



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

RECEIVED BY EMAIL

AGENDA

Zoning Board of Appeals (ZBA)

Meeting Notice

Wednesday, September 15th, 2021, 6:30 PM

Town Hall

14 Park Place, 3rd Floor

Council Chambers

Vernon, CT

RECEIVED
VERNON TOWN CLERK
21 SEP - 8 AM 11:29

Agenda Items:

1. Call meeting to Order and Roll Call by Chairperson; read opening statement
2. Public Hearing, discussion and vote on the following Applications:

Application ZBA-2021-06 of Cheryl Law, seeking a **Variance of Zoning Regulation section 4.1.1.4 Minimum side yard: 10 feet**, to allow a side yard setback of 5 feet along the western side yard boundary line; **and section 4.1.1.5 Minimum rear yard: 20 feet**, to allow a rear yard setback of 8 feet along the southern rear yard boundary line, to construct an 18' above-ground swimming pool and a 10' x 12' deck, on the property located at **20 Liberty Street**, located in the R-10 Zone.

3. Review Draft Minutes of the August 18, 2021 ZBA meeting
4. Other business
5. Adjournment

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

**APPLICATION
AND
ATTACHMENTS**

ZBA-2021-06



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

Application # ZBA-2021-06

(To be completed by Town Staff)

Application Fee: \$200
State Fee: \$60
Total Fee: \$260

fee
waived
by
ZEO

**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 CHERYL LAW File Date 8-25-2021

Mailing Address 20 LIBERTY STREET - VERNON State CT Zip 06066

Phone (860) 268-5078 E-Mail 9499CLAW@GMAIL.COM

OWNER

Name of Owner SAME

Address _____ State _____ Zip _____

Phone _____ E-Mail _____

REQUEST (use continuation sheet if needed)*

VARIANCE of Zoning Regulation Section 4.1.1.4
(variance, special exception, appeal)

From MINIMUM SIDE YARD : 10 FEET

To allow A SIDE YARD SETBACK OF 5 FEET ALONG THE WESTERN SIDE
YARD BOUNDARY LINE TO CONSIDER AN 18' ABOVE GROUND SWIMMING POOL

PREMISES

Address of subject property 20 LIBERTY STREET Zone R-10

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

NON CONFORMING LOT SIZE

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 ✓

ZONING BOARD OF APPEALS APPLICATION



CONTINUATION SHEET

REQUEST

Variance

(variance, special exception, appeal)

of Zoning Regulation Section(s) 4.1.1.5

From Minimum Rear Yard: 20 Feet

To allow A REAR YARD SETBACK OF 8 FEET FROM THE SOUTHERN
REAR YARD BOUNDARY LINE TO CONSTRUCT AN 18' ABOVE
GROUNDED SWIMMING POOL.

Signature of Applicant



Or

Application Executed by

(Attorney or Authorized Agent)

On behalf of

(Applicant)

Subscribed and sworn before me this 25th day of August 2021.



Notary Public

DEBRA J. STERLING
NOTARY PUBLIC
MY COMMISSION EXPIRES MAR 31, 2025

Previous action concerning this location – Zoning Board of Appeals

Every application for a variance, special exception or appeal, shall include the following information and exhibits (if applicable):

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:

ZONING INFORMATION		
ZONING	REQUIRED	PROPOSED
USE		
BUILDING AREA (FOOTPRINT)		
LOT AREA		
FRONT YARD		
REAR YARD	20'	8'
SIDE YARD	10'	5'
HEIGHT		
PARKING SPACES		
*DENOTES NON-CONFORMING		

****To be completed by Town Staff****

ACTION OF THE BOARD
At meeting held on

GRANTED

DENIED

CONDITIONS

HARDSHIP

VARIANCES

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.

APPROXIMATE
GAS SERVICE

REBAR
FOUND

FENCE

REBAR
FOUND

50.00'

90°

90°

19.4'

O.H.W.

BITUMINOUS DRIVE

PORCH

30' F.Y.

11.0'

EXISTING HOUSE
#20

PORCH

10' S.Y.

10' S.Y.

100.00'

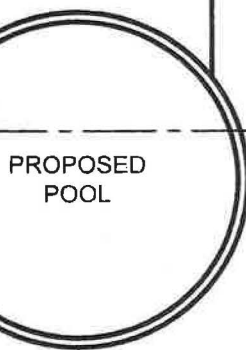
100.00'

LAND OF
CHERYL LAW
20 LIBERTY STREET
5,000 Sq.Ft.
0.11 Acres

9.4'

PROPOSED
DECK

HATCHWAY



PROPOSED
POOL

20' R.Y.

EXISTING GARAGE

5'

2.8'

12.9'

90°

FENCE

90°

50.00'

1. PIPE
FOUND

LEGAL NOTICES

Published on:

Saturday, September 4, 2021 and

Saturday, September 11, 2021

PUBLIC NOTICE

PUBLIC NOTICE Town of Vernon

The Vernon Zoning Board of Appeals will hold the following Public Hearing at a regular meeting on **Wednesday, September 15, 2021 at 6:30 p.m.** at the Town Hall, 14 Park Place, 3rd floor (Council Chambers) Vernon, CT, to hear the following Application:

Application ZBA-2021-06 of Cheryl Law, seeking a Variance of Zoning Regulation section 4.1.1.4 **Minimum side yard: 10 feet**, to allow a side yard setback of 5 feet along the western side yard boundary line; and section 4.1.1.5 **Minimum rear yard: 20 feet**, to allow a rear yard setback of 8 feet along the southern rear yard boundary line, to construct an 18' above-ground swimming pool and a 10' x 12' deck, on the property located at **20 Liberty Street**, located in the R-10 Zone.

