

GLASTONBURY ZONING BOARD OF APPEALS  
*Regular Meeting Minutes of Monday, December 6, 2021*

The Glastonbury Zoning Board of Appeals with Mr. Jonathan Mullen, Planner, in attendance held a Regular Meeting on Monday, December 6, 2021 via ZOOM video conferencing.

**ROLL CALL**

**Board Members- Present**

Brian Smith, Chairman  
Nicolas Korn, Secretary  
Jaye Winkler  
Susan Dzialo  
David Hoopes  
Doug Bowman, Alternate

**Board Members- Excused**

Philip Markuszka, 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 Korn read the agenda items. The first application was withdrawn.

**Public Hearing**

- 1. By Richard Czarnecki for a Use Variance from Section 7.1a.1 to permit an accessory structure to be located on a lot without a Principal structure at Lot N-82 Old Hebron Avenue in RR zone. (Application withdrawn.)**
- 2. By Jim Farley for a special exception as provided for in Section 7.1b.2b.1 to allow a 4th car garage space at 291 Candlelight Drive in Rural Residence zone.**

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

Mr. Jim Farley began the presentation. He briefly summed up that he has submitted all of the plans and added that the application is straightforward. Mr. Farley noted that he met with a Town official and provided drawings outlining the 24-foot by 48-foot structure that includes a 2-car garage and an accessory structure. The presentation was concluded.

Chairman Smith asked Mr. Mullen if the application is just for a special exception.

Mr. Mullen replied correct.

Mr. Farley noted that he met with a very helpful Town official who is retiring.

Mr. Mullen said the official was Mr. Peter Carey.

Mr. Hoopes asked how the applicant would access the garage.

Mr. Farley stated that the garage doors face Strickland Street. He explained that Candlelight Drive is more difficult and would like to request access from Strickland, if it is acceptable.

Mr. Hoopes noted that it is not up to the Board.

Mr. Farley reiterated that he prefers to access the garage from Strickland Street.

Ms. Dzialo inquired about the square footage of the existing house.

Mr. Farley stated that it is about 2,400 square feet.

Ms. Dzialo inquired about the lot size.

Mr. Farley stated that it is about an acre.

Ms. Dzialo asked for a point of clarification. She noted that there are 2 bays attached to the house and inquired whether the total garage bays would add up to 6.

Mr. Farley explained that he is asking for 2 additional garage bays and an accessory space, which would not be used as a garage.

Ms. Dzialo noted that a house of this size would allow 3 bays and inquired if the total garage space would be 6.

Mr. Farley explained that he does not know the rules and noted that he was told that he can have 2 additional bays, making the total number 4. He stated that the other space would be accessory space.

Mr. Mullen read off a passage from Section 7.1b.2b.1:

*Dwellings containing less than 4,500 sq. ft. of gross finished floor area (excluding basements) may have a maximum of 3 garages and/or carport bays, except that the Zoning Board of Appeals may, as a special exception, grant approval for 1 additional garage and/or carport.*

He noted that the other 2 bays are not garage space but accessory space. Mr. Mullen explained that the applicant has 2 garage bays attached to the house. Proposed are 2 additional garage bays, with separate storage.

Ms. Dzialo explained that she thought the overall space, regardless of use intended, would count as garage bays.

Mr. Farley noted that the accessory space does not have garage doors.

Mr. Mullen explained that the opening on the accessory structure is 6 feet wide. He noted that a car cannot get in there.

Chairman Smith noted that, if someone changed the accessory space into a carport, it would require a door wider than 6 feet.

Mr. Farley offered to share his screen to show the design plans.

Several members of the Board told Mr. Farley there was no need.

Ms. Winkler inquired if the structure would be 19 feet high.

Mr. Farley replied yes and explained that it would match the roof pitch of the house. He noted that it would also aesthetically match the house.

Ms. Winkler asked Mr. Mullen to provide information on the height limitation of garages.

Mr. Mullen explained that the way the rule reads, the 15-foot limit is where the eaves are and not the cupola. He noted that the garage is within the setback regulations of both Candlelight Drive and Strickland Street.

Chairman Smith noted that the cupola would not count toward the height.

Mr. Mullen explained that the property is on a corner lot, and there is 75 feet from both Strickland Street and Candlelight Drive. The height regulations on this application have also been met.

