

ADOPTED FINAL
SEPTEMBER 3, 2014 EASTON ZONING BOARD OF APPEALS MINUTES

The meeting was called to order at 5:37pm by Acting Chairman Patricia Berlin.

Regular members present - Dr. Mitchell Greenberg, Victor George and Patricia Berlin

Regular members absent - Charles Lynch and John Harris

Alternate members present - Raymond Ganim and Thomas Dollard

Alternate members absent - Gregory Alves

For the record – Raymond Ganim was appointed to vote for Charles Lynch and Thomas Dollard was appointed to vote for John Harris

1. Appointments: None

2. **Public Hearing:**

Z-14-4841-05, Charles L. Bailey III and Kimberly M. Bailey, 42 Sunset Road, Easton, CT, for a variance of Article 5, Sect./Para. 5.4.1 of the Easton Zoning Regulations in order to allow for the retention of a shed 17.7 feet in lieu of 40 feet, minimum side yard setback and 20.4 feet in lieu of 40 feet, minimum rear yard setback. Mr. Bailey presented the application and stated that since the shed was on blocks with no foundation, he thought it was considered temporary and did not need a permit. He stated that it was located in a spot screened by evergreens. Mrs. Bailey also stated that she had spoken with Polly Edwards, Health Officer, who stated that no structure even without a foundation could be placed within 10 feet of any part of the septic system; therefore, because of the location of the septic the house and the pool there was no place that the shed could be located in a conforming location.

No one from the public spoke for or against the application for variance. The public hearing was closed.

3. **Decision:** On **Z-14-4841-05, Charles L. Bailey III and Kimberly M. Bailey, 42 Sunset Road, Easton, CT,** for a variance of Article 5, Sect./Para. 5.4.1 of the Easton Zoning Regulations in order to allow for the retention of a shed 17.7 feet in lieu of 40 feet, minimum side yard setback and 20.4 feet in lieu of 40 feet, minimum rear yard setback, motion was made by Dr. Mitchell Greenberg, seconded by Thomas Dollard, to approve with conditions the application for variance with the following conditions: that there be no expansion of the shed, that there be no extension of utilities to the shed, and that the shed must remain in a moveable capacity. This application for variance was approved with conditions based on the facts that the size of this lot is nonconforming, the location of the septic system and other improvements on the lot and that there is no other place you could put this shed that would be conforming.



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3. Decision: (continued)

After discussion the motion was amended to include that the landscape screening must be maintained. The final motion appeared as follows:

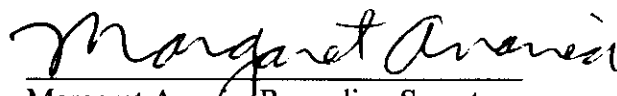
Motion was made by Dr. Mitchell Greenberg, seconded by Thomas Dollard, to approve with conditions the application for variance with the following conditions that there be no expansion of the shed, that there be no extension of utilities to the shed, that the shed must remain in a moveable capacity and that adequate landscape screening must be maintained. This application for variance was approved with conditions based on the facts that the size of this lot is nonconforming, the location of the septic system and other improvements on the lot and that there is no other place you could put this shed that would be conforming.

The vote was four in favor with one abstention, motion carried. Patricia Berlin abstained as she lived around the corner from the owners.

6. Minutes: Minutes for July 7, 2014

Motion was made by Raymond Ganim, seconded by Patricia Berlin, to approve the minutes for July 7, 2014 as amended. The vote was unanimous, motion carried.

7. Meeting Adjourned: Motion was made by Patricia Berlin, seconded by Victor George, to adjourn the meeting at approximately 6:15PM. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary