

GLASTONBURY ZONING BOARD OF APPEALS
Regular Meeting Minutes of Monday, April 3, 2023

The Glastonbury Zoning Board of Appeals with Seon Altius, Zoning & Planning Technician, in attendance held a Regular Meeting on Monday, April 3, 2023 via ZOOM video conferencing.

ROLL CALL

Board Members- Present

Susan Dzialo, Vice-Chair
Nicholas Kornis, Secretary
David Hoopes
Jaye Winkler
Andy Zlotnick, Alternate
Aaron White, Alternate

Board Members- Excused

Brian Smith, Chairman
Douglas Bowman, Alternate

Chairman Dzialo called the meeting to order at 7:09 pm and explained the public hearing process to the audience. Chairman Dzialo also noted that 4/5 votes are needed for an application to pass and there is a 15-day appeal period.

Mr. Bowman asked to be excused from the meeting because he is away on a business trip. The Board had no objections. Mr. Altius filled in for Mr. White.

Secretary Kornis read the agenda items. *Agenda item number 6 has been withdrawn.*

Public Hearing

- 1. Joseph & Kathleen Sala of 46 Duffords Landing zone RR are requesting a variance to section 7.1.b.2.f. for the purpose of building a pool house behind their home, which is in the front yard.**

Mr. Altius read the 1st application.

Mr. and Mrs. Sala introduced themselves for the record. They stated that they would like to put in a pool house and explained that the Town considers their backyard to be a front yard. The homeowners noted that the pool house will not be visible from Tryon Street and Duffords

Landing. The homeowners explained that, due to the steep topography, the house cannot be accessed on the Duffords Landing side. The homeowners noted that in August 2022 they were granted a variance by the ZBA to put in a pool. They reiterated that they are requesting a similar variance to put in the pool house. The presentation was concluded.

Chairman Dzialo asked if there were any questions from the Board. There were no questions. The Chairman moved on to public comment.

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

- 2. Cornelius Neil & Johanna Cahill of 265 Main Street zone RR are requesting a variance to section 4.2.7 for the purpose of building a 3rd garage (16'X 24' with 20 feet in height). The request for the variance is due to the inability to build the garage anywhere except within 25 feet of the neighbor's property line.**

Mr. Altius read the 2nd application.

Mr. Cahill introduced himself for the record. He stated that they want to put in a detached garage. Mr. Cahill explained that, due to the septic tank and septic fields, the conservation land that borders their property, and the downward slope, the only suitable place is within 25 feet of the side property line. He noted that the shed will be moved and added that the garage will not obstruct views for the neighboring properties. Mr. Cahill stated that the application materials included a map and photos. The presentation was concluded.

Ms. Winkler asked how far away would the garage be from the neighbor's property line. Mr. Cahill stated that it would be about 10 to 15 feet away from the side property line. Ms. Winkler asked the applicant if the wording in the motion "no closer than 10 feet" would work. Mr. Cahill stated that he took measurements and added that it should work. Ms. Winkler asked if there were any overhangs or gutters that have to be taken into account. Mr. Cahill replied no.

Mr. Zlotnick asked about the purpose of the 3rd garage. He inquired if it was just for the storage of vehicles. Mr. Cahill replied correct and added that it will also be used for bike storage. Mr. Zlotnick asked if there would be any auto repair work or maintenance activity. Mr. Cahill replied none and added that there would be no wood shopping either. Mr. Zlotnick inquired if a separate variance for the height is needed. There was a brief discussion regarding the building code regulations. Mr. Altius explained that he discussed the application with Mr. White and added that it is listed correctly. He read out a passage from the regulations. Chairman Dzialo explained that the proposed garage is a compliant accessory structure that meets the setback requirements and added that it is a variance for the 25-foot side line. She added that, beyond that, the application meets the requirements. Mr. Hoopes agreed and added that the two conditions that must be satisfied are distance from the street and side line. The Board agreed.

Mr. Cahill asked what was determined. Chairman Dzialo explained that the variance request is stated correctly on the application.