Chairman Smith remarked that is the reason why the applicant is requesting a special exception. He noted that the Board will move on to the public comment portion of the meeting.

*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.*

Mr. Farley thanked the Board for their time.

- 3. By Carolyn Lodge for a variance from Section 4.2.7 to allow an addition closer to the side yard line than permitted, and a special exception as provided for in Section 8.2b to allow the rebuild of an existing non-conforming front porch but no closer than the existing non-conforming structure at 678 Matson Hill Road in Rural Residence zone.**

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

Mrs. Carolyn Lodge and Mr. Charles Lodge began the presentation. The homeowners stated that they are requesting a variance and a special exception. Mrs. Lodge explained that the physical hardship is due to the placement of the well, septic and the wetlands. The only available area for building the addition is outlined on the submitted plans. Mrs. Lodge noted that they have the full support of their neighbors, Mr. Gino Sala and Mrs. Kestrina Sala, who reside at 698 Matson Hill Road. Mrs. Lodge explained that the existing front porch already encroaches and the new porch will not encroach any further. The presentation was concluded.

Mr. Hoopes inquired whether a special exception would be needed since the applicants are not further encroaching on the front yard.

Mr. Mullen asked the applicants if they are expanding the foot plan or keeping the dimensions as is.

Mrs. Lodge stated that they are extending the area.

Mr. Hoopes noted that the applicants will not encroach further into the front yard, but the overall porch design will be expanded.

Mrs. Lodge put up a slide detailing the site plan and porch design. She explained that the new addition is on the left side.

Mr. Hoopes noted that one of the submitted documents contained an error. He explained that the lot shown does not belong to the applicants. Mr. Hoopes suggested for the applicants to fix the error and submit the correct document.

Mrs. Lodge stated that they will correct the paperwork.

Mr. Hoopes noted that, on Google, the property is shown as 658 Matson Road. He remarked that this is a separate problem.

Mrs. Lodge noted that the property is also wrongly listed as being on Chatham Hill Road.

Ms. Winkler inquired if the shed is part of the addition.

Mrs. Lodge explained that the shed will be relocated.

Chairman Smith wanted to confirm that the shed will not stay in the current location.

Mrs. Lodge replied correct.

Ms. Winkler inquired how close the new addition would be to the side yard.

Mrs. Lodge shared her screen and noted that the replacement porch will not encroach any further into the front.

Ms. Winkler stated that the language of the motion can include “no closer than 18 feet” and asked the applicants if that would work.

Mrs. Lodge stated that, based on the survey drawings, it would work.

Chairman Smith stated that it appears that the gable might stick out closer to the road. He noted that it is hard to tell based on the drawings. The Chairman stated that a variance for at least 19 feet would be needed.

Chairman Smith asked the Board if there were any additional questions. No questions were asked. The Chairman moved on to the public comment portion of the meeting.

*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.*

The applicants thanked the Board.

*The Chairman stated that a brief recess would be taken before the Board moves on to deliberations.*

### **Discussion:**

Secretary Korns noted that 18 feet and 19 feet were both suggested for the wording of the motion for the 3<sup>rd</sup> application. The Chairman stated that 18 feet would give the applicants more wiggle room.

#### **1) Action on Public Hearings**

#### **2. By Jim Farley for a special exception as provided for in Section 7.1b.2b.1 to allow a 4th car garage space at 291 Candlelight Drive in Rural Residence zone.**

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

**Motion by:** Ms. Dzialo

**Seconded by:** Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Jim Farley for a special exception as provided for in Section 7.1.b.2b.1 to permit a 4<sup>th</sup> car garage space at 291 Candlelight Drive in Rural Residence zone on the grounds that the addition is set within the property setbacks and is a reasonable addition within the scope of the special exception rules. Further, the additional criteria for decisions under Section 13.9 have been met.

**Discussion:**

Secretary Korns noted that special exceptions do not need a hardship. The Chairman replied correct and pointed out that the wording does not mention a hardship.

The Chairman asked if there was any further discussion. *There was no discussion.*

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

- 3. By Carolyn Lodge for a variance from Section 4.2.7 to allow an addition closer to the side yard line than permitted, and a special exception as provide for in Section 8.2b to allow the rebuild of an existing non-conforming front porch but no closer than the existing non-conforming structure at 678 Matson Hill Road in Rural Residence zone.**

Secretary Korns read the 3<sup>rd</sup> application.

