

TOWN OF WARREN
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
Wednesday, January 25, 2017 · 7:30 pm
Town Hall · 50 Cemetery Road · Warren, CT

PRESENT at the meeting were Chairperson Jon P. Garvey, Vice Chairperson M. Trisha Barry, Members Richard D. Valine, George S. Githens, and William L. Hopkins, and Alternate Raymond W. Furse. Stacey M. Sefčík, CZET and Richelle Hodža, Recording Secretary, were also present. **ABSENT** were Alternates Peter C. Brodhead and Nancy A. Florio.

CALL TO ORDER AND DESIGNATION OF ALTERNATES. Chairman Garvey called the meeting to order at 7:33 p.m. No alternates were required to be seated.

PUBLIC HEARINGS CONTINUED. The first matter to be heard was a Request for Variance from Sections 6.2.2, 6.2.3, 6.4, & 6.5 of the Town of Warren Zoning Regulations to Construct 2nd Story Addition within the Front Yard Setback by Andrew and Vanessa Carollo of 31 Windy Ridge Road. Attorney James G. Kelly spoke on behalf of his clients and presented Ms. Joline Audet Fletcher of Fletcher Carpentry & Design to discuss the proposed project. Drawings were presented to the Commission to assist in explanation. The applicants wished to build a second story onto what is now a pre-existing, non-conforming house owing to (1) changes in the regulations since the house was built by or before 1960 and (2) the construction in 1971 of Evergreen Lane, which the Town accepted in May 1981 (then called “Laurenti Lane”). Messrs. Furse and Githens asked for further clarifications with regard to corner lots, setbacks, the existing footprint, and the formula for calculation of finished height.

Chairman Garvey wanted to know why relief was being sought from 6.2.2 regarding road frontage. A discussion ensued regarding frontage. It was determined that the owners did not need relief from that section since their property clearly met the frontage requirement. Mr. Garvey sought clarification on the septic system location. Ms. Sefčík pointed out that it was not considered a “structure” for the purposes of setback calculations.

Attorney Kelly amended the application to request a Variance from Sections 6.2.3, 6.4, & 6.5 since it was determined that 6.2.2 was incorrectly made part of the original application. Ms. Sefčík noted that legal notices for the public hearing remained valid despite the change since the change made the application narrower, not broader.

After no further questions from the Board, Chairman Garvey invited the public to speak. Mr. Keith Jewell stood and said he spoke for himself and his wife, Colleen, who was also present. Mr. Jewell identified himself as the applicants’ neighbor and spoke to the Carollos’ good character and neighborly manners. Mr. Jewell and his wife were in favor of the addition. Ms. Sefčík asked Mr. Jewell if he felt that the proposal was in keeping with the character of the neighborhood. Mr. Jewell responded affirmatively.

Mr. Carollos said that he has been a resident of Warren for 22 years and he and his wife have three children who have outgrown the house. He would like to have his family remain in this house in the Town he calls home. He is also member of the Warren Volunteer Fire Company.

Ms. Sefčík had received three letters from neighbors including Mr. John Favreau of 53 Windy Ridge on December 23, Mr. and Mrs. Ulrichsen of 74 Windy Ridge on December 19, and Mr. and Mrs. Jewell on January 10 all stating that they were in favor of the Carollo’s plans. Finally, Ms.

Linda Grady of 35 Windy Ridge had telephoned Ms. Sefčík saying that she was not opposed to the addition, but did not want to hear construction noise on weekends.

Seeing no others wanting to be heard, Mr. Garvey looked for a motion. Ms. Barry made a MOTION to close the Public Hearing. Mr. Hopkins SECONDED. The motion CARRIED.

Ms. Sefčík announced that the matter of an Appeal of Zoning Enforcement Officer's Non-Issuance of Certificate of Zoning Compliance by Lake Waramaug, LLC at 387 Lake Road was continued to February 22, 2017 at the request of the appellant's attorney Robert L. Fisher, Jr. in a letter to the Commission, received by her, dated January 23, 2017.

The APPROVAL of the MINUTES of the November 16, 2016 regular meeting CARRIED after a MOTION by Mr. Valine and SECOND by Ms. Barry. All were in favor.

OLD BUSINESS. Andrew & Vanessa Carollo, 31 Windy Ridge Road – Request for Variance from Sections 6.2.2, 6.2.3, 6.4, & 6.5 of the Town of Warren Zoning Regulations to construct a second story addition within the front yard setback. Mr. Garvey spoke, recognizing that the Town had itself created the hardship at 31 Windy Ridge Road per testimony earlier heard. Ms. Barry stated that the couple would be prevented from the reasonable use of their property were the Variance not granted. Mr. Hopkins agreed that the regulations had narrowed the use of the property to the detriment of the Carollos' enjoyment of it. Mr. Githens agreed that the Town had created the problem and added that the house and neighborhood would be made better by the addition and property values would increase.

Ms. Barry made a MOTION TO APPROVE the application for Variance from Sections 6.2.3, 6.4, and 6.5 of the regulations citing that the house was made non-compliant by the Town after a change of regulations and the acceptance of a road and were the application not granted, the Carollos would be denied reasonable use of their property. Mr. Hopkins SECONDED, the motion CARRIED by UNANIMOUS vote.

The matter of an Appeal of Zoning Enforcement Officer's Non-Issuance of Certificate of Zoning Compliance by Lake Waramaug, LLC at 387 Lake Road was continued to February 22, 2017 at the request of the appellant's attorney Robert L. Fisher, Jr. in a letter dated January 23, 2017.

No NEW BUSINESS was on the agenda and there was no OTHER BUSINESS PROPER TO COME BEFORE THE BOARD.

At 8:27 p.m. Mr. Valine MOVED, SECONDED by Mr. Githens, to close the meeting. The motion CARRIED.

The next Regular Meeting of the Zoning Board of Appeals is scheduled for **February 22, 2017** in the same location at **7:30 p.m.**

Respectfully Submitted,



Richelle Hodza
Recording Secretary