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

3. Jill Sullivan of 1660 Main Street zone AA represented by James Grady is requesting a variance to section 4.4.6 & 4.4.7 & special exception to section 8.2b for the purpose of expanding a nonconforming structure. The proposed additions are a second floor and an attached two car garage in the front yard.

Mr. Altius read the 3rd application.

Mr. James Grady of Grady Construction introduced himself for the record. He explained that the current layout of the house is not large enough for his client's family. Mr. Grady noted that, initially, the expanded design was for one level. He explained that this required too many variances and they went with a two-level expansion. Mr. Grady stated that the proposed design will add curb appeal. The presentation was concluded.

Mr. Hoopes asked how far the proposed garage will be from the neighboring property on the Curtis Road side. Mr. Grady asked Mr. Altius if he had a better map and could look into the distance. Mr. Altius stated that it looks like it would be 9 feet from the property line. Mr. Hoopes asked Mr. Grady to provide some orientation as to where the proposed garage will be placed. Mr. Grady stated that the house on Curtis street is set back a few feet. Mr. Zlotnick remarked that it is tough to picture and asked Mr. Grady to share his screen and provide specific details on the garage placement. Mr. Grady put up a map on his phone and pointed out the area of the proposed garage. The Board discussed the application, the neighborhood and the distance of 9 feet from the property line. Mr. Hoopes remarked that it is a pretty big ask and added that placing the garage 9 feet from the side line would be unharmonious to the neighborhood. He noted that the Board has not even heard what the hardship is. Chairman Dzialo agreed and noted that the design plans are nice. She asked if there was a way to reorient the driveway and turn the garage sideways. Mr. Hoopes asked if the garage can be put in the back. Mr. Grady said that the garage could not be placed in the back and added that the property and lot are non-conforming. He noted that it might be possible to turn the garage and save about 4 feet. Mr. Grady noted that there is a hardship and added that they want to renovate the home to give it a similar look to the other 2-floor, 2-car-garage homes in the neighborhood. Chairman Dzialo reiterated that she likes the design plans. Mr. Grady thanked the Board.

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

- 4. William Bill McDermott of 278 House Street zone A is requesting a special exception to section 8.2b for the purpose of adding a living space above an existing two car garage which will become the primary residence. The proposed addition will not change the footprint of the structure.**

Mr. Altius read the 4th application.

Ms. Pamela Rheame introduced herself for the record. She stated that the applicant would like to add a level over the existing garage. Ms. Rheame explained that the addition over the garage would become the applicant's primary residence. She noted that the addition will measure 10 feet high. The brief presentation was concluded.

Mr. Hoopes asked if the applicant needs a variance. Mr. Altius stated that the application is for a special exception and explained that, because the lot is non-conforming, it requires a special exception. Mr. Altius read out Section 8.2b of the regulations:

Extension of Enlargement: No extension or enlargement of any nonconforming building or structure which increases the nonconformity of such building or structure shall be made, except that a nonconforming building or structure containing a permitted use may be extended or enlarged within the applicable yard requirements or, with the approval of the Zoning Board of Appeals after considering the criteria of Section 13.9 of these Regulations within as line which is not nearer to the lot lines than the existing building, provided such extension or enlargement provides for a permitted use containing no more dwelling units than the existing building.

There was a brief discussion regarding the regulations and permitted use. Chairman Dzialo noted that one of the conditions of 8.2b allows an extension or enlargement. She explained that the applicant will be going from zero dwellings to one dwelling. Mr. Zlotnick asked about the dimensions. Chairman Dzialo asked if there was any public comment. An electronic hand was raised. The caller identified himself as Steve and noted that he is also representing the applicant. He stated that the addition would be approximately 630 square feet and added that the garage dimensions are 30 feet by 26 feet. There was a brief discussion about the square footage requirements. Steve stated that he followed the information table regarding zone A in the regulations. He directed the Board to page 14 of the regulations PDF document. Mr. Hoopes noted that, looking at the table, the minimum required square footage is 1340. There was a brief discussion about whether a variance is needed. Mr. Zlotnick noted that the plans do not specify where the heating and utilities will be placed. Steve explained that they are planning to put that in the first floor and added that there is an already good utility room there. Chairman Dzialo moved on to public comment.

