

**Minutes**  
**LITCHFIELD ZONING BOARD OF APPEALS**  
**April 6, 2021 - 7:30 p.m.**  
**Via Zoom**

**Members Present:** Brian Donohue Jeff Legendre, Brian McKernan, Bruce Watts, Lara Hillman, David Foss, Burke Gibney

**Members Absent: None**

Chairman Donohue opened the meeting at 7:32 p.m. with a roll call of the members and explained the format of the hearing.

**PUBLIC HEARINGS**

**Case 21-4-1** To discuss and possibly act upon a request from Kenneth Reilly & Nicola Wood for Front yard variance of 32' from RR (2) and GSR H5 for a proposed covered porch addition for property at 199 Wheeler Road.

The applicant was having technical difficulty. The Board will come back to this application.

**Case 21-4-2** To discuss and possibly act upon a request from Trevor & Jennifer Keller for Side yard variance of 14' for a proposed house addition and side yard variance of 30' to relocate garage from HR30 (2) and GSR H(5) for property at 166 Meadow St.

The Chairman read the legal notice into the record and reviewed return receipt mail cards. Jennifer & Trevor Keller were present. They are looking to demo the existing breakfast nook area on the rear of the house and add an addition over the existing deck for a kitchen and family room. It will be 12 x 23 or 252 sf. Because you cannot walk between the house and the existing garage they would like to move the garage back 3', not changing the side yard setback. Only the garage will be rebuilt, the shed will be removed. The lot is currently non-conforming in size and setback. There will be no change in building coverage. No one spoke for or against the application. B. Donohue moved to close the hearing at 7:58 p.m., B. Watts seconded and the motion passed unanimously.

**Case 21-4-1** To discuss and possibly act upon a request from Kenneth Reilly & Nicola Wood for Front yard variance of 32' from RR (2) and GSR H5 for a proposed covered porch addition for property at 199 Wheeler Road.

The Chairman read the legal notice into the record. Mr. Reilly and Ms. Wood were present for the application. The return receipt mail cards were not turned into the land use office for posting on the website, but Ms. Wood indicated that letters had been mailed to neighbors and she would drop the Certificates of Mailing off to the office.

Mr. Wood explained that the proposal would allow better egress and ingress into the house through the front where the driveway comes in. The porch would allow entrance into the living area opposed to entering the ground floor. The house was built in 1953 with a 2 acre lot size. There is a 12' slope difference from front to rear. The exiting stairs and landing are not safe and get icy in the wintertime, they need to be replaced or repaired. No one spoke for or against the application. B. Watts moved to close the hearing at 8:13 p.m., L. Hillman seconded and the motion passed unanimously.

**Case 21-4-3** To discuss and possibly act upon a request from David J. Rogers for Front yard variance of 7' from RR(2) and GSR H(5) for a proposed covered entry porch for property at 18 Dingwell Drive

The Chairman opened the hearing and read the legal notice into the record. The return receipt mailings were reviewed.

Mr. Rogers was present for the application. He explained that the house was built in the 1940's and hasn't been lived in for 20 years and has deteriorated. The lot is 30,000 sf. He would like to demolish the structure and start over. As the house sits now it is non-conforming in setbacks. He has worked with his engineer to design a small two bedroom home and it would eliminate non-conforming setbacks. The only variance would be for the covered front porch. The septic and well locations are the determining factor in where the house can be located. No one spoke for or against the application. B. Donohue moved to close the hearing at 8:32, B. McKernan seconded and the motion passed unanimously.

**Case 21-4-4** To discuss and possibly act upon a request from Noel Fisher for Front yard variance of 56', side yard variance of 11' from HR30 (2) and GSR H(5) for a proposed rear addition for property at 61 Tallmadge Lane.

The Chairman opened the hearing and read the legal notice into the record. The return receipt mailings were reviewed. Dennis McMorro, P.E. of Berkshire Engineering was present for the application. This proposal is for construction of a one car attached garage in the rear of the lot. He explained that the existing dwelling is completely in the existing building setback lines. Any addition would require a variance. The 125 sf addition at the rear of the dwelling is still in the front and side setbacks. The proposed addition will not be any closer than the existing house to the property lines.

Kim D'Andrea adjoining property owner spoke in support of the application. No one spoke in opposition to the application.

B. McKernan moved to close the hearing at 8:43, B. Watts seconded and the motion passed unanimously

#### **REGULAR MEETING**

**Consider Case – 21-4-1** – L. Hillman moved to approve the variance because the lot predates zoning, the topography and safety, B. Watts seconded and the motion passed unanimously.

**Consider Case - 21-4-2** – B. Watts moved to approve the variance because the lot predates zoning, the new garage size will not be increased and the house addition will not increase the side yard non-conformity, D. Floss seconded and the motion passed unanimously.

**Consider Case – 21-4-3** – B. Donohue moved to approve the variance because the lot is predates zoning and significantly reduces the existing non-conformity of the house, the topography and existing wetlands limit locations of house, septic, etc. J. Legendre seconded and the motion passed unanimously.

**Consider Case – 21-4-4** – B. McKernan moved to approve the variance because the lot predates zoning and the entire house is non conforming in setbacks the existing wetlands limits and it doesn't increase the existing non conformity, B. Watts seconded and the motion passed unanimously.

#### **Approval of Minutes – February 2, 2021**

B. Donohue moved to approve J. Legendre seconded and the motion passed unanimously.

#### **Adjournment**

B. Donohue moved to adjourn at 9:06, B. Watts seconded and the motion passed unanimously.

Brian Donohue  
Chairman

Date