

**GLASTONBURY ZONING BOARD OF APPEALS**  
***Regular Meeting Minutes of Monday, November 2, 2020***

The Glastonbury Zoning Board of Appeals with Peter Carey, Building Official, in attendance held a Regular Meeting on Monday, November 2, 2020 via ZOOM video conferencing.

**ROLL CALL**

**Board Members- Present**

Brian Smith, Chairperson  
Sandra O’Leary, Vice Chairperson  
Nicolas Korns, Secretary  
Timothy Lamb  
Jaye Winkler  
Susan Dzialo, Alternate  
David Hoopes, Alternate

**Board Members- Excused**

Doug Bowman, Alternate

Chairman Smith called the meeting to order at 7:00 pm and explained the public hearing process to the audience. Chairman Smith also noted that 4/5 votes are needed for an application to pass and there is a 15-day appeal period.

Secretary Korns read the 4 agenda items.

**Public Hearing**

- 1. Tabled the application of Yuchen Xie from the October 5, 2020 Zoning Board of Appeals meeting for a Special Exception to allow stabling of horses for personal use at 192 Wassuc Rd in RR zone.**

Mr. Carey read the 1<sup>st</sup> application.

Ms. Yuchen Xie stated that she would like a horse and a barn to accommodate the horse. No plans were included in the application.

Chairman Smith brought up the point that part of Ms. Xie’s property is close to the Upland Review Area and that would need to be addressed by the Conservation Commission/Inland Wetlands and Watercourse Agency (IWWA). Mr. Carey replied correct.

Ms. Xie suggested that the barn for the horse can be on the part of her property that has a garden. Ms. O’Leary stated that it does not look like the right spot for a horse. Ms. Xie stated that the garden is a large area. Ms. O’Leary stated that she cannot visualize a horse riding there. Ms. Xie stated that the horse can access a trail. Ms. O’Leary inquired which trail would be used. Ms. Xie stated that she does not know and will find one. She also explained that the garden will eventually be gone because her parents are the ones who maintain that.

Mr. Lamb inquired about where the fence would be located. He also added that the application is not thought out and there are no plans for the Board to approve.

Ms. Winkler stated that the Board is not approving a plan, but deciding whether the property can accommodate a horse.

Mr. Hoopes stated that a fence is not required. Mr. Carey stated that is correct.

Secretary Korns questioned if the applicant has enough acreage to meet the requirements of having a horse. Mr. Carey stated that the total acreage does not exclude wetlands, flood zone, or conservation easements and it would all still count toward the overall acreage.

Chairman Smith noted that the application is a special exception and stated that the Board needs specific information regarding the location of the pit and structure that that will be put in.

Mr. Hoopes inquired if the Board received any details about the barn. Ms. O’Leary stated that nothing was provided and the application is vague. Mr. Hoopes suggested that the applicant come back and provide a site plan and details on the waste pit.

Chairman Smith stated that the Board would like to see specifics.

Mr. Carey explained that the applicant has 65 days to provide information and present again.

Mr. Lamb stated that he understands that the applicant wants a horse and has a property, but the Board needs to make sure that it is in compliance with the regulations. Ms. O’Leary agreed with Mr. Lamb. Mr. Lamb added that the applicant has to submit specific plans.

Chairman Smith stated that he will ask if the applicant is agreeable to presenting more information at the December public hearing. Chairman Smith reiterated that the Board would need to know where the barn and pit are to be located. He also added that the applicant needs to provide a drawing or plans and detailed information.

Ms. Winkler explained that she teaches riding in Glastonbury and has encountered people who buy prebuilt barns or plans. She also noted that her statement was not meant to mitigate the concerns of the Board.

Ms. O’Leary suggested that Ms. Winkler explain to the applicant what is needed, including the rules and regulations. Ms. O’Leary added that the application was insufficient. Ms. Winkler stated that she is willing to clarify the requirements to any applicant. Mr. Carey stated that he can help the applicant with some of that and noted that Ms. Winkler would need to recuse herself if she helps Ms. Xie with the application. Ms. Winkler stated that she has no interest financially and does not know the applicant. She also noted that she can only offer experience on horse ownership in Glastonbury.

Chairman Smith asked Ms. Xie if she is willing to provide more information and present at the December 7, 2020 meeting. Ms. Xie stated yes.

**Motion by:** Mr. Lamb

**Seconded by:** Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals continues the application of Yuchen Xie of 192 Wassuc Rd. until the public hearing of December 7, 2020.

**Result:** Motion passes unanimously. (5-0-0)

Chairman Smith thanked the applicant.