**Motion by:** Secretary Korns

**Seconded by:** Mr. Hoopes

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Carolyn Lodge for a variance from Section 4.2.7 to allow an addition closer to the side yard line than permitted but no closer than 18 feet, and a special exception as provided for in Section 8.2b to allow the rebuild of an existing non-conforming front porch but no closer than the existing non-conforming structure at 678 Matson Hill Road in Rural Residence zone on the grounds that the proposed site and side yard addition is the only feasible one due to constraints of well and septic placement, conservation easement, wetlands and upland review area. The requirements of Section 13.9 have been met.

**Discussion:**

Chairman Smith stated that the applicants had a well-prepared presentation. He added that their proposal makes sense.

Secretary Korns agreed.

Mr. Hoopes remarked that it was a good presentation.

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

## **2.) Acceptance of Minutes from November 1, 2021 Meeting**

### **Discussion:**

Chairman Smith noticed that the wrong date is listed on the agenda. He explained that the first order of business is to amend the agenda.

**Motion by:** Secretary Korns

**Seconded by:** Ms. Dzialo

MOVED, that the Glastonbury Zoning Board of Appeals amends the agenda to reflect the minutes review from November 1, 2021, not October 4, 2021.

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

### **Discussion:**

The Chairman stated that they would move on to the approval of the minutes. He asked if there were any corrections.

Secretary Korns stated that he reviewed the minutes and found no corrections or additions.

**Motion by:** Secretary Korns

**Seconded by:** Mr. Hoopes

MOVED, that the Glastonbury Zoning Board of Appeals approves the November 1, 2021 minutes as presented.

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

### **Discussion:**

Secretary Korns informed the Board that, before he found out that the first application was withdrawn, he was researching the case from the previous hearing that occurred on September

13, 2021. Secretary Kornis stated that he tried to look for the September 13, 2021 minutes on the Town website and could not find them. He noted that he spoke with the Town Clerk and was told that the minutes from September 13, 2021 were never posted.

Chairman Smith thanked Secretary Kornis for bringing up the matter. The Chairman said he would speak to Ms. Krystina Kramer and will make sure that the minutes are uploaded to the Town website.

Ms. Winkler inquired if the Board would move on to approving the 2022 meeting dates. She noted that the dates were emailed along with the other information.

The Board members discussed their availability for the upcoming meetings.

Secretary Kornis noted that the location has not been specified. He explained that the Board might be bumped out of the meeting space because of the Board of Education meetings that happen during the same time slot. Secretary Kornis inquired if the Zoom format would run through March.

Mr. Mullen explained that it is still being worked out. He noted that the first meeting back in person will likely be in May. Mr. Mullen pointed out that the Board can still choose the Zoom format.

Mr. Hoopes remarked that he is fine with the Zoom format and added that it works well.

Ms. Winkler noted that the Zoom format is fine except for the materials. She explained that having packets delivered in full size is preferable, but noted that she can manage with the materials on screen, if it works better for Town Employees.

Secretary Kornis agreed and noted that the documents can be hard to read, but they can be expanded.

Mr. Bobby Ashton, IT Manager, suggested connecting computers to a TV screen for easier viewing.

Mr. Hoopes noted that it is a good idea.

Mr. Mullen asked the Board if they would vote on the meeting dates.

The Chairman stated that they should take care of that and asked if there were any changes to the dates. *No changes were suggested.*



**Motion by:** Chairman Smith

**Seconded by:** Secretary Korn

MOVED, that the Glastonbury Zoning Board of Appeals amends the agenda to add consideration of the 2022 meeting dates.

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

**Motion by:** Mr. Hoopes

**Seconded by:** Secretary Korn

MOVED, that the Glastonbury Zoning Board of Appeals approves the 2022 meeting dates.

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

**Discussion:**

Chairman Smith remarked that the Board would need to discuss a time to hold an organizational meeting. He suggested for the Board to hold the meeting in January. The Chairman noted that the organizational meeting will be on the agenda for the January meeting.

The Board members were in agreement.

Chairman Smith wished the Board pleasant holidays and a happy new year.

**3) Adjournment**

**Motion by:** Secretary Korn

**Seconded by:** Ms. Dzialo

MOVED, that the Glastonbury Zoning Board of Appeals adjourns their regular Meeting of December 6, 2021 at 7:51 pm.

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

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Brian Smith, Chairperson