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

5. **Richard & Tae Lechner of 57 Knob Hill Road zone AAA are requesting a variance to section 4.3.7 for the purpose of keeping an existing shed (24' X 14' with 16 feet in height) 12 feet from side yard line. The shed does not meet the 75' accessory structure setback but is within the front yard building line.**

Mr. Altius read the 5th application item.

Mr. Richard Lechner introduced himself for the record. He explained that he purchased the shed from Kloter Farms and was told that the dimensions would be 15 feet in height and was assured that they take care of all of the permits. Mr. Lechner stated that the shed actually measured 16 feet in height and the permits only related to the transportation of the shed. He noted that he hired an excavation guy to place the shed at the most ideal spot. Mr. Lechner explained that the lot is covered in rock and it is also sloped. He noted that placing the shed in another location would require extensive excavation. The presentation was concluded.

Ms. Winkler noted that she went out to the site and asked if the shed could be moved further away, closer to the tree. Mr. Lechner stated that there is ledge in that area and added that the lot is triangular and oddly shaped. Ms. Winkler agreed that the lot is oddly shaped. Chairman Dzialo asked if the shed could be moved further back than the 75 feet, past the rock and ledge area. Mr. Lechner explained that the placement of the shed was selected with the excavator, and the most logical place was the one they selected. He noted that placing the shed further out would require cutting down large trees. Ms. Winkler asked if the shed can be moved closer to the existing shed. Mr. Lechner stated that the excavator said that the area would require excavating the rock and would require backfill. Mr. Hoopes asked the applicant if it is possible to move the shed 8 feet closer to the house. Mr. Lechner stated that would result in chopping down a 100-year old tree. There was further discussion on alternative shed placements and the possibility of obstructing the views. Mr. Lechner explained that the current placement is the least obstructive to the views because it is in a tucked-in spot. Ms. Winkler asked if the shed could be placed near the driveway. Mr. Lechner replied that it is the front yard. He explained that his house has no basement because of the large rock and ledge on site, and added that he needs the shed for winter storage.

Mr. Zlotnick asked if the shed could be placed down the slope. Mr. Lechner stated that the area is muddy. Mr. Zlotnick noted that it can be fixed with a drainage structure. Mr. Lechner explained that he was trying to put the shed in the most ideal spot, without obstructing the views. He reiterated that the other locations would require extensive excavation and backfill. Chairman Dzialo asked the applicant if he would be open to screening the shed with landscaping. Mr. Lechner stated that he is happy to grow plants and trees around it and noted that his immediate neighbor at 79 has no objections to the shed. He added that he was planning on putting in arborvitae or evergreens around the shed. Chairman Dzialo remarked that the selected planting should not be too tall in order to prevent obstructing the view. Mr. Lechner agreed. Chairman Dzialo moved on to public comment.

Mr. Christopher Amriault of 132 Knob Hill Road stated that he thinks the shed is tasteful but is too close to the road. He explained that there are no structures that close to the road in the neighborhood. Mr. Amriault stated that he would like to see the shed further from the road.

Mr. Todd Namnoun of 157 Knob Hill Road stated that he agreed with the previous commenter. He noted that the neighbor who liked the shed had moved out. Mr. Namnoun stated that the ideal spot for the shed is down the hill where the other shed is placed. He explained that these sheds sit on the ground and require no running water lines. Mr. Namnoun stated that the applicant placed the shed without permits and wanted forgiveness after the fact. He stated that he wants the Board to take action and reiterated that the shed has to be moved.

6. Reid K. & Gail H. O'Connell of 123 Natchaug Drive zone RR are requesting a variance to section 7.1.a.3.a. for building a pole barn which will have a combined maximum floor area greater than twenty-five 25% of the floor area of the principal building. (The application was withdrawn.)

