



OFFICE OF  
ZONING ADMINISTRATION

# TOWN OF VERNON

55 WEST MAIN STREET, VERNON, CT 06066

Tel: (860) 870-3636

Fax: (860) 870-3589

amarchese@vernon-ct.gov

parted 4/8/2021  
Sbrnch

RECEIVED  
VERNON TOWN CLERK  
21 APR - 8 PM 12:30

## AGENDA Zoning Board of Appeals (ZBA)

Meeting Notice  
**Wednesday, April 21, 2021 at 6:30 PM**  
To Be Held via VIRTUAL TELECONFERENCE  
The public is invited to join the meeting:

### Join Zoom Meeting

<https://us02web.zoom.us/j/87673319196?pwd=VGtHeThpSU9HYlhPVTh4Wm4rcFZkZz09>

Meeting ID: 876 7331 9196

Passcode: 9gkvv7

### OR Dial

+1 646 876 9923

Meeting ID: 876 7331 9196

Passcode: 520150

### Agenda Items:

1. Call meeting to Order and Roll Call by Chairperson; read opening statement
2. Discussion and Vote on the following Application:

**Application ZBA-2021-01** of Robert Carlson, seeking a Variance of Zoning Regulation section 4.3.1.8 Maximum lot coverage when not in an Aquifer Protection Zone: 25%, to allow lot coverage of 33% to construct a new swimming pool and patio decking on the property located at 194 Hany Lane, in the R-22 Zone.

3. Review Draft Minutes of the October 21, 2020 ZBA meeting
4. Other business
5. Adjournment

TOWN OF VERNON  
ZONING BOARD OF APPEALS  
ANDY MARCHESE, ZBA LIAISON

# **APPLICATION**



**TOWN OF VERNON**  
 Zoning Board of Appeals  
 55 West Main St  
 Vernon, Ct 06066  
 (860)870-3636

**Application # ZBA-2021-01**  
 (To be completed by Town Staff)  
 Application Fee: \$200  
 State Fee: \$60  
 Total Fee: \$260

**APPLICATION FOR VARIANCE OR SPECIAL EXCEPTION OF ZONING REGULATIONS OR APPEAL FROM DECISION OF ZONING ENFORCEMENT OFFICER**

(Please type or print in ink)

**APPLICANT**

Name of Applicant Robert B. Carlson File Date 3-18-21  
 Mailing Address 194 HANY LANE State Ct Zip 06066  
 Phone (860) 875-0433 E-Mail bobcarlson@aol.com

**OWNER**

Name of Owner Robert AND LINDA Carlson  
 Address 194 HANY LANE State Ct Zip 06066  
 Phone (860) 875-0433 E-Mail bobcarlson@aol.com

**REQUEST** (use continuation sheet if needed)

VARIANCE of Zoning Regulation Section 4.3.1.8  
 (variance, special exception, appeal)  
 From 27.2%  
 To allow 33% OF LOT COVERAGE FOR THE CONSTRUCTION OF A POOL AND PATIO.

**PREMISES**

Address of subject property 194 HANY LANE Zone R-22

State the particular hardship or unnecessary difficulty that prompts this application:

NON CONFORMING PARCEL AREA

In addition to variance, special exception or appeal of the zoning regulation, is approval of the lot or premises necessary for state license?

Yes \_\_\_\_\_ No

Signature of Applicant

*Robert B. Cullen*

Or

Application Executed by

(Attorney or Authorized Agent)

On behalf of

(Applicant)

Subscribed and sworn before me this

18<sup>th</sup>

day of

March

20 21

*Alexandra Nicole Garnelis*

Notary Public

ALEXANDRA NICOLE GARNELIS  
NOTARY PUBLIC - CT 183146  
My Commission Expires Feb. 28, 2026

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Previous action concerning this location - Zoning Board of Appeals

Eight copies of site plan drawn to scale not to exceed twenty (20) feet to one inch, prepared by a registered engineer, architect or land surveyor, embossed and signed with the raised letter seal and should include the following: (Omission of any component may slow the application process)