**2. Tabled the application of Filomena and Vasco Gomes from the October 5, 2020 Zoning Board of Appeals meeting for a Special Exception to allow a fourth car garage space at 3108 Hebron Avenue in RR zone.**

Mr. Carey read the 2<sup>nd</sup> application.

Mr. Jim Dutton of Dutton and Associates is representing the homeowners. Mr. Dutton stated that they are proposing a 2-bay carport measuring 22 feet by 24 feet. The location of the carport will be in the northerly section of the property. Mr. Dutton stated that the Town owns the property to the west, which is Longo Open Space.

Mr. Dutton explained that the purpose of the carport is to store a plow truck and other equipment. He added that the structure of the carport is relatively simple and it conforms to all zoning regulations. Mr. Dutton stated that the carport will not be visible from Hebron Avenue or to the neighbors.

Mr. Lamb inquired if the applicants are adding a 3<sup>rd</sup> and 4<sup>th</sup> garage or a 4<sup>th</sup> and 5<sup>th</sup> garage. Mr. Dutton stated that the existing carport is not really a carport but an overhang. He explained that a car would stick out and would not be covered.

Ms. O'Leary inquired if it is a carport or a garage. Mr. Dutton stated that it is a carport. Ms. O'Leary inquired if there are no sides. Mr. Dutton stated there are no sides and showed a rendering of the carport which is open on all sides. Ms. O'Leary noted that if machinery is stored in the carport, the equipment can get wet during a storm. Mr. Dutton agreed that water can come from the sides but stated that it is somewhat protected.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicant.

**3. By Christopher Switalski for a variance from section 4.2.4 to allow a lot without the required frontage at 1326 Hebron Avenue in RR zone owned by Anna Valente, Aida Morin, Tony Grasso and Angelo Grasso.**

Mr. Carey read the 3<sup>rd</sup> application.

Mr. Switalski stated that he is trying to purchase a parcel of land that does not meet the frontage requirements. He noted that the parcel had a border dispute in the past. Mr. Switalski informed the Board that he had a survey done and the projected frontage is 118.2 feet. He stated that he is only asking for 6.8 feet and added that it is not a huge departure from the neighborhood.

Mr. Switalski put up a rendering of the proposed house and stated that it meets all of the side line requirements and has more than enough space for a septic system in the back. He reiterated that he only needs 6.8 feet of space and needs to know if it is legally possible to construct a house on that parcel.

Mr. Hoopes inquired if Mr. Switalski is under contract to purchase the property. Mr. Switalski stated correct. Mr. Hoopes inquired if the adjacent lot is owned by the property owners. Mr. Switalski stated that they used to own the property on 18 Wickham Road. Mr. Hoopes stated that it is a non-conforming lot.

Mr. Lamb inquired about the square footage of the lot. Mr. Switalski stated that it is 0.56 acres and explained that the lot has a variance from lot size but not frontage.

Mr. Carey explained that the lot was created through a variance, but the frontage was never considered.

Mr. Switalski stated that the property on 1344 claimed the sliver of land that was in dispute. He also explained that in the deed from the 1960s, the sliver was considered part of 1308.

Mr. Hoopes stated that the variance to create an undersized lot should have included a variance for the frontage as well. He stated that that the variance would have been granted, but it was missed.

Mr. Lamb stated that the issue is more of a technicality.

Chairman Smith inquired about who surveyed the property. Mr. Switalski stated that it was Oswald Blint. Chairman Smith noted that the frontage on the survey is 118.2 feet and the applicant needs 125 feet.

Ms. O'Leary stated that the difference is 6.8 feet.

Mr. Switalski stated correct.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicant.

**4. By Christopher Stiepoek for a variance from section 4.5.6 to allow an addition closer to the front property line than permitted at 62 Clinton Street in Residence A zone.**

Mr. Carey read the 4<sup>th</sup> application.

Mr. Stiepoek stated that he wants to build an 8-foot by 10-foot deck. He informed the Board that the cement stairwell and iron guard rail are in disrepair. Mr. Stiepoek stated that he does not like the dilapidated stairs and is asking the Board to grant him a variance.

Chairman Smith inquired if Mr. Stiepoek was asking for an 8-foot variance. Mr. Stiepoek stated correct and noted that there are no sidewalks on Clinton Street.

Mr. Lamb noted that the house predates zoning and inquired if the house is currently 40 feet from the property line. Mr. Stiepoek stated that he has 2 combined lots on Clinton street. Mr. Lamb explained that the Board needs specific information.

