

Minutes
LITCHFIELD ZONING BOARD OF APPEALS

August 6 2019, 7:30 p.m.
Town Hall Annex, 80 Doyle Rd., Bantam, CT

Members Present: Chairman Brian Donohue, Jeff Legendre, Bruce Watts. Brian McKernan
Members Absent: None

The Chairman opened the meeting at 7:31 p.m. with a roll call of the members and explained the format of the hearing.

PUBLIC HEARINGS

Case 19-8-1 - To discuss and possibly act upon a request from St. Michael's Parish for a Side yard variance of 25' from Section HR30 (2) and GSR Section C (3) for a proposed addition for property at 23 South Street. The Chairman announced that this application has been withdrawn.

Case 19-8-2 – To discuss and possibly act upon a request from American Legion Post #27 for a Rear yard variance of 30' from Section RR (2) and GSR Section C (3) for a proposed Pavilion for property at 418 Bantam Road. Darren Murphy was present for the application and submitted return receipt mail cards. Mr. Murphy explained that the Legion would like to build a new pavilion in the back of the lot. It will not be bigger than 40'x30'. They have not decided the exact location but would keep it within the setbacks on the side yard. No one spoke in support of the application, the Chairman read a letter from Therese Lomento adjoining neighbor expressing concerns. The hearing closed at 7:52 p.m.

Case 19-8-3 – To discuss and possibly act upon a request from Sid Glover/Susan Nelson for a Rear yard variance of 8' from Section HR30(2) and GSR Section C (3) for a proposed garden structure for property at 59 North Street. Sid Glover and Susan Nelson were present for the application and submitted return receipt mail cards. There is an existing garage building in the rear of the property that is presenting non-conforming in the rear setback. They would like to change it into a garden building by installing a patio, fireplace, pergola and dormers. One of the proposed roof dormers will extend slightly into the required rear setback. No one spoke in favor or opposition to the application. The hearing closed at 8:02 p.m.

Case 19-8-4 – To discuss and possibly act upon a request from Hardscrabble for a Front yard variance of 18' and rear yard of 9' from Section C202(2) and GSR C(3) for a proposed addition for property at 569 Bantam Road. Ken Hrica, P.E. and Jack Baker were present for the application and submitted return receipt mail cards. This property was changed to a commercial zone from an industrial zone when the regulations were updated several years ago. It is a long narrow lot with very limited areas for the addition. The new addition will be used for storage. Peter & Doris Bergamo spoke in favor of the application. No one spoke in opposition to the application. The hearing closed at 8:12 p.m.

Case 19-8-5 – To discuss and possibly act upon a request from Daniel Merli for Approval of a gasoline station or motor vehicle dealer or repairer for property at 8 West State Drive. Mr. Merli was present for the application and submitted return receipt mail cards. He explained that he needs to get town approval to submit to the state for his towing operation. This is second location, which will be a satellite location. He will be installing a fence in the area facing Johnson Road. No one spoke in favor of the application. Ken Wheeler of Johnson Road is concerned with the possible noise and that the business runs 24/7. Carrie Becker is also concerned about cars being towed in at all hours of the day and night

and the noise that will be generated by the tow trucks. Tony Beach was concerned about the view from his porch, which is right across the street. He doesn't want to see junk cars from his front porch. He was also concerned about fluids leaking from vehicles and the washing of tow trucks there. Mr. Merli stated that they would not be washing trucks there and he would only be storing 4 cars at a time along with flatbeds and tow trucks. The hearing closed at 8:34 p.m.

REGULAR MEETING

Consider Case 19-8-1 – Withdrawn

Consider Case 19-8-2 – B. McKernan moved to approve the variance based on limited buildable areas and there was a pre-existing non-conforming pavilion on the property previously, the J. Legendre seconded and the motion passed unanimously.

Consider Case 19-8-3 – B. Donohue moved to approve the variance because the proposal will not increase the existing non-conformity of the building. J. Legendre seconded and the motion passed unanimously.

Consider Case 19-8-4 – B. Watt moved to approve the variance because the lot is such an irregular shape. The existing building is non-conforming, the new addition will not encroach any further into the setbacks, J. Legendre seconded and the motion passed unanimously.

Consider Case 19-8-5 – B. Donohue moved to continue the discussion to next month to get guidance from the commission attorney. J. Legendre seconded and the motion passed unanimously.

Approval of Minutes – May 14, 2019

B. Watts moved to approve the minutes, J. Legendre seconded and the motion passed unanimously.

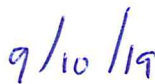
Possible Executive Session to discuss pending litigation

Adjournment

B. Donohue moved to adjourn at 9:03 p.m. B. McKernan seconded and the motion passed unanimously.



Brian Donohue
Chairman



Date