

MINUTES  
LITCHFIELD ZONING BOARD OF APPEALS

September 6, 2022 - 7:30 p.m.

Town Hall Annex

80 Doyle Rd., Bantam, CT

In person meeting

Members Present: Brian Donohue, David Foss, Lara Hillman, Jonathan Zwick.

Members Excused: Brian McKernan

At 7:37 p.m., B. Donohue opened the meeting by taking attendance of the members and explained the format of the hearing. Since a member is absent, the applicants for Cases 22-9-1 and 22-9-2 were given the option to postpone their hearing until next month, to present but keep case open until missing member can hear recording for a 5 members vote next month or to present with a 4 member unanimous vote being needed for approval. (Case 22-8-2 already presented on 08/02/22 and was continued to today.) Both applicants agreed to proceed.

**Case 22-8-2** To discuss and possibly act upon a request from Jane Goldstone & Arnold Rosenblum of 160 Campville Road for Front Yard Variance of 14 feet for installation of a single story, one car ready-made 12' x 20' garage from Litchfield District Residences Section RR Subsection 2. Building Placement Front Setback 50'.

Jane Goldstone was again present for the application. Documents requested last month for septic location, well location, topography of slope at end of driveway, location of removed barn and photos of slope & concrete foundation of old barn were provided today.

B. Donahue asked if anyone present was for or in opposition of the application. No one was present for either.

At 7:48 p.m., D. Foss moved to close the hearing, L. Hillman seconded and all voted unanimously.

**Case 22-9-1** To discuss and possibly act upon a request from American Legion Memorial Home, Inc. of 418 Bantam Road for Side Yard Variance of 10' Litchfield District Residences Section RR Subsection 2. Building Placement Side Setback 40', Rear Yard Variance of 24' LDR Section RR Subsection 2. Building Placement Rear Setback 50', Rear Bulk Height Variance of 24' Section H. Non-Conforming Addition Subsection 5. Additions - for construction of ADA Compliant Addition. Additional variances for Emergency Stairs for Egress are Side Yard of 16' Section C. Lots in Residence Districts Subsection 3.b. Pre-existing Lots and Bulk Height Variance of 10' from Section H. Non-Conforming Addition Subsection 5.

Jim Amrich, treasurer of the American Legion, was present representing the

Morgan Weir Post #27 application. J. Amrich gave a full history of the American Legion which included their purchase of the property in 1960 and quitclaim deed in 1962 for the Litchfield Post. They have many handicapped members that entering the building is too dangerous. Currently, events are limited since they must rent extremely expensive handicap accessible restrooms. DRAC has already approved ADA compliant improvements to front of building. A Seherr Thoss Grant has been received and architect Cliff Cooper is donating his services. The post is fundraising and would appreciate donations.

B. Donahue asked if anyone present was for the application. Donald Sage, Jessica O'Sullivan, Richard Robert, Gary Gillman and Deirdre McGurk Caldwell spoke in support. No one present spoke in opposition.

At 8:04 p.m., L. Hillman motioned to close the hearing, B. Donahue seconded and vote was unanimous.

**Case 22-9-2** To discuss and possibly act upon a request from Roger Kane of 223 Cathole Road for Side Yard Variance of 15' Litchfield District Residences Section RR Subsection 2 and Section C. Lots in Residence Districts Subsection 3.b. Pre-existing Lots to construct a wooden equipment barn.

Roger and Margaret Kane were present for application. R. Kane gave a history of the property, their 2020 purchase and home construction in 2021. He noted shed will be moved 5' closer and variance only needs to be for 10'. Septic location at back of property, driveway on side, brook at bottom of hill, wetlands and steep backyard topography limits available barn locations. Both D. Tobin and M. Connor have advised them that proposal is the best location. R. Kane noted he has previously tumbled down the steep terrain in backyard. Neighbors Litchfield Land Trust submitted an approval letter and Peter Litwin has been very supportive.

B. Donahue asked if anyone present was for or in opposition of the application. No one was present for either.

At 8:19 p.m., J. Zwick motioned to close the hearing, L. Hillman seconded and vote was unanimous.

### **REGULAR MEETING**

#### **Consider Case – 22-8-2**

Commissioners all noted they went to location during the previous month. D. Foss stated grade at end of driveway is steeper than photos show. B. Donahue stated topography causes hardship. L. Hillman and J. Zwick did not agree and expressed uncertainty of what actual hardship was.

Motion made by J. Zwick to deny this application was seconded by L. Hillman. J. Zwick and L. Hillman voted in favor of denying. B. Donahue and D. Foss voted no to the denial. Case 22-8-2 was denied.

#### **Consider Case - 22-9-1**

Commission discussed difficulty of getting in and out of building is clearly a hardship. D. Foss noted almost whole building is already in the setback and sewer location on other side limits the ADA compliant renovations. Motion made by D. Foss to grant approval, seconded by L. Hillman, vote was unanimous. Case 22-9-1 was approved.

#### **Consider Case - 22-9-2**

L. Hillman noted the approval by the neighbors, location of septic and well and topography safety issues. Commissioners discussed. Motion made by B. Donahue to grant approval, seconded by D. Foss, vote was unanimous. Case 22-9-2 was approved.

#### **Approval of Minutes – August 2, 2022**

B. Donahue moved to approve minutes, D. Foss seconded and vote was unanimous.

L. Hillman announced that her letter for committee resignation was submitted to Ann Combs today. Resignation is effective as of 09/07/22. L. Hillman stated resignation was due to increased involvement with other committees and thanked the commissioners for her time serving with them. The commissioners thanked L. Hillman for her service. As there are now only four members on this committee, D. Foss suggested contacting the First Selectman's Office to recruit additional committee members.

#### **Adjournment**

At 8:40 p.m., B. Donahue motioned to adjourn, J. Zwick seconded and vote was unanimous.

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Brian Donohue  
Chairman

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Date