

**MINUTES**  
**LITCHFIELD ZONING BOARD OF APPEALS**  
**October 5, 2021 - 7:30 p.m.**  
**Town Hall Annex**  
**80 Doyle Rd., Bantam, CT**

**Members Present:** Brian McKernan, David Foss, Burke Gibney, Brian Donohue, Jonathan Zwick  
**Members Absent:** Lara Hillman

B. Donohue opened the meeting at 7:33 p.m. with a roll call of the members and explained the format of the hearing.

**PUBLIC HEARINGS**

**Case 21-9-1** To discuss and possibly act upon a request from Chris Zibell for a Front yard variance of 25.5' from RR Section 2 and Enlargement/addition variance from Section GSR H5 for a proposed addition to dwelling and screened porch for property at 121 Naser Road.

Dennis McMorrow, P.E. from Berkshire Engineering and Surveying was present for the application. The existing dwelling is almost completely in the existing front setback. The existing dwelling is 18.6' from the front street line.

A portion of the dwelling on the south side was removed. This was 236 sf and was completely in the front setback. Part of the proposed addition and the new screened porch is within the old non-conforming section of the dwelling which was removed. The area of the new addition and screened porch that is within the front setback line is 234 sf. The proposed addition will not be any closer than the existing house. The hardship is that the house was built in 1915 well before zoning regulations.

No one spoke for or against the application. B. Donohue moved to close the hearing at 7:43 B. Gibney seconded the motion passed unanimously.

**Case 21-9-2** To discuss and possibly act upon a request from ConEdison Solutions for a Rear yard variance of 25' from RR Section 2 for a proposed ground mount solar array for property at 26 Scenic View Dr.

Jim Olimpieri from ConEdison Solutions was present. He stated that they have reduced the size of the panels so it is further out of the setback by 5'. A revision to the application should be presented if the variance request has changed.

The Board asked why the panel couldn't be moved more to the south to get it out of the required setback. They are having trouble siting this array due to the location of the septic and a tree line. A discussion ensued on this being a self-created hardship because the house and accessories were built recently. The Board asked if the applicant has the list of property owners that were notified from the last meeting. The applicant stated that he did not bring it tonight.

No one spoke for or against the application.

B. Donohue moved to close the hearing at 8:04 p.m. B. Gibney seconded and the motion passed unanimously.

**Case 21-9-3**

To discuss and possibly act upon a request from Steven McCombs for a Side yard variance of 25' from RR Section 2 and Enlargement/Additions from GSR H(5) for a proposed second story addition for property at 276 Cathole Road.

No one was present for the application. The board continued the hearing until Nov. 9.

**REGULAR MEETING**

**Consider Case – 21-9-1** - B. Gibney moved to grant the variance based on the hardship that the house was built in 1915 and most of the entire existing structure is in the setback and reduces the square footage overall, B. McKernan seconded and the motion passed unanimously,.

**Consider Case - 21-9-2** – B. McKernan moved to deny the application because it lacks a hardship and there may be alternative options on the property to locate the panels, B. Donohue seconded and the motion passed unanimously.

**Consider Case – 21-9-3 - Continued****Approval of Minutes – September 7, 2021**

B. Donohue Moved to approve the minutes, B. McKernan seconded and the motion passed unanimously.

**Adjournment**

B. Donohue moved to adjourn at 7:56, B. McKernan seconded and the motion passed unanimously.



Brian Donohue  
Chairman

11/9/21

Date