7. Eric S. & Marci P. Schneider of 73 Woodbridge Road zone AA (non-conforming lot) are requesting a variance to section 4.4.7 for the purpose of turning their existing car port into one and a half car garage and add a bonus room above the garage. The variance will be needed to exceed the side yard setback by 10 feet.

Mr. Schneider introduced himself for the record. He apologized for the noise and explained that he is at the UCONN game which starts soon. Mr. Schneider stated that he has a 3-year-old daughter and they are expecting another. He explained that their family is running out of space and added that they do not have a basement or garage. Mr. Schneider explained that the carport does not provide any storage and they were looking to convert that into a one-and-a-half car garage, with space on top to create a playroom. He stated that the hardship is due to the non-conforming lot that was built before the zoning laws were in place. Mr. Schneider stated that he is in Houston for the game and has to sign off shortly. The presentation was concluded.

Ms. Winkler asked about the height of the addition. Mr. Schneider said that he is not sure and thinks the information is in the plans. He noted that he spoke with Mr. Altius and submitted the plans that were done by the architect. Mr. Zlotnick stated that the plans indicate that the height should be about 17 feet with another 5 feet. Mr. Schneider stated that space would be used as a playroom. Mr. Zlotnick wanted to confirm that the front of the garage would meet the front yard setback regulations. Mr. Schneider explained that the garage sticks out by one-foot for aesthetics and curb appeal. He noted that their contractor said there are no issues. Mr. Zlotnick directed the Board to the sketch on the last page of the plans and asked if the front-line setback is in compliance. Mr. Altius explained that he included the sketch and added that the one foot

expansion falls within the front yard setbacks. Mr. Schneider thanked Mr. Altius. Chairman Dzialo moved on to public comment.

Mr. Kevin Dyer raised his hand for comment (an address was not given). He stated that it is problematic to place a structure to block off million dollar views. Mr. Schneider asked if the questions can only be directed to his application. Chairman Dzialo asked the public if there were any questions related to agenda item #7. *There were no questions for agenda item #7. The applicant left the meeting.*

Mr. Len Specht of 9 Newell Lane stated that his property is directly across from the shed. He explained that the shed would obscure the views even more if it is moved further south. Mr. Specht stated that the shed should be moved and placed near the existing shed. He stated that he can see the shed from his deck and added that it is shocking to see.

Mr. Hoopes explained that the Board's jurisdiction is the front and side yards. He noted that the applicant has a right to place it legally in the backyard and that is not the Board's decision. Mr. Specht stated that the shed is too close to the road and remarked that it should be placed lower on the property, near the existing shed. Mr. Hoopes explained that the Board does not decide where the shed goes and added that it can be placed anywhere on the lot as long as it is not the side or front yard. Chairman Dzialo noted that the shed is far enough from the street and explained that the issue with the placement is that it is too close to the neighbor's side line. Mr. Specht stated that the sudden appearance of the shed surprised everyone. He stated that it is a very large building that seems out of character with the neighborhood.

Ms. Winkler asked when the letters would be introduced to the record. Mr. Hoopes explained that the Board members all received and read the letters and added that they were already submitted into the record. A hand was raised by Kevin Dyer. The caller stated that her name is Judy Kissane and she is married to Kevin Dyer. Ms. Kissane stated that she objects to the placement of the shed and added that everyone has to get permits and abide by the Town regulations. She stated that she submitted a letter of objection. Ms. Kissane noted that the Lechners are very strict about their boundaries and are now disregarding the boundaries of their neighbors.

Chairman Dzialo stated that the Board has received Ms. Kissane's letter and assured her that it is part of the record. Mr. Specht stated that the structure is too close to the street. Chairman Dzialo stated that, based on the information that was submitted to the Board, the required setback is 50 feet and the applicant's placement is at 57 feet. She noted that the problem is with the side yard setback. There was a brief discussion on alternative placements.

Mr. James Grady of Grady Construction stated that he has a correction to make. He explained that the addition would be about 24 feet away from the side line near the Curtis Road side. Mr. Grady stated that the 9 feet was a mathematical error from the first set of plans. Mr. Altius confirmed that the old plans had the 9 feet side yard distance. Mr. Hoopes remarked that it was worth opening the public hearing to get the corrected information.

