

Minutes
LITCHFIELD ZONING BOARD OF APPEALS

October 2, 2012 -.

Town Hall Annex, 80 Doyle Rd., Bantam, CT – 7:30 p.m.

Members Present: Chairman Richard Ducci, Melinda Mennillo, Jeff Legendre, Andrew Ide, Brian McKernan, Brian Donohue

Members Absent: Nancy Amrich, Virginia Dean

The Chair opened the meeting at 7:30 p.m. and explained the format of the hearings. He appointed J. Legendre to vote on cases 12-10-1, 12-10-2 and 12-10-4 and M. Mennillo to vote on case 12-10-1, 12-10-3 and 12-10-2. Andrew Ide was not here to hear case 10-10-1 and 12-10-2 so he will abstain from voting on those cases.

PUBLIC HEARINGS

Case 12-10-1 – To discuss and possibly act upon a request for a Rear yard variance of 15' and side yard variance of 8' from Article IV Section 2. Enlargement variance from Article VI, Section 6(7) for a proposed addition for property at 257 North Street. Ms. Doreen Tango Hampton was present for the application and submitted return receipt mail cards. She explained the request for the variance and explained that the house was built in 1954 and is unique in the placement of the house that is angled on a corner lot. No one spoke in favor or opposition to the application. The hearing closed at 7:45 p.m.

Case 12-10-2 - To discuss and possibly act upon a request for a Side yard variance of 7' from Article IV Section 2 and Enlargement variance from Article VI, Section 6(7) for proposed greenhouse for property at 393 Torrington Road. The hearing opened at 7:46 p.m. John T. Acerbi and John D. Acerbi were present for the application and submitted return receipt mail cards. They are proposing taking down the two existing greenhouses and replacing it with one 75'x100' greenhouse. The existing hoop houses are pre-existing non conforming in side yard setbacks already and the new greenhouse will not extend any further beyond. No one spoke for or against the application. The hearing closed at 7:59 p.m.

Case 12-10-3 - To discuss and possibly act upon a request for a Front yard variance of 30' from Article IV Section 2 for proposed generator for property at 162 Meadow Street. The hearing opened at 7:59 p.m. Claire Hartman Simler was present for the application and presented return receipt mail cards. She explained that this is a flag lot. The house was built in 1954. The front of the house faces west, so when you come up the driveway you see the rear of the house first. She submitted pictures of the house and lot. There are issues with the water table on the front yard when it rains so it would not be feasible to place the unit there. No one spoke in favor or opposition to the application. The hearing closed at 8:15 p.m.

Case 12-10-4 - To discuss and possibly act upon a request for a Side yard variance of 20' from Article IV Section 2 and enlargement variance from Article VI, Section 6(7) for a proposed screened porch/deck addition for property at 32 Prospect Mt. Rd. The hearing opened at 8:15 p.m. Celine Ovicher was present for the application and submitted return receipt mail cards. The house was built in 1923 and does not currently meet the current setback regulations as shown on the map in the file. They would like to extend the existing deck/porch 2 feet and screen it in so her ill husband can enjoy the outdoors. No one spoke favor or opposition to the application. The hearing closed at 8:20 p.m.

REGULAR MEETING

Consider Case 12-10-1 – B. Donahue moved to grant the variance because the structure pre-exists zoning. There is a uniqueness to the lot as it is a corner lot. J. Legendre seconded and the motion passed unanimously with A. Ide abstaining.

Consider Case 12-10-2 – B. McKernan moved to grant the variance because the proposed structure is covering the original footprint and extending to a sideline that matches the front greenhouse. It doesn't encroach on the side anymore than the existing building does, M. Mennillo seconded and the motion passed unanimously with A. Ide abstaining.

Consider Case 12-10-3 – A. Ide moved to grant the variance because of the uniqueness of the property. The original structure was built facing west and not east so the front of the house is where the back should be, B. McKernan seconded and the motion passed unanimously.

Consider Case 12-10-4 – R. Ducci moved to grant the variance because of the uniqueness of the property in that the house predates zoning and the original structure already encroaches into the setback, B. Donahue seconded and the motion passed unanimously.

Approval of Minutes of September 4, 2012 – Tabled until the next meeting to make corrections.

Possible Executive Session to discuss pending litigation – R. Ducci moved to go into executive session at 8:43 p.m., B. Donahue seconded and the motion passed unanimously. The Board came out of executive session at 8:48 p.m. with no action taken.

Adjournment – B. McKernan moved to adjourn at 8:48 p.m. J. Legendre seconded and the motion passed unanimously.

Richard M. Ducci
Chairman

Date