

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

Minutes

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April 6, 2017

MEMBERS PRESENT: James Kupchunos, Steven Carty, Joseph Etter

ALTERNATES PRESENT: Paul Oates sitting for Teri Dickey-Gagnat
Elizabeth McGuire, sitting for Wayne Kilburn

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

The following are motions made during the April 6, 2017 Public Hearing/Regular Meeting.

Vice Chairperson Kupchunos called the public hearing to order at 7:35 pm in the Madden Room.

The Recording Secretary read the legal notice as published in the Journal Inquirer.

1. Public Hearing

Appl. 2798-17 – Michael A. Foran, representing Daniel & Claire Niziankiewicz – request for a variance to Section 2.14E to allow a 22' by 22.8' addition to an existing home resulting in the expansion of the single family residential use which is non-conforming, located at 348 Strong Road, Industrial Zone.

Mr. Foran presented the application. The need for the addition is to accommodate his growing family. The addition will be on the back of the house. Mr. Foran showed the Commission a copy of the plan for the addition which he had just received today. As it is the only copy, Mr. Foran retained possession of this plan.

There was discussion regarding the wording of Section 2.14E of the regulations, and if in fact or how this application for variance was necessary. It was the consensus of the Commission that the house was built prior to the property being zoned Industrial based on the years the homes in the area were built (1950's). Thus making it a non-conforming structure for the zone.

Motion to: close public hearing at 8:04 pm
Was made by Commissioner Etter
Seconded by Commissioner Oates
The motion: carried
Vote: unanimous

2. Deliberative Session

Appl. 2798-17 – Michael A. Foran, representing Daniel & Claire Niziankiewicz – request for a variance to Section 2.14E to allow a 22' by 22.8' addition to an existing home resulting in the expansion of the single family residential use which is non-conforming, located at 348 Strong Road, Industrial Zone.

Motion to: approve Appl. 2798-17 as presented
Was made by Commissioner Etter
Seconded by Commissioner Oates

There was further discussion regarding the language of the regulation, which seems somewhat confusing. The Commission determined that a variance for the addition would be applicable due to the non-conforming nature of the property and other properties in the neighbor that had previously received variances.

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Hardship: this is an existing residential house in an industrial zone and this request is consistent with the character of the neighboring properties.

The motion: carried
Vote: Unanimous

3. Approval of Minutes

Motion to: approve minutes of 3/2/2017
Was made by Commissioner Carty
Seconded by Commissioner McGuire
The motion: carried
Vote: unanimous

4. New Business:

- a) Review and discussion of form for Appeal of Zoning Enforcement Action – approved by commission; the Variance Application and the Appeal to Zoning Enforcement Action will now be two separate forms.
- b) ZBA Application Fee/Costs: A spreadsheet showing costs associated with ZBA applications was provided to the Commissioners for their reference in considering an increase in the application fee. Once completed, a survey of the application fees for neighboring towns will also be provided for their deliberation.

5. Old Business: Proposed by-laws revisions

Commissioner Etter stated that he is seeking input from the rest of the Commission to assist with the revisions. Commissioner Etter would like application forms included as addendums to the by-laws.

6. Correspondence: Commissioners and staff signed a card for Teri Dickey-Gagnat.

7. Adjournment:

Motion to: adjourn the meeting at 8:56 pm
Was made by Commissioner Etter
Seconded by Commissioner Oates
The motion: carried
Vote: unanimous

Respectfully submitted:

Donna Thompson
Recording Secretary

Approved: May 4, 2017