

Chw. Annabel Resnisky, Martin Reardon, Evelyn Russo, Judy Pehota, Linda Reil, John Voli (7:00)

BOARD MEMBERS
PRESENT

Sara Vecchitto

BOARD MEMBERS
ABSENT

Bill Warner, Director of Planning, Conservation and Development, Bruce Driska, Zoning Enforcement Officer

STAFF

Chw. Annabel Resnisky indicated that Board Member Les Adams has resigned due to being elected to the Planning and Zoning Commission. She recommended sending a letter of thank you to Board Member Les Adams and Brian Robinson, the former Zoning Enforcement Officer.

Chw. Annabel Resnisky indicated that the public hearing sign for Item #3.8, 29 Villa Street, reflected the date as December 4, 2005, not December 1, 2005. On motion and second by Board Members Martin Reardon and Evelyn Russo the Board tabled a proposed variance to Section 16.22.01 to allow the relocation of an existing and non-conforming two family home to a different location on a property located in the R-15 zone at 29 Villa Street. Vote was unanimous. Applicant/agent Joseph Lombardo ZBA2005-35

ITEM 3.8
TABLED A PROPOSED VARIANCE TO SECTION 16.22.01 TO ALLOW THE RELOCATION OF AN EXISTING AND NON-CONFORMING TWO FAMILY HOME TO A DIFFERENT LOCATION ON A PROPERTY LOCATED IN THE R-15 ZONE 29 VILLA STREET

Chw. Annabel Resnisky reviewed the hardship criteria. Board Member Evelyn Russo commented on the City Attorney's legal opinion. Chw. Annabel Resnisky read from the legal opinion and read Board Member Judy Pehota's letter into the record. William Warner explained. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board upheld the decision of the Zoning Enforcement Officer regarding a swimming pool located in the RPZ zone at 36 McKenzie Street. Vote was unanimous. Applicant/agent Erin C. Hassett ZBA2005-24

ITEM 4.1
UPHELD THE DECISION BY THE ZONING ENFORCEMENT OFFICER REGARDING A SWIMMING POOL LOCATED IN THE RPZ ZONE AT 36 MCKENZIE STREET

Frank Romanek explained the proposal. William Warner explained the request. The Board discussed the proposal. No one from the public spoke. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board granted a variance to Section 21.02 with regard to the front and side yard requirements for a proposed porch and garage located in the R-15 zone at 60 Birchwood Drive.

ITEM 3.1
GRANTED A VARIANCE TO SECTION 21.02 WITH REGARD TO THE FRONT AND SIDE YARD REQUIRE-

Vote was unanimous. Applicant/agent Frank Romanek
ZBA2005-27

MENTS FOR A PRO-
POSED PORCH AND
GARAGE LOCATED
IN THE R-15 ZONE
AT 60 BIRCHWOOD
DRIVE

Richard Perrie explained the proposal and indicated there would be no animals in the barn. William Warner commented. R. Vogel feels the existing shed is more than enough. Chw. Annabel Resnisky read a letter from Crystal Lake Association into the record. Discussion ensued on primary versus accessory uses. Board Member Evelyn Russo questioned the hardship. C. Hart questioned the size of the existing shed. Richard Perrie indicated the shed is sixteen (16) by twelve (12) feet. Discussion ensued on the use of the building. Chw. Annabel Resnisky feels this is a self imposed hardship. Board Member Martin Reardon referenced an association. A motion to close the public hearing for a proposed variance to Section 21.02 with regard to the front yard setbacks for a proposed barn in the R-30 zone on Shore Drive, also known as Tax Assessor's Map 44, Block 36-22, Lots 185, 186, in the vicinity of Lake Road and abutting Crystal Lake was made by Board Member Evelyn Russo and seconded by Board Member Martin Reardon. Board Member Linda Reil expressed concern about the size. The motion failed unanimously. Applicant/agent J. Perrie ZBA2005-28

