

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

February 27, 2012

The Wethersfield Zoning Board of Appeals held a public hearing on February 27, 2012 at 7:00 PM in the Town Hall, Town Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Chairman
Daniel Logan, Vice Chairman
Mark Rudewicz
Frank Dellaripa, Alternate
Kevin Rogers, Alternate

ABSENT: Matthias DeAngelo, Clerk
Eugene Ziurys, Jr.
Morris R. Borea

Also Present: Brian O'Connor – Chief Building Official

Chairman Vaughan, Jr. opened the meeting at 7:00PM. There was no one from the audience who wished to speak.

Chairman Vaughan, Jr. explained that there are five members present and four members must vote in the affirmative for the application to be granted.

Commissioner Dellaripa read **Application # 6081-12 Luz Perez**. There was no one here on this Application so it will be read again after all Applicants have been heard.

Application No. 6082-12. Donald and Donna Gaudet, seeking a variance to maintain an 8' X 12' shed in the rear yard not having the required rear yard setback at 15 Leonard Farms Way, West side, A-1 Zone (§3.6)

Mr. Gaudet, 15 Leonard Farms Way, Wethersfield, CT appeared before the Board seeking a variance to maintain a shed in the rear yard not having the required rear yard setback.

Mr. Gaudet stated that there are several reasons for requesting this variance. He stated that because of the configuration of his land it makes it very difficult to put the shed where the regulations state it should go. He stated that this would pretty much be in the middle of the yard and they would lose the yard for his kids to play in. He stated that it is not just the shed but also a 4' ramp. He stated there would also be irrigation issues. He stated that because of this he would like to put the shed right up to the property line or a foot off the property line. He stated in the rear of his property is the Wilkus property so

**WETHERSFIELD ZONING BOARD OF APPEALS
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February 27, 2012

this would not affect anyone. He stated that he is trying to make everything as neat and clean as possible. He confirmed that he spoke with his neighbors and no one has an opposition to this application.

Chairman Vaughan, Jr. questioned why the Application says to maintain. Mr. Gaudet stated that he did not realize that he was on the property line.

Chairman Vaughan, Jr. questioned how much of a variance is needed. Mr. O'Connor stated that currently he is on town property and it needs to be moved off town property. Mr. O'Connor also stated that a stone wall was taken down and that also needs to be put back to its original construction. He stated that these brick walls were put up when they developed Leonard Way. Mr. O'Connor stated that the regulations state an accessory building should be 5' off property line; therefore, a 5' variance would be needed.

Mr. Gaudet stated that he will absolutely be moving the shed off town property; adding that this cost a considerable amount of money but realizes that it was his fault. He stated that he will rebuild the stone wall; adding that he did not realize it was there for a reason and just assumed it was a dumping ground when they developed Leonard Way.

Chairman Vaughan, Jr. confirmed that the hardship is the topography of the land. Mr. Gaudet stated that this was correct; adding that he knows 5' does not seem like a lot but when you factor in the ramp it really is.

Chairman Vaughan, Jr. confirmed that if this variance is granted they could put a stipulation that the stone wall be reconstructed. Mr. Gaudet said absolutely; he is willing to do that.

Commissioner Dellaripa confirmed that the stone wall goes behind the shed. Mr. O'Connor stated that this was correct.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

Application No. 6083-12. Dennis O'Connor, seeking a variance to install a standby generator in the side yard not having the required setback at 16 Blueberry Hill, South side, AA Zone. (§3.6) and (§3.7)

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

February 27, 2012

Mr. O'Connor, 16 Blueberry Hill, Wethersfield, CT appeared before the Board seeking a variance to install a standby generator not having the required setback. Mr. O'Connor stated that this is the place that the Electrician/Plumber said would be the easiest for installation purposes. He stated that the service is on that side of the home.

Chairman Vaughan, Jr. questioned how much of a variance is needed. Mr. Brian O'Connor stated that a 5' variance is needed.

Chairman Vaughan, Jr. questioned if his neighbor has any issues with this variance. Mr. Dennis O'Connor stated that his neighbor that this would affect is Mr. Desopo and he does not have a problem with this application.

