

MINUTES OF DECEMBER 4, 2017 MEETING FOR THE
EASTON ZONING BOARD OF APPEALS

The meeting was called to order at approximately 5:30pm by Chairman, John Harris
Regular members present - Patricia Berlin, John Harris, Victor George and Charles
Lynch
Regular members absent - Raymond Ganim
Alternate members present - Thomas Dollard and Maureen Williams
Alternate members absent - Dr. Mitchell Greenberg
For the record: Thomas Dollard was appointed to vote for Raymond Ganim

1. **Appointments:** None

2. **Public Hearings:**

Z-17-5137-06, Paul L. and Diana M. Rimmell, 25 Easton Heights Lane, Easton, CT, for a variance of Article 5, Sect./Para. 5.4.1 of the Easton Zoning Regulations in order to allow for a covered outdoor kitchen in the rear setback, 11.5 ft. in-lieu-of 40 ft. The Chairman reopened the hearing that was recessed from November 6, 2017 at the owner/applicant's request so that Mr. Rimmell could attend the hearing. Mr. Rimmell presented the application and stated that the grill area was built when the pool was built in 2005-2006 and that they had only recently, about two years ago, covered the grill area for an outdoor kitchen. Mr. Rimmell stated that they had not changed the parameters of the outdoor kitchen, just covered it with a roof. Mr. Rimmell also stated that there was a strip of land behind the outdoor kitchen, 56 feet wide, that could not be built upon because of the setback regulations; they attempted to purchase this strip but were refused. No one from the public spoke for or against the application; the public hearing was closed. Motion was made by Thomas Dollard, seconded by Charles Lynch, to grant the application for variance, the hardship being the shape of the lot, long and narrow, the location of the house towards the rear of the property, and the fact that the grill area has been located on the original plan when the pool was built in 2006, and therefore, had been in existence for more than three years. The owner stated that he had explored the option to acquire the strip of land to the rear of the property but was refused. In addition, it was recognized that the strip of land to the rear of the covered outdoor kitchen could not be built upon and therefore, the literal enforcement of the rear setback regulation would result in a hardship. The vote was unanimous, 5-0, motion carried.

Z-17-5145-07, Jessica Schefiliti, 28 Laskay Drive, Easton, CT for a variance of Article 5, Sect./Para. 5.4.1 of the Easton Zoning Regulations in order to construct a two car garage with bedroom and bath above, 36ft., in-lieu-of 40ft., side yard setback. Domenic Schefiliti, P.E. L.S. presented the application and discussed the eight page attachment to the application noting they were not further encroaching on the existing non-conformity of 36 feet in-lieu-of 40 feet, side yard setback. Mr. Schefiliti noted that they would need a variance for a one car garage and that the second garage was jogged back to avoid further encroachment of the side setback.

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2. Public Hearings (continued):

Z-17-5145-07, Jessica Schefiliti, 28 Laskay (continued):

Mr. Schefiliti submitted three drawings of the house for the record which depicted the existing non-conformity and stated the proposed addition would not further encroach on the existing setback of 36 feet.

Dorothy L. D'Amato who was present had submitted a letter dated November 28, 2017, received December 1, 2017 by the Easton Zoning Board of Appeals, which the Chairman read for the record. Discussion was held regarding plantings; the Board determined that they did not have ability to require any plantings but that the neighbors could discuss that among themselves and possibly share the cost.

The chairman closed the public hearing. Motion was made by Charles Lynch, seconded by Victor George, to grant the variance, the hardship being the location of the house on the property and that the proposed two car garage will not further encroach on the existing side yard setback nor increase the existing non-conformity of the dwelling, **36ft.** in-lieu-of 40ft., side yard setback. The applicant demonstrated the owner had explored other options and had jogged the second garage back in order to not further encroach on the existing side yard setback and that the literal enforcement of the zoning regulations would result in a hardship. The vote was unanimous, 5-0, motion carried.

Z-17-5150-08, Polly D'Addario, 41 Sport Hill Road, Easton, CT for a variance of Article 5, Sect./Para. 5.4.1 of the Easton Zoning Regulations in order to allow for an addition of a bedroom and bath above an existing garage, **29ft.**, in-lieu-of 40ft., side yard setback. Applicant for the owner, Paul Beliveau, presented the application and stated that the owner wished to add 1 bedroom and 1 bathroom above an existing garage and stated the current design will have no further encroachment of the setback. Mr. Beliveau noted that the garage was originally built in 1976 by the past owners and that they explored alternative options but that his design maintained the original character of the property. Mr. Beliveau further noted that they would not increase the structure's footprint.

Robert Speed and Dorothy Rudden, both of 33 Sport Hill Road, adjacent neighbors, spoke in favor of the application. The Chairman closed the public hearing.

Motion was made by Patricia Berlin, seconded by Victor George, to grant the variance, the hardship being the location of the house on the property and that the proposed addition is above an existing garage and there will be no expansion of the footprint of the structure and no further encroachment on the existing setback of **29ft.**, and therefore, the literal enforcement of the zoning regulations would result in a hardship. The vote was unanimous, 5-0, motion carried.

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3. **Minutes:** Minutes for July 5, 2017 – Motion was made by Victor George, seconded by Thomas Dollard, to accept the minutes of the Easton Zoning Board of Appeals Meeting of July 5, 2017 as filed. The vote was unanimous, 4-0, motion carried. Patricia Berlin did not vote as she did not attend that meeting.

Minutes for November 6, 2017 - Motion was made by Victor George, seconded by Patricia Berlin, to accept the minutes of the Easton Zoning Board of Appeals Meeting of November 6, 2017 as filed. The vote was unanimous, 5-0, motion carried.

4. **New Business:** The Chairman accepted and read for the record a letter of resignation submitted by Patricia Berlin.
5. **Meeting Adjourned:** Motion was made by, Thomas Dollard, seconded by Charles Lynch, to adjourn the meeting at approximately 7:00PM. The vote was unanimous, motion carried.


Margaret Anania, Recording Secretary