Mr. Carey stated that on the GIS it is roughly 37 feet from the closest part of the property line. He also explained that the proposed deck would be 3 feet over the requirement.

Mr. Lamb stated that he has driven in the area and seen houses that are even closer to the front property line.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Secretary Korns stated that he heard different numbers and inquired if it would be acceptable to add “no closer than 25 feet to the front property line” in the motion. Mr. Stiepoek stated that he thought it was 37 feet. Secretary Korns explained that 37 feet is before the structure is built. Mr. Stiepoek stated that it should be enough. Secretary Korns noted that Clinton Street is full of non-conforming properties.

Chairman Smith thanked the applicant.

*Chairman Smith informed the Board that they will take a short recess and then move on to deliberations.*

- 1) Action on Public Hearings**
  
- 2. Tabled the application of Filomena and Vasco Gomes from the October 5, 2020 Zoning Board of Appeals meeting for a Special Exception to allow a fourth car garage space at 3108 Hebron Avenue in RR zone.**

Secretary Korns read the 2<sup>nd</sup> application.

***Motion by:*** Mr. Lamb

***Seconded by:*** Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Filomena and Vasco C. Gomes for a Special Exception as provided for in section 7.1b.2b.1 to allow a fourth car garage at 3108 Hebron Avenue in RR zone as presented in the application package. The requirements of Section 13.9 have been met.

**Discussion:**

Mr. lamb stated that there is plenty of land and the application is fine.

Ms. Winkler inquired if the Board will need to specify it if it is a 3<sup>rd</sup> and 4<sup>th</sup> garage.

Mr. Lamb noted that the applicants are only asking for a 4<sup>th</sup> space, a third is allowed.

Ms. Winkler stated that they do not have to mention it and thinks the application is sensible. She also added that the proposed garage will not be visible and she will vote in favor.

**Result:** Motion passes unanimously. (5-0-0)

**3. By Christopher Switalski for a variance from section 4.2.4 to allow a lot without the required frontage at 1326 Hebron Avenue in RR zone owned by Anna Valente, Aida Morin, Tony Grasso and Angelo Grasso.**

Secretary Korn reads the 3<sup>rd</sup> application.

**Motion by:** Ms. Winkler

**Seconded by:** Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Christopher Switalski for a variance from section 4.2.4 to allow a lot with less than the required frontage but not less than 118.2 feet at 1326 Hebron Avenue in RR zone owned by Anna Valente, Aida Morin, Tony Grasso and Angelo Grasso on the grounds that the lot predates current zoning and the actual shortage is an anomaly of the way the lots were divided in the past. The requirements of Section 13.9 have been met.

**Discussion:**

Secretary Korn stated that it makes sense and noted that the variance for the frontage is not significant. He added that it will enhance the neighborhood.

Chairman Smith agreed with Secretary Korn and added that it is not a big change.

**Result:** Motion passes unanimously. (5-0-0)

**4. By Christopher Stiepoek for a variance from section 4.5.6 to allow an addition closer to the front property line than permitted at 62 Clinton Street in Residence A zone.**

Secretary Korn reads the 4<sup>th</sup> application.

**Motion by:** Secretary Korn

**Seconded by:** Ms. O'Leary

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Christopher Stiepoek for a variance from section 4.5.6 to allow an addition closer to the front property line than permitted but no closer than 25 feet at 62 Clinton Street in Residence A zone on the grounds that the planned addition will be consistent with the surrounding neighborhood which already has other non-conforming properties. The requirements of section 13.9 have been met.

**Discussion:**

Secretary Korn stated that what the applicant is planning is an enhancement to the neighborhood. He added that the neighborhood already has non-conforming structures and it will not look out of place.

Chairman Smith agreed.

Ms. Winkler stated that it is a safety issue as well, because the existing railing and steps are deteriorating.

**Result:** Motion passes unanimously. (5-0-0)

**2) Acceptance of Minutes from October 5, 2020 meeting**

**Motion by:** Mr. Lamb

**Seconded by:** Secretary Korn

MOVED, that the Glastonbury Zoning Board of Appeals approves the minutes as presented.

**Result:** Motion passes unanimously. (5-0-0)

**Discussion:**

Chairman Smith stated that he will follow up with Mr. Carey about what was discussed at the last meeting. The next ZBA meeting will be on December 7, 2020.



### 3) Adjournment

*Motion by:* Secretary Korn

*Seconded by:* Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals adjourns their regular Meeting of November 2, 2020 at 8:33pm.

*Result:* Motion passes unanimously. (5-0-0)

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Brian Smith, Chairperson