1. Property boundaries (existing and proposed) and their dimensions.
2. Location of all structures (existing and proposed) and the distances between adjacent structures.
3. Dimensions of all yards and setbacks.
4. Location of all streets, driveways and entrances (existing and proposed) and their dimensions.
5. Location of all parking areas and parking stalls (each stall shall be numbered sequentially, and each stall to be not less than 9' x 17')
6. Location and dimensions of all off-street loading areas.
7. Location, size and amount of usable open space.
8. Location and dimensions of all easements, rights-of-way, conduits and the like.
9. Percentage of lot area to be covered by proposed structures, i.e., lot coverage.
10. Location, type and size of all signs.
11. Height of proposed structures.
12. Zoning District designation, north arrow and graphic scale.

**OMISSION OF ANY OF THE ABOVE MAY RESULT IN DENIAL OF AN APPLICATION**

Each application shall contain the following table of information:

<b>ZONING INFORMATION</b>		
<b>ZONING</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
USE		
BUILDING AREA (FOOTPRINT)		
LOT AREA		
FRONT YARD		
REAR YARD		
SIDE YARD		
HEIGHT		
PARKING SPACES		
<b>*DENOTES NON-CONFORMING</b>		

CONTINUATION SHEET

REQUEST

(variance, special exception, appeal)

of Zoning Regulation Section(s)

From

To allow

**ACTION OF THE BOARD**  
At meeting held on

**GRANTED**

**DENIED**

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**CONDITIONS**

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**HARDSHIP**

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Connecticut General Statutes, Section 8-6(3) gives statutory authority to the Zoning Board of Appeals to vary the application of zoning regulations provided that the variance is in harmony with the general purpose of the regulations and with due consideration for conserving public health, safety, convenience, welfare and property values. A variance may be granted to the parcel of land, where there are conditions which specifically affect the parcel but do not generally affect the zoning district, and where a literal enforcement of the zoning regulations would result in the unusual hardship, so that, by granting the variance, substantial justice will be done, and the public safety and welfare secured.

A variance is an authorization obtained from the Zoning Board of Appeals to use property in a manner otherwise forbidden by the zoning regulations. For a variance to be granted, the Board must find that:

- The variance must be shown to not substantially affect the comprehensive zoning plan
- Adherence to the strict letter of the zoning ordinance would cause unusual hardship
- Economic hardship such as financial loss is not the sole hardship claim
- The hardship is not self-created
- The hardship is unique to the subject property and different from other properties in the same zoning district.



**ZONING TABLE**  
 ZONE: RESIDENTIAL-22 (R-22)

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	27,000 Sq.Ft.	18,091 Sq.Ft.	---
LOT WIDTH:	126 FT.	103.60 FT.	---
FRONT YARD:	30 FT.	82.0 FT.	11 FT.
SIDE YARD:	10 FT.	9.8 FT.	25 FT.
REAR YARD:	20 FT.	84.8 FT.	25 FT.
LOT COVERAGE:	25%	27.2%	32.4%

