

ZONING BOARD OF APPEALS
OCTOBER 26, 2006

The public hearing and meeting of the Zoning Board of Appeals of the Town of East Haddam was called to order by the Chairman, Stuart Wood. Board members present were: Stuart Wood, Greg Daigle, Diane Quinn, Dan Schies. Board member absent was: Norman Gobelle. Alternates present were: Richard Fiala and Guy Gibb. Alternate absent was: Jack Agosta. Guy Gibb was designated to sit as a regular member at this meeting in place of Norman Gobelle.

The legal notice was read and the hearing recorded on tape.

Appeal No. 966 - CONTINUED PUBLIC HEARING FROM AUG 24 & SEPT 26, 2006
Andrew L. Glassman of 157 Longwood Drive, Lake Hayward, East Haddam

Board members present for this public hearing were Stuart Wood, Greg Daigle, Diane Quinn and Dan Schies. These were the same Board members present for the two previously held public hearings. Jack Agosta was the fifth Board member that sat for the previous public hearings but was not present for this public hearing. The four Board members heard this public hearing and voted on the decision,.

Andrew L. Glassman was not present neither was Freddie Myers who had been representing Mr. Glassman at the prior public hearings.

The Board received a letter from James Ventres, Zoning Administrator, in answer to the letter the Board sent him pertaining to action taken by the ZEO. Attached to the letter from Mr. Ventres was a copy of a NOTICE OF VIOLATION DATED January 5, 2004 which the ZEO, James Puska, sent to Andrew Glassman. Letters on file.

There was no one present to speak on this application.

Greg Daigle made a motion the Board close the public hearing on Appeal No. 966 Andrew L. Glassman. Motion seconded by Diane Quinn and carried unanimously.

Greg Daigle made a motion the Board deny Appeal No. 966, Andrew L. Glassman of 157 Longwood Drive, Lake Hayward, East Haddam, a Variance of the Minimum Width of Narrowest Side Yard of Section 10.3.1 of the Zoning Regulations in order to construct a deck to an existing dwelling 2' from the side property line based upon the Board's findings that the applicant has been informed by the Town, the three year Statute does not apply. Motion seconded by Dan Schies. The Chairman called for a vote by raising of the hands. All four Board members raised their hands, therefore, the motion carried unanimously and the appeal was denied.

Said property is located on Longwood Drive, Lake Hayward in the L&R District. Assessor's Map 80 Lot 15.

Appeal No. 971 - Paul & Jennifer Zemienieski of 113 Newberry Road, East Haddam
Jennifer Zemienieski was present and presented her case to the Board. She presented three copies of maps of her property indicating the perimeter of their lot, location of their dwelling, septic system, well, location of the proposed agricultural building and wetlands on the property. She is requesting a side yard setback Variance of 53' in order to place the proposed agricultural building 22' from the property line. The location of the agricultural building as indicated on the map is about the only place to put the building due to the topography of the land and the wetlands and location of the septic system. To the rear of the lot are huge boulders and outcroppings and large trees they would rather not disturb or cut down. She has four sheep and one pig to house in the agricultural building. Right now they are housed in a shed and need a better building. She does not plan on having any more than five sheep. She sheers the sheep and makes wool which she uses herself. The building will butt up against the property of Susan Downs. She has animals also and this side of her property is all pasture.

She submitted her certified mail receipts indicating she sent the letters to the adjoining property owners and the letters were received.

Susan Downs, the adjoining property owner on the side where the building is encroaching, was present and spoke of this proposal. She stated she will never build anything on the property next to the proposed building. She said it will be a pleasure to look out and see the building. The building is not very big and she will have a place to store her hay. She has no objections to the Board granting the Variance.

Steve Kuczynski, an adjoining property owner, spoke in favor of this proposal. This should not have any effect on anyone in the neighborhood. He has no objections to the Board granting the Variance.

Mrs. Zemienieski stated she will put electricity in the barn but no heat nor plumbing. It will have a dirt floor.

Greg Daigle made a motion the Board close the public hearing of Appeal No. 971, Jennifer & Paul Zemienieski. Motion seconded by Dan Schies and carried unanimously.

The appellant requested to make a statement. Greg Daigle made a motion to re-open the public hearing so the appellant could speak. Dan Schies seconded the motion and carried unanimously.

Jennifer Zemienieski explained that she sheers the sheep herself, she spins the wool and knits items with the wool. She dyes the wool and hangs the spun wool. She does the work in the house now and wants to move the operation out to the barn. She explained how the neighborhood has grown since she moved in

Greg Daigle made a motion the Board close the public hearing of Appeal No. 971, Jennifer & Paul Zemienieski. Motion seconded by Dan Schies and carried unanimously.

Dan Schies made a motion the Board approve Appeal No. 971, Paul & Jennifer Zemienieski of 113 Newberry Road, East Haddam, request for a 53' Side Yard Variance of Section 10.1 and Section 9.2.9 of the Zoning Regulations in order to construct an agricultural building for animals 22' from the side property line where 75' is required based upon the Board's findings that a hardship does exist due to the wetlands on the property, the topography and the location of the septic system. Guy Gibb seconded the motion and carried unanimously.

Said property is located on Newberry Road in the R-2 District. Assessor's Map 50 Lot 12.

Ken Klein Application

The secretary stated that Ken Klein filled out his ZBA application, sent out the certified letters to his adjoining property owners and someone in the Zoning Office told him to file the application with me on October 12th and he would automatically be heard at this meeting. The application was received too late so was not on this agenda. Now he wants to know if he has to send out the letter to the adjoining property owners when he finds out when the next meeting date is set or can he just call the people.

The Chairman stated that he will have to send out the certified letters when the new date for November is set.

November Meeting Date

After some discussion, Diane Quinn made a motion the Board set the November meeting date for Thursday, November 30, 2006. Guy Gibb seconded the motion and carried unanimously. The December date will be held as scheduled, December 28th.

Minutes of Sept. 28, October 5 & October 12

After reading and reviewing the minutes, Diane Quinn made a motion the Board approve the minutes of September 28th, October 5th and October 12th as printed. Dan Schies seconded the motion and carried unanimously.

Schedule of Meeting Dates for 2007

After discussing the dates for 2007, Diane Quinn made a motion the Board hold their meetings on the fourth Thursday of each month except November for the year 2007. The November meeting date will be set at that time. The meetings will be held at the Town Office Building Annex at 8:00 P.M. Motion seconded by Greg Daigle and carried unanimously.

Revised ZBA Application

The revised ZBA application will be reviewed and then voted on at the next meeting in November.

Correspondence

Bills from Attorney Broder -

Representation at the Sept 28 th ZBA hearing-Frumkin	\$275.00
Representation at the Oct 12 th ZBA hearing-Frumkin	<u>225.00</u>
	\$500.00

Bill from Attorney Broder

Retainer: Jan 1, 2006 through June 30, 2006	\$750.00
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Greg Daigle made a motion the Board pay the above mentioned bills. Motion seconded by Dan Schies and carried unanimously.

The Chairman stated that the Board members should be more formal at the meetings He further responded to the minutes of the previous meeting. He defended his position on having Attorney Broder attend the ZBA meetings and public hearings.

Diane Quinn made a motion, seconded by Guy Gibb, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:25 P.M.

Respectfully submitted,

Stuart Wood, Chairman
Zoning Board of Appeals

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