

ZONING BOARD OF APPEALS
TOLLAND, CONNECTICUT
REGULAR MEETING MINUTES OF JUNE 24, 2010

MEMBERS PRESENT: Warren McDermott, Chair
Peggy Boyajian, Vice Chair
Vin Avino, Secretary
Robert Green
Kuhrt Bidorini, Alternate

MEMBERS ABSENT: Stephen Caron

OTHERS PRESENT: Stephen Lowrey, Zoning Enforcement Officer & Wetlands Agent
Applicants

CALL TO ORDER

Mr. McDermott called the meeting to order at 7:32p.m. in Council Chambers. He seated Kuhrt Bidorini for Stephen Caron. He explained the two-part process of the meeting and confirmed that all members had visited the sites.

MOTION: Peggy Boyajian/Robert Green motion to open the Public Hearing. Motion was unanimously approved. Mr. Avino read the legal notice into the record.

PUBLIC HEARING

1. ZBA #10-4 – William J. Blais: 437 Tolland Stage Road. Two Variances from Sec. 170-85.B.1 to allow construction of a shed to be 3’ from the westerly side property line and 65’ from the front property line where 25’ and 75’ are required.

William Blais of 437 Tolland Stage Road attended the meeting and turned in the receipts for notifications to neighbors. He said he would like to put up a shed on his property that would be 3’ from the side property line and 65’ from the front property line. He said a suggestion had been made to put the shed in the back corner of his lot, but there would not be enough room with the pool on the property. Additionally, this is where water runoff from the property occurs and if he leveled out the area, he is afraid the shed would get flooded out. Other areas would not work because of the location of the septic and the fact that the leech field takes up most of the back yard. Beyond the leech field, the property is heavily wooded, and the well cap is located on the flattest spot on the property. He said his closest neighbor does not have any objection to his locating the shed where he would like.

Mr. McDermott asked how tall the shed is. Mr. Blais said he is not sure, but it is a Kloter Farms shed with about a 30-pitch roof. Mr. Bidorini asked if Mr. Blais had provided a picture of the shed. Mr. Blais did not, but he said it is 12’ x 16’ in size. Mr. Green asked if there is any drainage issue from the neighbor’s side of the property. Mr. Blais said there is not.

Mr. Avino said he would feel more comfortable if the shed could be a little further than 3’ from the property line, and asked if it could be moved a little closer to the house. He said it could be a concern if there was ever a need to paint it or if Mr. Blais someday had a new neighbor who objected to the shed being so close to the property line.

Mr. Bidorini asked how far the shed would be from the house and Ms. Boyajian said it looked like about twenty feet. She asked if the entryway on the shed could be from the front rather than from the

side so access to the shed would create less interference. Mr. Blais said he is buying the shed from existing stock off the Kloter Farms lot so the shed is already built and cannot be altered. He said where he works, they allow a 3' working space to get things done and this never poses a problem. He said he could squeeze out possibly another two feet to set the shed 5' from the property line if need be. Mr. Avino said he would feel more comfortable with a 5' distance. Mr. McDermott agreed, saying the drip edge on a shed can add another foot anyway. Ms. Boyajian also agreed with increasing the distance from the property line to 5', particularly if the fence between the properties might need to be replaced one day. She noted also that the slope of the land becomes more flat the further distance you get from the fence. Mr. Blais asked if he could put up another fence. Mr. Lowrey said the town does not regulate fences until they reach a height of 8 feet.

Mr. Blais was asked if the 5' distance would be amenable for him. Mr. Blais said it was doable. Ms. Boyajian also confirmed that the shed would be no closer than 65' from the front property line. There were no further questions.

2. ZBA #10-5 – Donald W. Fahr: 2 Ann Drive. Two Variances from Sec. 170-37.E to allow construction of a front porch to be 11' from the front property line and a day room to be 38' from the front property line, where 40' are required.

Donald Fahr of 2 Ann Drive attended the meeting and turned in the receipts for notifications to neighbors. He would like to add a front porch and day room as described in the application and noted that in 1956 when the line was drawn for the street, it ended up covering three-fourths of his front yard. He said the house was built in 1957. Mr. Lowrey said this was done before planning or zoning existed in town. He said he was surprised to find that the Right Of Way is square on the corner. Mr. Green asked how many feet the house is from the Right Of Way. Mr. Fahr said it is 17 feet.

Ms. Boyajian asked if the addition will be behind the chimney. Mr. Fahr said it will be about 6" into the chimney. Mr. Fahr said the house had been vacant for about a year before he bought it, so there is a lot of work to be done. Mr. McDermott said his plans will be an improvement to the neighborhood.

MOTION: Vin Avino/Robert Green to close the Public Hearing. Motion was unanimously approved.

MOTION: Peggy Boyajian/Kuhrt Bidorini motion to open the Business Meeting. Motion was unanimously approved.

BUSINESS MEETING

1. ZBA #10-4 – William J. Blais: 437 Tolland Stage Road. Two Variances from Sec. 170-85.B.1 to allow construction of a shed to be 3' from the westerly side property line and 65' from the front property line where 25' and 75' are required.2

Mr. Avino said this is a tight piece of property. Mr. McDermott said the topography also poses a problem. Mr. Green also noted the drainage issues.

MOTION: Peggy Boyajian/Robert Green to approve ZBA App. #10-4 to allow a shed to be located no closer than 5' from the side property line and 65' from the front property line, the hardship being the position of the house on the lot and the topography of the land. Motion was unanimously approved.

2. ZBA #10-5 – Donald W. Fahr: 2 Ann Drive. Two Variances from Sec. 170-37.E to allow construction of a front porch to be 11' from the front property line and a day room to be 38' from the front property line, where 40' are required.

MOTION: Peggy Boyajian/Robert Green to approve ZBA App. #10-5 to allow a three-season enclosed porch to be constructed no closer than 11' from the front property line and a day room to be no closer than 38' from the front property line, the hardship due to the position of the house on the lot, the configuration of the street, and the house being set 17' from the Right Of Way of the road. Motion was unanimously approved.

Mr. Lowrey told both applicants that he will aim to get an advertisement in the paper that the variances were granted and send them their variances. They then need to come to the Town Clerk's office and have the variances filed on their land records, after which they can apply for a building permit. If they wish to get their building permits on the same day, then they should bring their receipt from the Town Clerk to the Planning Office.

ACCEPTANCE OF MINUTES

MOTION: Vin Avino/Kuhrt motion to approve the minutes of the May, 27, 2010 meeting. Motion was unanimously approved.

ADJOURNMENT

MOTION: Peggy Boyajian/Vin Avino to adjourn the meeting and pay the clerk at 7:55 P.M. Motion was unanimously approved.

Respectfully submitted,

Annie Gentile
Clerk