Chairman Vaughan, Jr. confirmed that there is no other place to put the generator. Mr. Brian O'Connor confirmed that this would be the best place as the service is right there.

Commissioner Dellaripa questioned if there should be screening. Mr. Brian O'Connor stated that usually this should be 3'-5' away from anything combustible.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

Application No. 6081-12. Luz Perez, seeking variance to maintain an addition which encroaches into the rear yard setback at 97 Brussels Ave, West side, B Zone (§3.7)

Ms. Luz Perez, 97 Brussels Avenue, Wethersfield, CT appeared before the Board seeking a variance to maintain an addition which encroaches into the rear yard setback.

Ms. Perez stated that they have a very small house with 5 children and they cannot afford to move to a bigger house; therefore they added on to this home.

Chairman Vaughan, Jr. questioned if this addition has already been built; and questioned if permits were pulled.

Ms. Perez confirmed that the addition has already been built but came to the Town herself when she realized that permits were supposed to be taken out but were not.

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

February 27, 2012

Mr. O'Connor confirmed that this was correct; adding that they did do an addition a few years ago and permits were taken out but does not know what happened and why they were not taken out with this addition. He stated that maybe because they were adding on to the porch they did not realize they needed permits. Mr. O'Connor stated that a 5' variance is need for this application. He stated that if approved they have another hurdle with his office because it needs to be inspected and hopefully they did this addition as good as they did the rec room addition a few years ago.

Chairman Vaughan, Jr. questioned that because this is such a small lot would anything they do need a variance. Mr. O'Connor stated that this was correct. He stated that this application was tabled from last month; adding that there was a neighbor here last month to complain about debris in the yard; however, this has already been taken care of. He also stated that there is a similar addition that was done to a neighbor's home a few years ago which received a variance.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

WETHERSFIELD ZONING BOARD OF APPEALS
Chairman Thomas Vaughan, Jr.

Commissioner Dellaripa, Clerk

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ABSENT: Matthias DeAngelo, Clerk
Eugene Ziurys, Jr.
Morris R. Borea

Also Present: Brian O'Connor – Chief Building Official

DECISIONS FROM PUBLIC HEARING

Application No. 6081-12. Luz Perez, seeking variance to maintain an addition which encroaches into the rear yard setback at 97 Brussels Ave, West side, B Zone (§3.7)

Upon motion made by Commissioner Rudewicz, seconded by Commissioner Rogers and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulation:

1. Must meet all requirements as required by the Building Department.

Application No. 6082-12. Donald and Donna Gaudet, seeking a variance to maintain an 8' X 12' shed in the rear yard not having the required rear yard setback at 15 Leonard Farms Way, West side, A-1 Zone (§3.6)

Upon motion made by Vice Chairman Logan, seconded by Commissioner Rudewicz and a poll of the Board it was unanimously voted that this application **BE APPROVED** as submitted for a 5' variance with the following stipulation:

1. Must construct back stone wall to its original construction.
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**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC MEETING**

February 27, 2012

Application No. 6083-12. Dennis O'Connor, seeking a variance to install a standby generator in the side yard not having the required setback at 16 Blueberry Hill, South side, AA Zone. (§3.6) and (§3.7)

Upon motion made by Commissioner Dellaripa, seconded by Vice Chairman Logan and a poll of the Board it was unanimously voted that this application **BE APPROVED**.

APPROVAL OF MINUTES

Upon motion made by Commissioner Dellaripa, seconded by Vice Chairman Logan and a poll of the Board it was voted that the revised minutes of December 19, 2011 **BE APPROVED**.

Upon motion made by Commissioner Dellaripa, seconded by Vice Chairman Logan and a poll of the Board it was voted that the minutes of January 23, 2012 **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 7:30 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN VAUGHAN, JR.

Commissioner Dellaripa, Clerk

I hereby certify that the above is a true copy of the minutes of the Zoning Board of Appeals on

Commissioner Dellaripa, Clerk