



TOWN OF ELLINGTON

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ZONING BOARD OF APPEALS REGULAR MEETING MINUTES MONDAY, AUGUST 5, 2024, 7:00 PM

IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: ZOOM MEETING
(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)

PRESENT: Chairman Sulakshana Thanvanthri, Vice Chairman Katherine Heminway, Regular members Ken Braga, Subhra Roy, Miranda Graziani, Alternates Ron Brown, Ron Stomberg and Rodger Hosig

ABSENT: None

STAFF

PRESENT: John Colonese, Assistant Town Planner/Zoning Enforcement Officer, and Barbra Galovich, Recording Clerk

I. CALL TO ORDER: Chairman Sulakshana Thanvanthri called the Zoning Board of Appeals (ZBA) meeting to order at 7:00 pm.

II. PUBLIC COMMENTS (ON NON-AGENDA ITEMS): None

III. PUBLIC HEARINGS:

1. V202407 – Keila Rivera, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 21ft to expand existing front porch along North Park Street at 46 North Park Street, APN 020-173-0000 in a Residential (R) zone.

Time: 7:01 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

Keila Rivera, 227 Pine Street, Holyoke, MA was present to represent the application.

Keila Rivera is requesting a variance to reduce the front yard setback from 35 feet to 21 feet to expand the existing front porch along North Park Street. Keila added they will be expanding the living room and adding a bedroom within the proposed renovations.

John Colonese noted the Board members received the site plan and elevations showing the proposed porch.

Vice Chairman Heminway noted the plans will be a great improvement to the property. Vice Chairman Heminway added the proposed sewer connection will be located under the porch. John Colonese confirmed the applicant will be working with the Water Pollution Control

Authority for approval of the sewer connection. John noted the house has not been occupied for a very long time.

Edward Shaw, 41 North Park Street, inquired about the plans for 46 North Park Street. Edward reviewed the plans and stated any improvements to the property are welcome since no one has lived in the dwelling for years.

MOVED (HEMINWAY), SECONDED (ROY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202407 – Keila Rivera, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 21ft to expand existing front porch along North Park Street at 46 North Park Street, APN 020-173-0000 in a Residential (R) zone.

MOVED (ROY), SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO APPROVE W/CONDITION(S) V202407 – Keila Rivera, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the front yard setback from 35ft to 21ft to expand existing front porch along North Park Street at 46 North Park Street, APN 020-173-0000 in a Residential (R) zone.

Condition(s): Shall obtain Water Pollution Control Authority approval.

Hardship: Non-conforming lot and house location.

2. V202408 – Jeanna Giansanti, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the rear yard setback from 10ft to 1ft to install a 10'x12' shed at 5 Manhattan Road West-2, APN 149-012-0000 in a Lake Residential (LR) zone.

Time: 7:10 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

Jeanna and Christopher Giansanti, 5 Manhattan Road West-2, were present to represent the application. Jeanna Giansanti is looking to take down an existing non-conforming shed, which is along the front yard near the property line and build a 10'x12' shed in the rear of the property. Jeanna explained the well for the property is also within the front yard and the lot is small and non-confirming. Jeanna provided an aerial photo of the property and showed the proposed location in the rear yard.

Commissioner Braga asked if the shed could be moved more than 1 foot from the property line. Jeanna Giansanti said it would be difficult with the location of the existing porch. Commissioner Roy asked for the distance from the porch to the property line. Christopher Giansanti said it is about 19 feet. Jeanna explained the proposed location of the shed using the aerial photo and noted the shed location is also limited by an existing rock.

Alternate Brown stated the Zoning Board of Appeals historically has not approved a variance for a 1-foot setback. The reason for this is to allow property owners to have enough distance to use a ladder or work on the structure without trespassing onto an abutting property.

Jeanna asked the board for recommendations on the setback. Chairman Thanvanthri recommended reducing the size of the shed. Alternate Brown recommended redesigning the shed. Alternate Hosig stated that he feels a 2-foot setback is adequate space to maintain the shed. Christopher Giansanti asked for a recommendation on the setback from the Board. Alternate Brown asked what a safe distance would be to maintain the shed, and if 3 feet would be enough of a distance. Christopher stated the new shed could be built 3 feet from

the rear property line and maintained appropriately. No one from the public spoke regarding the application.

MOVED (HEMINWAY), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR V202408 – Jeanna Giansanti, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the rear yard setback from 10ft to 1ft to install a 10'x12' shed at 5 Manhattan Road West-2, APN 149-012-0000 in a Lake Residential (LR) zone.

MOVED (THANVANTHRI), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE V202408 – Jeanna Giansanti, owner/applicant, request for variance of the Ellington Zoning Regulations Section 3.2.3-Minimum Yard Setbacks: to reduce the rear yard setback from 10ft to 3ft to install a 10'x12' shed at 5 Manhattan Road West-2, APN 149-012-0000 in a Lake Residential (LR) zone.

Hardship: Non-conforming lot size.

3. V202404 – Gondal Corporation, owner/applicant, to appeal a decision from the Zoning Enforcement Officer dated March 27, 2024, of Section 6.3.2-General, Section 6.3.9-Illumination, and Section 6.3.10-Prohibited Signs at 83 West Road, APN 028-056-0000 in a Commercial (C) zone.

Time: 7:10 pm

Seated: Thanvanthri, Heminway, Braga, Roy and Graziani

John Colonese noted the letter dated July 31, 2024, from the Law Offices of Edward M. Schenkel, LLC requesting a withdrawal of the appeal on behalf of the owner. The letter also states the internally illuminated dispenser pump signs will be removed within 7 days.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO ACCEPT WITHDRAWAL OF V202404 – Gondal Corporation, owner/applicant, to appeal a decision from the Zoning Enforcement Officer dated March 27, 2024, of Section 6.3.2-General, Section 6.3.9-Illumination, and Section 6.3.10-Prohibited Signs at 83 West Road, APN 028-056-0000 in a Commercial (C) zone.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the July 1, 2024, Regular Meeting Minutes.

MOVED (BRAGA), SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE JULY 1, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion: None

V. ADJOURNMENT:

MOVED (BRAGA), SECONDED (ROY) AND PASSED UNANIMOUSLY TO ADJOURN THE ZBA MEETING AT 7:37 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk