wilhelm for the approval of the August 17, 2021 Minutes.

MOTION: Mr. Griffin, Ms. Rayno second, to approve the August 17, 2021 Minutes; Motion passed with Ms. Rayno, Mr. Griffin, Mr. Schaufler, and Mr. Jackman approving while Mr. Jones abstained.

The June 15, 2021 Minutes were tabled.

MOTION: Mr. Griffin, Mr. Schaufler second, to approve the June 15, 2021 Minutes; Motion passed with Ms. Rayno, Mr. Griffin, Mr. Schaufler, and Mr. Jackman approving while Mr. Jones abstained.

5. ELECTION OF OFFICERS:

MOTION: Mr. Griffin, Mr. Jones second, to approve Mary Lou Rayno as chairman; unanimously approved.

MOTION: Ms. Rayno, Mr. Schaufler second, to approve Paul Griffin as vice chairman; unanimously approved.

MOTION: Mr. Griffin, Mr. Schaufler second, to adjourn at 8:07PM; unanimously approved.

Respectfully submitted,
Pamela A. Colombie
Recording Secretary