ITEM 3.2
DENIED A PRO-
POSED VARIANCE
TO SECTION 21.02
WITH REGARD TO
THE FRONT YARD
SETBACKS FOR A
PROPOSED BARN
IN THE R-30 ZONE
ON SHORE DRIVE,
IN THE VICINITY
OF LAKE ROAD
AND ABUTTING
CRYSTAL LAKE

Linda Czaja explained the proposal. William Warner commented. No one from the public spoke. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board closed the public hearing. Vote was unanimous. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board granted a variance to Section 21.02 with regard to the frontage requirements for a proposed new lot to be located in the R-15 zone at 145 Boston Road. Vote was unanimous. Applicant/agent Linda Czaja ZBA2005-29

ITEM 3.3
GRANTED A
VARIANCE TO
SECTION 21.02
WITH REGARD TO
THE FRONTAGE
REQUIREMENTS
FOR A PROPOSED
NEW LOT TO BE
LOCATED IN THE
R-15 ZONE AT 145
BOSTON ROAD

Gary Linklater explained the proposal and feels the shed would be in the middle of the yard. Chw. Annabel Resnisky questioned an alternate location. Deborah Linklater feels the shed will be well buffered. From the public, William Vasiliou commented. Board Member Linda Reil disqualified herself. On motion and second by Board Members Evelyn Russo and

ITEM 3.4
CONTINUED P.H.
FOR A PROPOSED
VARIANCE TO SEC-
TION 21.02 WITH
REGARD TO THE

Martin Reardon the Board continued the public hearing for a proposed variance to Section 21.02 with regard to the side and rear yard setbacks for a proposed shed in the R-15 zone at 131 Baldwin Drive due to a lack of a quorum for voting purposes. Vote was unanimous. Applicant/agent Gary and Deborah Linklater ZBA2005-30

SIDE AND REAR
YARD SETBACKS
FOR A PROPOSED
SHED IN THE R-15
ZONE AT 131 BALD-
WIN DRIVE

Joann Coyle explained the proposal and requested three (3) feet from the fence rather than two (2) feet. No one from the public spoke. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board closed the public hearing. Vote was unanimous. On motion and second Board Members Martin Reardon and Evelyn Russo the Board granted a variance to Section 21.02 with regard to the side yard setbacks for a proposed 2 car garage in the R-15 zone at 698 Pine Street. Vote was unanimous. Applicant/agent Donald and Joann Coyle ZBA2005-31

ITEM 3.5
GRANTED A
VARIANCE TO SEC-
TION 21.02 WITH
REGARD TO THE
SIDE YARD SET-
BACKS FOR A PRO-
POSED 2 CAR
GARAGE IN THE
R-15 ZONE AT 698
PINE STREET

Atty. Michael Dowley, George Smilas, and Jean Gullitti explained the proposed variance. Atty. Dowley commented on the variance and hardship, displayed the rear lots in the Cranberry Lane Estates subdivision, indicated there would be eight (8) rear lots and reviewed amendments to the Zoning Code. Chw. Annabel Resnisky questioned the location. Atty. Michael Dowley feels a hardship exists and indicated that approval was granted by the Inland Wetlands Agency. He noted that the Planning and Zoning Commission withdrew rear lots from their approval. Discussion ensued. From the public, R. Centuri spoke in complete support and noted he lives on Pheasant Drive. K Henry lives on Pheasant Drive, spoke in support and would like trees along the road. M. Flavia spoke in support and feels the lots are the nicest ones. C Michalski spoke in support and lives in the neighborhood. T. Debecca spoke in support and lives in the neighborhood. L. Macrey spoke in support and lives in the neighborhood. Carl Erlacher spoke in support and lives in the neighborhood. R. Sellers owns a rear lot on Cranberry Lane, referred to Map #76-13 in the Town Clerk's Office, and feels the driveway is in the fifty (50) foot conservation easement. Leonard Stoane feels it is a purely financial hardship. Sheila Stoane commented on the denial of rear lots. Board Member John Voli arrived at 7:00 pm. Carol Dagnal is opposed and lives adjacent to the proposed lot at end of the cul-de-sac. Michael Ennis spoke in opposition. M. Salafia spoke in support and feels it is not financial. Linda Bowers indicated she lives on a rear lot and is concerned about the conservation easement. Atty. Michael Dowley commented on how the inability to use