DONNELL ROAD

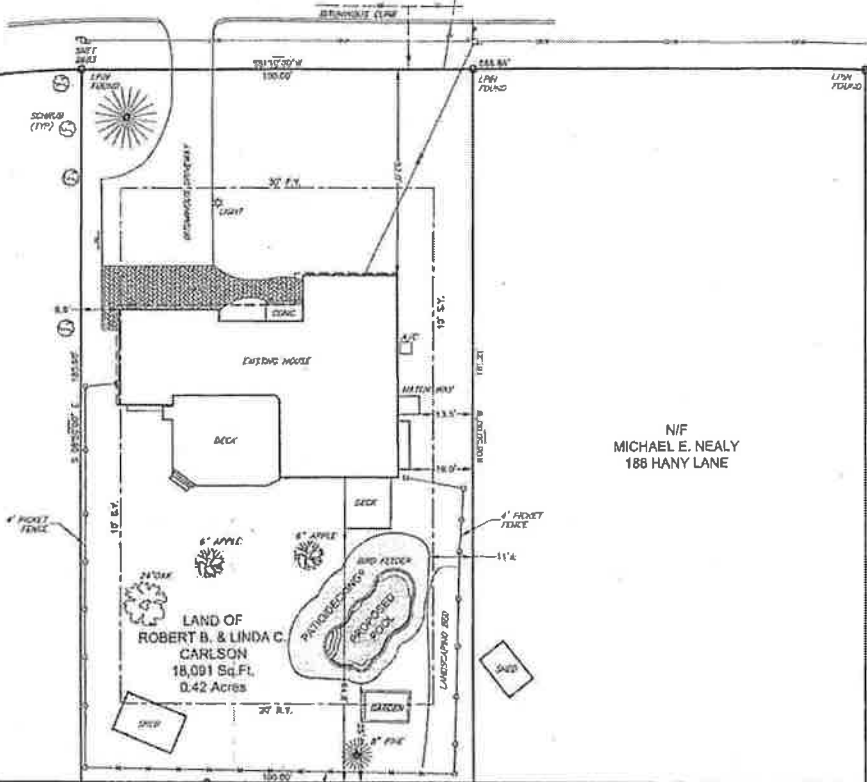
HANY LANE

N/F  
 DALIA N. & MARY JANE  
 PANKE  
 208 HANY LANE

N/F  
 MICHAEL E. NEALY  
 188 HANY LANE

N/F  
 RANDALL W. & JANICE A.  
 GLENNEY  
 220 HANY LANE

N/F  
 FRANK M. & SHARON M.  
 ZAMPINO  
 51 BRIMWOOD DRIVE



**NOTES:**

1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-305b-1 THROUGH 20-305b-20. THIS IS AN IMPROVEMENT LOCATION SURVEY AND A DEFENDANT SURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2.  
 THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF THE PROPOSED POOL AND ITS RELATION TO THE APPLICABLE ZONING SETBACKS AND PROPERTY LINES.
2. MAP REFERENCE:  
 A. "SKINNER ESTATES VERNON CONN. SOL. LAYOY OWNER & DEVELOPER" BY 1908 VEDICHOLOFF, DATE: DEC. 1909, SCALE: 1"=80'.
3. BEARINGS DEPICTED ON THIS PLAN ARE BASED ON THE SURVEY REFERENCED IN NOTE 2.A.
4. THIS PROPERTY IS LOCATED IN THE R-22 ZONE.
5. THERE ARE NO INLAND WETLANDS ON OR WITHIN 100 FEET OF THIS PARCEL AS DEPICTED ON THE TOWN OF VERNON ISLAND WETLANDS REGISTRATION MAP 2019.
6. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES, GOVERNMENTAL AGENCIES AND/OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND MARKED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-222-4466.
7. THIS PARCEL MAY BE SUBJECT TO A UTILITY EASEMENT IN FAVOR OF THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY AS DESCRIBED IN VOL. 123 PAGE 483 OF THE VERNON LAND RECORDS.

**LEGEND**

- PROPERTY LINE
- - - ZONING SETBACK
- IRON PEN FOUND
- - - - - SANITARY SEWER
- - - - - STREET SIGN
- - - - - WATER SERVICE POINT
- - - - - UTILITY POLE
- - - - - OVERHEAD WIRES



I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

*Eric R. Peterson*  
 ERIC R. PETERSON

L.S. 21455  
 REGISTRATION NO.

**IMPROVEMENT LOCATION SURVEY**

**PERMIT PLAN**

LAND OF  
 ROBERT & LINDA CARLSON  
 194 HANY LANE  
 VERNON, CONNECTICUT

**GARDNER & PETERSON ASSOCIATES, LLC**  
 178 HARTFORD TURNPIKE  
 TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS LAND SURVEYORS

BY	SCALE	DATE	SHEET NO.	MAP NO.
E.R.P.	1"=20'	03-17-2021	1 OF 1	10843-13



REVISIONS

**LEGAL NOTICES**

**Published on:**

**Saturday, April 10<sup>th</sup>, 2021 and  
Saturday, April 17<sup>th</sup>, 2021**

**PUBLIC NOTICE**  
**Town of Vernon**

The Vernon Zoning Board of Appeals (ZBA) will hold the following public hearing at a regular meeting on **Wednesday, April 21, 2021 at 6:30 p.m.** to hear the following Application. This meeting will be held via **VIRTUAL TELECONFERENCE**. The public is invited to join the meeting:

