

**TOWN OF SOUTH WINDSOR  
ZONING BOARD OF APPEALS**

***Minutes***

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***January 3, 2019***

**MEMBERS PRESENT:** Erik Dabrowski, Wayne Kilburn, Steven Carty, Teri Parrott, James Kupchunos

**ALTERNATES PRESENT:** Elizabeth McGuire

**STAFF PRESENT:** Pamela Oliva, Zoning Enforcement Officer  
Donna Thompson, Recording Secretary

The following are motions made during the January 3, 2019 Public Hearing/Regular Meeting.

Chairman Erik Dabrowski called the public hearing to order at 7:30 pm.

The Recording Secretary read the legal notice as published in the Journal Inquirer on Saturday, December 22, 2018 and Saturday, December 29, 2018.

**Public Hearing / Madden Room**

App. 2826-19 – Craig Kochanski – request for two variances, 1) a 35 ft variance to Table 3.1.2A to allow an existing structure to remain 15 ft from the rear yard property line (50 ft required), and 2) a 35 ft variance to Table 6.2.4A to allow a 15 ft buffer on three approved lots (50 ft required) on property located at 108, 118 and 128 Troy Road, A30 zone.

Mr. Kochanski presented the application. Troy Road is a residential area classified mainly as an A-20 zone. A number of years ago, the Town re-zoned part of the area to General Commercial. This included 118 Troy Road, which has since been subdivided into 108, 118 and 128 Troy Road. Mr. Kochanski recently requested a zone change back to a residential zone. The Town would not support a change to the A-20 zone in concern for possible future additional subdivision of the property. If the property had been zoned A-20, there would be no need for any variances. But because the setback requirements are different for the A-30 zone and there is a buffer requirement due to the previous re-zone to general commercial, the existing structure on 128 Troy is now within the setback area and has become non-conforming. Mr. Kochanski is requesting the variances to the setback and the buffer requirement in order to maintain the existing structure and allow further development of the lot on 128 Troy Road. Mr. Kochanski feels the hardship exists due to the blanket re-zone from existing residential to commercial, then going back to residential. But now there is the buffer requirement and the Town is requiring the A-30 zone. This zone change is to right a wrong done long ago. There is no commercial on Troy Road, just one recently zoned Industrial lot. The rest of the street is A-20 residential. Mr. Kochanski stated that the neighbors he has spoken with are glad to have the property re-zoned back to residential. Mr. Kochanski stated that he has realized that there is no need for the buffer variance on 108 Troy and 118 Troy, due to extensive wetlands on those parcels - the area is not buildable. Mr. Kochanski acknowledges that the variances pertain to 128 Troy Road only.

Close hearing @ 8:07 pm  
Was made by Board Member Parrott  
Seconded by Board Member Kilburn  
The motion: Carried  
Vote: Unanimous

**Deliberations**

App. 2826-19 – Craig Kochanski – request for two variances, 1) a 35 ft variance to Table 3.1.2A to allow an existing structure to remain 15 ft from the rear yard property line (50 ft required), and 2) a 35 ft

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variance to Table 6.2.4A to allow a 15 ft buffer on three approved lots (50 ft required) on property located at 108, 118 and 128 Troy Road, A30 zone.

Board Members agreed that the hardship is relatively straightforward in that it was created by a zone change approved by the Town which made the existing lot non-conforming. There was some confusion as to the second variance request for the buffer reduction on the three lots. Board Members determined that the variances needed pertain to 128 Troy Road only – one for the setback and one for the buffer reduction.

The Board determined the hardship to be the re-zoning of the property several times has made the existing structure non-conforming.

Motion to: approve #2826-19, request for two variances, 1) a 35 ft variance to Table 3.1.2A to allow an existing structure to remain 15 ft from the rear yard property line (50 ft required), and 2) a 35 ft variance to Table 6.2.4A to allow a 15 ft buffer (50 ft required), on property located at 128 Troy Road, A30 zone.

Motion to: deny #2826-19, request for a 35 ft variance to Table 6.2.4A to allow a 15 ft buffer (50 ft required), on property located at 108 and 118 Troy Road, A30 zone.

Made by: Board Member Kilburn  
Second: Board Member Kupchunos  
Motion: Carried  
Vote: Unanimous

**Approval of Minutes**

Motion to: approve minutes of December 6, 2018  
Was made by Board Member Carty  
Seconded by Board Member Parrott  
The motion: Carried  
Vote: Unanimous

**New Business:** none

**Old Business:** none

**Correspondence:** none

**Adjournment:**

Motion to: adjourn the meeting at 8:11 pm  
Was made by Board Member Parrott  
Seconded by Board Member Kupchunos  
The motion: Carried  
Vote: Unanimous

Respectfully submitted,

Donna Thompson  
Recording Secretary

**Approved: February 7, 2019**