ITEM 3.6
GRANTED A
VARIANCE TO SEC-
TION 21.02 WITH
REGARD TO THE
FRONTAGE RE-
QUIREMENTS FOR
FOUR (4) PROPOSED
LOTS IN THE R-30
ZONE ON PHEA-
SANT DRIVE IN THE
KELSEY ESTATES
SUBDIVISION

the land without a variance is a hardship. George Smilas explained the mistake that was made. Atty. Michael Dowley agreed to install buffers along the Dagnals' property line. Discussion ensued. Board Member Evelyn Russo summarized the issues. Chw. Annabel Resnisky commented on the public discussion. On motion and second by Board Members Evelyn Russo and Martin Reardon the Board closed the public hearing. Vote was unanimous. Board Member Evelyn Russo feels that the Planning and Zoning Commission and the Inland Wetlands Agency caused the problem and that the Zoning Board of Appeals is there to correct the issue. A motion to grant a variance to Section 21.02 with regard to the frontage requirements for four (4) proposed lots in the R-30 zone on Pheasant Drive in the Kelsey Estates Subdivision based on the hardship as stated by the applicant was made by Board Member Evelyn Russo and seconded by Board Member Linda Reil. The motion passed unanimously. Applicant/agent Jean P. Gullitti/Michael F. Dowley & Associates ZBA2004-33

Atty. Michael Dowley explained the proposal to expand the barn and read letters into the record from neighbors. No one from the public spoke. Chw. Annabel Resnisky questioned the use. Jean Gullitti indicated it would be more of a garage than a barn. Board Member John Voli questioned the distance. On motion and second by Board Evelyn Russo and John Voli the Board closed the public hearing. Vote was unanimous. On motion and second by Board Members Linda Reil and Martin Reardon the Board granted a variance to Section 21.02 with regard to the rear yard setbacks for an extension of the existing barn in the R-15 zone at 36 Wildwood Lane. Vote was unanimous. Applicant/agent Jean P. Gullitti/Michael F. Dowley & Associates ZBA2005-34

Keith Johnson explained the proposal for a carport for four (4) cars. William Warner commented. On motion and second by Board Members John Voli and Evelyn Russo the Board closed the public hearing. Vote was unanimous. On motion and second by Board Members Linda Reil and Martin Reardon the Board granted a variance to Section 21.02 with regard to the side yard setbacks for a proposed carport in the R-15 zone at 866 East Street. Vote was unanimous. Applicant/agent Keith L. Johnson ZBA2005-36

ITEM 3.7
GRANTED A
VARIANCE TO
SECTION 21.02
WITH REGARD TO
THE REAR YARD
SETBACKS FOR AN
EXTENSION OF THE
EXISTING BARN IN
THE R-15 ZONE AT
36 WILDWOOD
LANE

ITEM 3.9
GRANTED A
VARIANCE TO SEC-
TION 21.02 WITH
REGARD TO THE
SIDE YARD SET-
BACKS FOR A
PROPOSED CAR-
PORT IN THE R-15
ZONE AT 866 EAST
STREET

ZONING BOARD OF APPEALS REGULAR MEETING DECEMBER 1, 2005, 5:30 P.M.
PAGE 5 OF 5

There was no Old Business.

ITEM 4
OLD BUSINESS

There was no New Business.

ITEM 5
NEW BUSINESS

On motion and second by Board Members Martin Reardon
and John Voli the Board adjourned at 7:50 p.m. Vote
was unanimous.

ITEM 6
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development