

**SUFFIELD ZONING BOARD OF APPEALS COMMISSION
MINUTES OF REGULAR MEETING
Tuesday, September 27, 2022, 7pm**

Present: Susan Hastings
John Schwemmer
Despina Tartsinis
Renee Pacewicz
Victor Roy, Alternate
Gerard Chase, Alternate

Absent: Mark Blackaby, Chairman
Brian Michaud, Alternate

Also Present: Jim Taylor, Zoning Enforcement Officer
Colin Moll, First Selectman
Ellie Binns, Recording Secretary

The proceedings meeting were recorded and made available on the Town website, along with all of the application materials.

In the absence of Chairman Blackaby, Susan Hastings was acting chairman and called the meeting to order at 7:00 pm

Ms. Hastings called the roll and all members were present with the exception of Mark Blackaby and Brian Michaud. She designated the voting members to be Hastings, Tartsinis, Chase, Schwemmer and Pacewicz.

Ms. Binns read the legal notice into the record.

2022-ZBA2 Daniel Kramer, 790 North Street, Suffield, requesting a front yard variance on the west side of the property from the required 50 feet to 45.6 feet to allow for an addition to a non conforming structure. Sections IV.M, XIII.B.2 and XI.E apply.

There was no correspondence received by the Commission.

Daniel Kramer presented the application, submitting a plot plan and house plans showing the addition, which would be 45.6 feet from the front, necessitating the variance from the 50 feet. Mr. Kramer explained that the existing house has been in the family for three generations. The house was built in 1890 and is 14.9 feet from the front property line. It was built prior to the building and zoning regulations. This plan is different from the plan that was submitted back in July to the Commission, which requested a greater variance. This new plan moves the addition in as far as possible still allowing access the second floor from the existing house. He also noted that there are currently two staircases in the existing house, neither of which are code compliant, and the house as it stands does not meet current standards in its layout. Mr. Kramer noted that other houses

on the street were also existing non-conforming structures. The addition would be 225 feet from the neighbor to the north and would not change the nature of the neighborhood or the use.

Ms. Hastings opened the hearing to anyone from the public who wished to speak. Karen Dardenelli the previous owner of the house, spoke in favor of the application, noting that this will be the third generation of the family to live in the house.

With no further requests from others to speak, Ms. Hastings asked for a motion to close the public hearing and enter deliberations. The motion was made by Mr. Chase and seconded by Mr. Schwemmer with all voting in favor 5-0-0.

Ms. Tartsinis stated that in her view the Commission should not be hearing this application within six months of denying the first application for this property, since there was not a significant change in the request.

Mr. Chase stated that the current application minimizes the encroachment and that the explanation of the reason for the request was better defined than previously, addressing the structural components.

Ms. Hastings noted that this addition design is only requiring a 4.5 foot variance.

Mr. Schwemmer noted that the safety consideration of the stairway was a factor.

With no further discussion, Ms. Hastings called for a motion on the variance.

Mr. Schwemmer moved to approve file # 2022-ZBA2 for a front yard variance on the west side of the property from the required 50 feet to 46.5 feet to allow for an addition to a non-conforming structure with the hardship being the location of the non-conforming existing structure on the lot and the inability to access the second floor in compliance with current building standards. The motion was seconded Mr. Chase and approved by a 4-1-0 vote with Commissioners Hastings, Schwemmer, Pacewicz, and Chase voting in favor and Commissioner Tartsinis opposed.

Ms. Tartsinis stated that in her view the hardship stated does not meet the legal standard needed.

Ms. Hastings explained to the applicant that he had 15 days after the decision is published in the newspaper before acting on the variance.

Mr. Chase moved to approve the minutes of the July 26, 2022 meeting with the amendment of listing how each commissioner voted, rather than just the vote totals. Ms. Binns noted that the minutes should also note the presence of Colin Moll at the meeting. The motion was seconded by Ms. Tartsinis and passed unanimously 5-0-0.

Note: Per the motion, the minutes of July 26th will be corrected to show that the vote count reflected the following:

Mr. Chase, Ms. Hastings, and Mr. Schwemmer had voted in favor and Mr. Blackaby and Ms. Tartsinis had voted against the approval of File # 2022-ZBA1.

With nothing further to come before the Commission, Mr. Schwemmer moved to adjourn the meeting. The motion was seconded by Mr. Chase and with a unanimous vote the ZBA meeting was adjourned at 7:34 p.m.

Respectfully submitted, Susan Hastings, Secretary
Recording Secretary, Ellie Binns