

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
September 26, 2005

The Wethersfield Zoning Board of Appeals held a public hearing on September 26, 2005 at 7:00 PM in the Police Department Community Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Morris R. Borea, Chairman
Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
Gina P. DeAngelo
Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT:

Also Present: Brian O'Connor, Chief Building & Zoning Official

Chairman Borea opened the meeting at 7:00PM. Before the meeting started, the public was welcomed to speak regarding anything except specific cases in the past or on the night's agenda. There was no one present who wished to speak.

APPLICATION NO. 5926-05 Chris and Lois Young seeking a variance to construct an inground pool not in the required rear yard at 87 Liberty Hill East, west side, AA Residence Zone (§3.6D).

Mr. Chris Young, 87 Liberty Hill East, Wethersfield, CT appeared before the Board seeking a hardship variance to construct an inground pool. Mr. Young entered into the record a signed petition from immediate neighbors stating that they have no objection to the location of the inground pool. He also submitted additional rendering of the location of the pool that shows its better placement.

Mr. Young stated that when he purchased this property back in 1993 his address was 241 Two Rod Highway; his home was set back from Two Rod some 350', the following year the land adjacent to his property was subdivided into building lots and a road now called Liberty Hill East was put in to access the proposed houses. He stated that Liberty Hill East has a total of seven homes with no outlet. He stated that the road curves to accommodate the subdivision which now classifies his lot as a corner lot. The proposed inground pool would be 85' from the sidewalk which he intends to keep as private as possible with additional shrubbery. He stated that he has contacted each of his neighbors and has not received any objection as to the proposed location of the inground pool. He stated that he feels this is the only logical place on the property; adding that this area is in the back of the house and the most private and has always been used for family gatherings.

Chairman Borea questioned if he owned any property which was sold to put the road in. Mr. Young stated that he has not sold any of his property.

Chairman Borea questioned the location of the rear yard on the plot plan. Mr. O'Connor stated that the rear yard is based on the least frontage which in this case is facing north opposite that would be his rear yard. Chairman Borea confirmed that this is where his front door is. Mr. O'Connor stated that this was correct. Mr. Young stated that he would not put the inground pool in this location; adding that he would not do this to his neighbors as this is actually the front of his home.

Commissioner DeAngelo questioned the size of the proposed pool. Mr. Young stated that it would be 17' x 30'.

There were no further questions from the Board.

There were no audience members who wished to speak in favor of or in opposition to this application.

APPLICATION NO. 5927-05 John & Jennifer Wolf seeking a variance to erect an addition to an accessory building not having the required side yard at 345 Wolcott Hill Road, west side, A Residence Zone (§3.6A).

Jennifer Wolf, 345 Wolcott Hill Road, Wethersfield, CT appeared before the Board seeking a variance to erect an addition to an accessory building. Mrs. Wolf stated that they wish to add an addition to their existing garage which is 20' x 20'. She stated that the existing garage is non-conforming and is closer than 5' to the side yard. She also stated that, as you can see from the plot plan, it does not sit parallel with the property line so it gets worse as it goes back.

Chairman Borea confirmed that this is a side yard variance and all that is needed is a 4" variance. Mr. O'Connor stated that this was correct.

Commissioner Cholewa questioned if this can just be considered extending the non-conforming. Mr. O'Connor stated that this is true as long as it is not making it worse. For example; under the new regulations; if you have a non-conforming building set back you can extend; let's say it's a side yard and you are already 3' over, you can extend back as long as you do not go closer to the side yard.

Chairman Borea confirmed that this will be 4" closer. Mr. O'Connor stated that this was correct; in the back corner. Chairman Borea confirmed that this is because of the way that the foundation is set. Mrs. Wolf stated that this was correct; it does not set parallel to the property line.

Mrs. Wolf stated that this affects her abutting neighbor at 335 Wolcott Hill Road and she does have a letter in support of this variance from her neighbors, Mr. & Mrs. Otis. She stated that she has showed them the plans and they do not have any objections.

Commissioner Bockstael stated if there would be any changes to the driveway. Mrs. Wolf stated that nothing else will change.

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 opposition to this application.

APPLICATION NO. 5928-05 Sally Vallone seeking a variance to erect a shed not having the required rear and side yard set backs at 274 Wells Road, A Residence Zone (§3.6A).

Attorney Mark Branse and Attorney Dennis Kerrigan appeared before the Board representing Mrs. Vallone seeking a variance to erect a shed. He stated that he realizes two attorneys for one variance is unusual, however, he was asked to fill in for Attorney Kerrigan, who is the applicant's grandson, because Attorney Kerrigan thought that he was going to be in New York City tonight however he was able to make it back in time.

Attorney Branse stated that they would like to construct a shed which is an 8' x 12' shed without a foundation. He stated that they would like to place it 2' off the property line instead of the required 5'. He handed out an additional plot plan with their patio drawn in as well as their neighbors; he stated that it would be very difficult to move the existing patio. He stated that their neighbor at 280 Wells Road has a garage that is also about 2' off the property line and also with a small shed behind it. He stated that it is their proposal to keep their shed as close as possible to the neighbors shed and garage so that this opens up the rest of the lot. Attorney Branse stated that the shed would be used to house the riding mower and various lawn equipment as the Vallones love to garden. Attorney Branse stated that their hardship is the shape of the lot and the improvements made on the lot. He also stated that the applicant is in her 80's and has had hip replacement and hopes that the Board will make this reasonable accommodation for her.

Attorney Branse entered into the record a letter from their neighbor, Mrs. William Klatt at 280 Wells Road in favor of this application. Attorney Kerrigan also wanted the Board to realize that this property is a corner lot.

Chairman Borea questioned how much of a variance is needed. Mr. O'Connor stated that a 3' side yard variance is needed.

Commissioner Bockstael questioned the dimensions of the patio. Attorney Kerrigan stated that the patio is 12' x 12'.

Commissioner Monroe questioned where the door of the shed would be located. Attorney Kerrigan stated that the door of the shed faces Linden Street.

There were no further questions or comments from the Board.

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

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA

Commissioner Bockstael, Clerk

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PRESENT: Morris R. Borea, Chairman
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Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT:

Also Present: Brian O'Connor, Chief Building & Zoning Official

Voting Members are: Chairman Borea, Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner DeAngelo, and Commissioner Munroe.

DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5926-05 Chris and Lois Young seeking a variance to construct an inground pool not in the required rear yard at 87 Liberty Hill East, west side, AA Residence Zone (§3.6D).

Upon motion made by Commissioner Bockstael, seconded by Commissioner Munroe and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as submitted.

APPLICATION NO. 5927-05 John & Jennifer Wolf seeking a variance to erect an addition to an accessory building not having the required side yard at 345 Wolcott Hill Road, west side, A Residence Zone (§3.6A).

Upon motion made by Commissioner Bockstael seconded by Commissioner DeAngelo and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as submitted.

APPLICATION NO. 5928-05 Sally Vallone seeking a variance to erect a shed not having the required rear and side yard set backs at 274 Wells Road, A Residence Zone (§3.6A).

Upon motion made by Commissioner Bockstael, seconded by Vice Chairman Vaughn, Jr. and a poll of the Board it was unanimously voted that the above application **BE APPROVED** to allow a 3' variance.

APPROVAL OF MINUTES

Upon motion made by Vice Chairman Vaughan, Jr. seconded by Commissioner Bockstael and a poll of the Board it was unanimously voted that [the minutes of August 22, 2005](#) **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 7:35 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA

Commissioner Bockstael, Clerk