Ms. Kate Nammoun of 157 Knob Hill noted that plantings were discussed. She asked the Board, if they take this course of action, to ensure that the plantings are on the applicant's property and not Town property. Ms. Nammoun stated that the applicant has planted plants that are about 6 to 18 inches tall and suggested the Board review a landscaping plan from the applicant.

Chairman Dzialo asked the Board if they had any information on this. Ms. Winkler remarked that, in the past, applicants would agree to screening a pool and added that she has not heard anything about planting on Town property. Mr. Hoopes explained that, if the Board is inclined to grant the variance, they can impose conditions. He remarked that the Board would have to decide if the application is to be approved with or without conditions.

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

Chairman Dzialo seated Mr. Zlotnick as a voting member.

Action on Public Hearings

- 1. Joseph & Kathleen Sala of 46 Duffords Landing zone RR are requesting a variance to section 7.1.b.2.f. for the purpose of building a pool house behind their home, which is in the front yard.**

Motion by: Secretary Kornis

Seconded by: Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Joseph & Kathleen Sala of 46 Duffords Landing in RR Zone for a variance from 7.1.b.2.f. defining the location of pools and pool houses to be in the "rear yard" to allow a pool house to be located in the designated "front yard" on the grounds that that the area defined by the Town as the front yard facing Tryon Street is actually the backyard of the house. Furthermore, due to the siting of the home, neither the home, nor the proposed pool house would be visible from the street. The variance would be consistent with the variance granted for the pool itself by the ZBA on August 1, 2022. The requirements of Section 13.9 have been met.

Discussion:

Ms. Winkler remarked that the application seems logical in light of the Board's prior approval and added that she will be voting in favor. Several Board members agreed.

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

- 2. Cornelius Neil & Johanna Cahill of 265 Main Street zone RR are requesting a variance to section 4.2.7 for the purpose of building a 3rd garage (16'X 24' with 20 feet in height). The request for the variance is due to the inability to build the garage anywhere except within 25 feet of the neighbor's property line.**

Motion by: Mr. Hoopes

Seconded by: Secretary Kornis

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Cornelius Neil & Johanna Cahill of 265 Main Street in RR Zone for a variance from section 4.2.7, as shown on the plans, for the purpose of building a 3rd garage within 10 feet of the side property line. The hardship is the unusual topography of the site. The criteria of Section 13.9 have been satisfied.

Discussion:

Chairman Dzialo noted that the placement appears to be a reasonable location, especially given the slope of the property. She explained that the property is deep and set back from the neighbors, and added that it is in an unobtrusive location. Several Board members agreed. Mr. Zlotnick noted that he is in favor of the application and pointed out that, according to the information on GIS, the property is in the upland review area. He asked if the applicants would need any permits. Mr. Altius explained that the applicants would need a permit if the garage placement is within the upland review area and added that the department of Community Development is involved with the permit process. Chairman Dzialo asked the Board if they were ready to vote and asked if the wetlands issue is separate. The Board agreed to vote on the application and agreed that the wetlands issue and additional permit approval are separate matters.

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

- 3. Jill Sullivan of 1660 Main Street zone AA represented by James Grady is requesting a variance to section 4.4.6 & 4.4.7 & special exception to section 8.2b for the purpose of expanding a nonconforming structure. The proposed additions are a second floor and an attached two car garage in the front yard.**

Motion by: Ms. Winkler

Seconded by: Mr. Hoopes

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Jill Sullivan of 1660 Main Street in AA Zone represented by James Grady for a variance to section 4.4.6 & special exception to section 8.2b to expand this nonconforming structure to be closer to the front property line but no closer than 24 feet for a garage and addition on the grounds that the existing lot and configuration prohibits any other placement and that the addition is consistent with other expanded homes in the area. The requirements of Section 13.9 have been met.