Join Zoom Meeting  
<https://us02web.zoom.us/j/87673319196?pwd=VGtHeThpSU9HYlhPVTh4Wm4rcFZkZz09>

Meeting ID: 876 7331 9196  
Passcode: 9gkw7

OR Dial  
+1 646 876 9923  
Meeting ID: 876 7331 9196  
Passcode: 520150

Application **ZBA-2021-01** of Robert Carlson, seeking a **Variance of Zoning Regulation section 4.3.1.8 Maximum lot coverage when not in an Aquifer Protection Zone: 26%**, to allow lot coverage of 33% to construct a new swimming pool and patio decking on the property located at 194 Hany Lane, in the R-22 Zone.

Andy Marchese, Liaison to  
Zoning Board of Appeals (ZBA)

Journal Inquirer  
April 10, 2021  
April 17, 2021

# **DRAFT MINUTES**



OFFICE OF  
ZONING ADMINISTRATION

# TOWN OF VERNON

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## DRAFT MINUTES Zoning Board of Appeals (ZBA)

**Wednesday, October 21, 2020, 6:30 PM**

Held via Telephone Conference

1. Roll Call:

Attendees: Regular Members: Chairman, Jennifer Roy, Howard Steinberg, Carmen Melaragno and Robert Mullan

Alternate Members: Claire Crane and Sharon Roach

Absent Member(s): None.

Also present: Andy Marchese, Zoning Enforcement Officer/Staff Liaison and Cassandra Santoro, Recording Secretary

Liaison Andy Marchese made Claire Crane a voting member.  
Chairman, Jennifer Roy called the meeting to order at 6:30PM.

2. Administrative Actions/Requests

- 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #4 "Other Business" requires Commission vote

None.

- 2.2 Approval of the Minutes from the March 18, 2020 meeting

Howard Steinburg made a motion to approve the Minutes from the March 18, 2020 meeting. Claire Crane seconded and the motion carried unanimously.

3. Action on Application(s)

- 3.1 Application [ZBA-2020-03] of Plan B Retail Design seeking a Variance from Vernon Zoning Regulations, Section 4.7.5 Schedule for multi-family dwelling unit/area ratio: 18,400 Sq. Ft. Land Area where 27,000 Sq. Ft. Land Area is Required; and Section 4.23.5 Special Permits, 4.23.5.9 Multi-family dwellings, subject also to the provisions of Sections 10.1, 4.7.5, and 4.7.7. However, there shall be no increase permitted in the number of separate dwelling units within existing multi-family residential buildings, for an increase from six (6) existing dwelling units in two (2) buildings, to eight (8) dwelling units in total for the two (2) existing buildings, on the properties located at 70 Union Street (Assessor's ID:

Map 23, Block 0106, Parcel 00020), and 74 Union Street (Assessor's ID: Map 23, Block 0106, Parcel 00021), in the Historic District-Downtown Business & Residential Zone.

- Liaison Andy Marchese gave a brief explanation of the application.
- Charles Bomely of Plan B Retail Design & Project Management located at 12 Goose Lane, Tolland, CT spoke on behalf of the application.
- Currently the second floor is low income 1 bedroom housing, this application is to change commercial space located at the 1<sup>st</sup> floor to additional low income 1 bedroom housing.
- No additional building will take place.
- Current parking spaces conform to regulations for number of dwellings.
- Discussion ensued.
- Public Hearing closed at 6:50PM.

Robert Mullen made a motion to grant the Plan B Retail Design application for a variance ZBA-2020-03 for the location of 70 & 74 Union Street to allow an increase of units from six (6) to eight (8) and the hardship being unviable commercial usage due the size of the building and store front. Howard Steinburg seconded and the motion failed with 3 in favor and 2 opposed, Carmen Melaragno and Jennifer Roy.

4. Other Business  
None.

5. Adjournment

Howard Steinburg made a motion to adjourn at 7:05PM. Carmen Melaragno seconded and the motion carried unanimously.

Respectfully,

Cassandra Santoro,  
Recording Secretary