This ZBA application is available for inspection by the public in the office of Zoning Administration, 55 West Main Street, Vernon, CT.

Andy Marchese, Liaison to the
Zoning Board of Appeals

Journal Inquirer
September 4, 2021
September 11, 2021

DRAFT MINUTES
AUGUST 18, 2021

RECEIVED
VERNON TOWN CLERK
21 AUG 26 AM 11:19

DRAFT MINUTES
Zoning Board of Appeals (ZBA)

Wednesday, August 18, 2021 6:30 PM
Town Hall
14 Park Place, 3rd Floor
Council Chambers
Vernon, CT 06066

1. Roll Call:

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

Alternate Member(s): Sherrin Roch

Absent Member(s): Claire Crane

Also present: Andy Marchese, Zoning Enforcement Officer/Staff Liaison, and Candace Joseph, Recording Secretary

Chairman Jennifer Roy called the meeting to order at 6:30 PM and read the opening statement.

2. Action on Application(s):

Application ZBA-2021-03 of Gurdev Singh, seeking a Variance of Zoning Regulation section 4.4.1.8

Maximum lot coverage when not in an aquifer protection zone: 25%, to allow 39% lot coverage where 29% lot coverage currently exists, to construct a 21' x 38' garage and a 11' x 30' deck, on the property located at **132 Main Street**, located in the R-27 Zone.

- Carmen Melaragno read the application into record.
- Andy Marchese handed out full sized copies of the plan to members and explained that the current lot coverage is at 29% and the applicant is looking to build a 21ft x 30ft garage and an 11ft x 30ft foot deck to bring the lot coverage to 39%.
- Gurdev Singh of 132 Main Street spoke on behalf of the application.
- Applicant distributed copies of letter dated August 5, 2021, from owner/abutter, Thomas Tomko at 64 Hartford Turnpike, in support of the application.

Discussion ensued. No public comment.

Public Hearing was closed at 6:55PM

Discussed ensued.

Robert Mullan made a motion to grant application ZBA-2021-03 of Gurdev Singh, seeking a Variance of Zoning Regulation section 4.4.1.8 Maximum lot coverage when not in an aquifer protection zone: 25%,

to allow 39% lot coverage where 29% lot coverage currently exists, to construct a 21' x 38' garage and a 11' x 30' deck, on the property located at 132 Main Street, located in the R-27 Zone. Carmen Melaragno seconded and the motion failed with 3 in favor and two opposed, Jennifer Roy and Sherrin Roch.

Application ZBA-2021-04 of Amy McCrystal, seeking Variance of Zoning Regulation section 4.4.1.8

Maximum lot coverage when not in an aquifer protection zone: 25%, to allow 38% lot coverage when 29% lot coverage currently exists, to construct an in-ground swimming pool and concrete patio, on the property located at **20 Richard Road**, located in the R-27 Zone.

- Carmen Melaragno read the application into record.
- Andy Marchese passed out a full size map to members and explained the lot is currently at 29% lot coverage, the applicant is looking to install a pool and concrete patio to the southern read of the property to result in 38% lot coverage.
- Amy McCrystal of 20 Richard Road spoke on behalf of the application.

Discussion ensued. No public comment.

Public Hearing was closed at 7:15 PM.

Discussion ensued.

Robert Mullan made a motion to grant application ZBA-2021-04 of Amy McCrystal, seeking Variance of Zoning Regulation section 4.4.1.8 Maximum lot coverage when not in an aquifer protection zone: 25%, to allow 38% lot coverage when 29% lot coverage currently exists, to construct an in-ground swimming pool and concrete patio, on the property located at 20 Richard Road, located in the R-27 Zone. Carmen Melaragno seconded, and the motion passed unanimously.

Application ZBA-2021-05 of Cheryl Law, seeking a Variance of Zoning Regulation section 4.4.1.8

Maximum lot coverage when not in an aquifer protection zone: 25%, to allow 43.1% lot coverage where 37.6% lot coverage currently exists, to construct an 18' above ground swimming pool and a 10' x 12' deck, on the property located at **20 Liberty Street**, located in the R-10 Zone.

- Carmen Melaragno read the application into record.
- Eric Peterson from Gardner & Peterson spoke on behalf of the applicant.
- Offset for rear and side would also require a variance, as they would be 8' and 5' respectively.
- Cheryl Law of 20 Liberty Street also spoke on behalf of the application.
- Applicant chose to proceed with vote for original application and submit a new application for the rear and side offset variances.

Discussion ensued. No public comment.

Public Hearing was closed at 7:37 PM.

Discussion ensued.

Robert Mullan made a motion to grant the application ZBA-2021-05 of Cheryl Law, seeking a Variance of Zoning Regulation section 4.4.1.8 Maximum lot coverage when not in an aquifer protection zone: 25%, to allow 43.1% lot coverage where 37.6% lot coverage currently exists, to construct an 18' above ground swimming pool and a 10' x 12' deck, on the property located at 20 Liberty Street, located in the R-10 Zone. Robert Steinberg seconded, and the motion passed unanimously.

Review Draft Minutes of the June 16, 2021, ZBA Meeting.

Sherrin Roch made a motion to approve the June 16, 2021, minutes. Robert Mullan seconded and the motion carried with 4 in favor and 1 abstention, Howard Steinberg.

3. Adjournment

Carmen Melaragno made a motion to adjourn at 7:42 PM. Howard Steinberg seconded, and the motion carried unanimously.

Respectfully,

Candace Joseph
Recording Secretary

OTHER BUSINESS