Discussion:

Mr. Hoopes proposed a small amendment to the motion. He explained that the Board is dealing with a request for a front yard variance and suggested striking 4.4.7. Ms. Winkler agreed to the amendment.

Ms. Winkler noted that she went to the property and noticed that many homeowners in the area adapt and change the smaller starter homes. She remarked that the additions add character and look nice. Ms. Winkler stated that she will be voting in favor. Mr. Hoopes remarked that he struggled with the application when he thought the side line was 9 feet. He noted that he has no problem with 24 feet from the side line and added that it would be aligned with the house next door. Secretary Korn remarked that he was surprised that the builder gave the wrong side line distance and added that it was good the information was clarified. Mr. Zlotnick wanted to confirm that the garage will be 24 feet from the property line. Several Board members confirmed. Chairman Dzialo remarked that, even though the house designs are nice, she also thought that 9 feet was too close. Mr. Hoopes remarked that Mr. Grady snatched victory from the jaws of defeat and congratulated him.

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

- 4. William Bill McDermott of 278 House Street zone A is requesting a special exception to section 8.2b for the purpose of adding a living space above an existing two car garage which will become the primary residence. The proposed addition will not change the footprint of the structure.**

Motion by: Mr. Hoopes

Seconded by: Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the special exception to section 8.2b by William Bill McDermott of 278 House Street in Zone A. The rehabbed structure will be within the existing footprint. The requirements of Section 13.9 have been met.

Discussion:

Mr. Hoopes explained that the applicant's proposal falls under a special exception and not a variance and phrased the motion to reflect this.

Secretary Korn remarked that the discussion about the square footage of the dwelling caught him off guard and added that he does not know what to make of the application. Ms. Winkler stated that she spoke to Mr. Lincoln White on how a quarter of an acre lot without a dwelling was allowed to have a stand-alone accessory structure. She remarked that it was somehow allowed to happen. Mr. Hoopes noted that the regulations do not allow for just a garage on the

lot. There was a discussion about whether the property has to meet the minimum square footage requirements. The Board discussed that the first-floor space does not count toward the square footage requirement because it is not living space. The Board agreed that the living space is just the second-floor addition. Mr. Zlotnick remarked that the Board does not have enough information or detail regarding the plans. Secretary Korns asked Mr. Zlotnick if he was arguing for a no vote. Mr. Zlotnick stated that he will probably vote no. There was a discussion on whether this application falls under a variance request or a special exception. Mr. Hoopes explained that the definition of a special exception fits with this application. Chairman Dzialo brought up the point that the dwelling is going from zero to one and falls under the variance rule. Secretary Korns agreed and noted that one dwelling unit is greater than zero. Mr. Hoopes agreed with that point, and said that his interpretation differs from Town staff and added that what is non-conforming is not the structure, but the lot and lot size. He remarked that he could be wrong and added that the special exception is a practical solution. Mr. Hoopes noted that it is a great idea to turn this lot and structure into a micro home. There was a brief discussion on affordable housing.

Result: Motion passes. (4-1-0)

(Mr. Zlotnick voted against the application.)

- 5. Richard & Tae Lechner of 57 Knob Hill Road zone AAA are requesting a variance to section 4.3.7 for the purpose of keeping an existing shed (24' X 14' with 16 feet in height) 12 feet from side yard line. The shed does not meet the 75' accessory structure setback but is within the front yard building line.**

Motion by: Secretary Korns

Seconded by: Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Richard & Tae Lechner of 57 Knob Hill Road in residence AAA Zone for a variance from section 4.3.7 to allow a shed to remain in its current non-compliant position, 12 feet from the side yard line on the grounds that other locations on the property are not as favorable due to topography. The requirements of Section 13.9 have been met.

Discussion:

Ms. Winkler noted that a customer can easily be confused by the Kloter Farms sales pitch. She remarked that she sympathizes with the applicant in having to suddenly deal with the delivery and logistics of placing a large shed. Ms. Winkler explained that it is not fair to the neighbors and added that many of them spoke out against the shed placement. She noted that alternative placements were discussed and added that the applicant seemed willing to consider other placements. Mr. Hoopes noted that it is the applicant's burden to explain the hardship. He remarked that there were other places, not as good for the applicant, one location was too muddy

and another location interfered with a tree. He remarked that, if the applicant wants a big shed, he has to put it in one of those less ideal locations. Secretary Korn asked how this matter came before the Board. Mr. Altius explained that Lincoln told him it was a complaint. Mr. Zlotnick asked Mr. Altius if he measured the road to the shed, which amounts to the 57-foot setback. Mr. Altius explained that the measurements were done using GIS. Mr. Zlotnick asked if the new structure shows up on GIS. Mr. Altius explained that he took photos and the applicant confirmed the information which was put into the application system. The Board discussed the opposition against the application and noted that several neighbors spoke against the application. Chairman Dzialo asked the Board if they would consider putting in conditions, like plantings around the shed. Several Board members stated that they will not vote in favor of the application. Mr. Zlotnick noted that there is plenty of space on the property to have the shed sited properly and added that he will vote against the application. There was a brief discussion on alternative placements and the risk that the shed will be placed in an area that the neighbors do not like.

Result: Motion fails unanimously. (0-5-0)

- 6. Reid K. & Gail H. O'Connell of 123 Natchaug Drive zone RR are requesting a variance to section 7.1.a.3.a. for building a pole barn which will have a combined maximum floor area greater than twenty-five 25% of the floor area of the principal building. (The application was withdrawn.)**

- 7. Eric S. & Marci P. Schneider of 73 Woodbridge Road zone AA (non-conforming lot) are requesting a variance to section 4.4.7 for the purpose of turning their existing car port into one and a half car garage and add a bonus room above the garage. The variance will be needed to exceed the side yard setback by 10 feet.**

Motion by: Chairman Dzialo

Seconded by: Ms. Winkler

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Eric S. & Marci P. Schneider of 73 Woodbridge Road in AA Zone for a variance from section 4.4.7 to expand their existing carport into one-and-a-half car garage and add a bonus room above that garage, the variance will reduce the side yard setback to 10 feet. This is needed on the grounds that it is currently a non-conforming narrow lot, the addition is not excessive in the scale of the house and the addition remains within the front setback. Further, the additional criteria for decisions under Section 13.9 have been met.

Discussion:

Ms. Winkler noted that this addition is in keeping with the modification of houses in the neighborhood. She pointed out that nearby #60 has a similar addition, with second story added. Ms. Winkler remarked that people are adding on to their homes instead of moving. She stated that she will be voting in favor. Several board members agreed. Mr. Zlotnick noted that one of the neighbors has substantial pine trees, and remarked that they would have to speak with their neighbor before the work is conducted. Ms. Winkler noted that a good point was brought up and asked the Board if they can advise on the issue. Mr. Hoopes explained that, if a neighbor's tree hangs over your property, you can trim that down. He noted that in cases where the tree sits on the property line, whichever property has the majority of the trunk, gets to take it down. Mr. Hoopes remarked that he just researched the issue. The Board had a brief discussion regarding tree trimming and property lines. Chairman Dzialo asked the Board if any of this should be included in the motion. The Board agreed to keep the issue separate.

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

1) Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non- agenda (None)

Secretary Korns noted that this agenda item is not relevant and reminded the Board that they asked Lincoln to remove it. Chairman Dzialo agreed.

2) Acceptance of Minutes from March 6, 2023 Meeting

Motion by: Secretary Korns

Seconded by: Mr. Hoopes

MOVED, that the Glastonbury Zoning Board of Appeals accepts the minutes of March 6, 2023 as presented.

Result: Motion passes. (4-1-0)

(Mr. Zlotnick abstained because he was not at the last meeting.)

3) Adjournment

Motion by: Ms. Winkler

Seconded by: Mr. Hoopes

MOVED, that the Glastonbury Zoning Board of Appeals adjourns their regular Meeting of April 3, 2023 at 9:47 pm.

Result: Motion passes unanimously. (6-0-0)

Sue Dzialo, Chairman