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SUFFIELD ZONING BOARD OF APPEALS COMMISSION

REC'D BY: mc **MINUTES OF REGULAR MEETING**
Tuesday, October 28, 2025, 7pm

- Present:** Mark Blackaby
John Schwemmer
Despina Tartsinis
Gerard Chase
Susan Hastings
Victor Roy, Alternate
- Absent:** Timothy Casey, Alternate
- Also Present:** Eric Vincent, Zoning Enforcement Officer
Ellie Binns, Recording Secretary
Bill Hawkins, Director of Planning and Development

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

Chairman Blackaby called the meeting to order at 7:02 pm and took a roll call. Ms. Binns read the legal notice which was published in the Hartford Courant and on the Town website on October 17th and 24th into the record.

Mr. Chase moved to open the public hearing for File # 2025-ZBA4. The motion was seconded by Ms. Hastings and approved unanimously 5-0-0.

Mr. Blackaby then designated as voting members for this hearing, Blackaby, Tartsinis, Chase, Schwemmer and Hastings.

2025-ZBA4 Janice Testerman, property Map 26, Block 22, Lot 13, 1891 Hill Street, Suffield, requesting a variance of the required front yard fence setback from 50 feet to 12 feet. Ordinance 315-10 and Section XIII. apply

Correspondence:
There was no correspondence received regarding the application.

The applicant, Janice Testerman and Jared Mays who also lives at the property described the house and lot. The home was built in 1891 and is close to the road with the access to the house on the south side with the entrance driveway and garages on that side. There is a steep gully in the back which means that the area on the north side is functioning as a backyard. They estimated that the front of the house is about 22 feet from the road and the fence that has been installed is about 12.5 feet from the road. The purpose of the fence is for privacy and safety noting the topography of the property with the drop off in back and the speed with which cars travel on the road. Mr. Mays stated that he did not know a permit was required for a fence when he installed it. Mr. Chase noted that the GIS survey is not an accurate document to use and Mr. Vincent stated that an A2 survey would be needed to determine the actual property lines. Mr. Mays noted that the six foot height

of the fence was necessary because of his dog who could easily get over a four foot fence. He also spoke of his concern for safety for children being in the yard with the cars speeding down the road. There was discussion about a four-foot fence half see through would not need a variance and could be installed closer to the road than 50 feet.

Chairman Blackaby asked if there were any comments for or against the application from anyone attending the hearing, and there were no comments.

With nothing further, Mr. Chase moved to close the public hearing and enter deliberations. The motion was seconded by Ms. Hastings and passed unanimously.

Commission members discussed other properties on the street that are also close to the road and have other types of fences and the lack of a hardship as defined by Connecticut State Statute and they have reasonable use of the property without the non-conforming fence.

It was also noted that this is not a unique situation because there are other properties in Town that Commissioners noted have traffic and safety concerns that home owners have had to address while staying within the regulations.

With no further discussion, Mr. Blackaby called for a motion on the variance.

Mr. Schwemmer moved to approve file # 2025-ZBA4 requesting a variance of the required front yard setback from 50 ft. to 12 ft. for the installation of a 6ft fence. The motion was seconded by Ms. Hastings and denied due to a lack of hardship, 5-0-0 with Mr. Blackaby, Ms. Hastings, Ms. Tartsinis, Mr. Chase and Mr. Schwemmer opposed.

It was explained to the applicant that he had 15 days after the decision is published in the newspaper to appeal the ruling to the Superior Court.

Mr. Blackaby called for a vote on the minutes from the June 24, 2025 meeting. Mr. Chase moved approval and the motion was seconded by Ms. Tartsinis and approved unanimously.

The Connecticut Federation of Planning & Zoning Agencies (CFPZA) Quarterly Newsletter was distributed to the Commission members and will be emailed to them by the Planning and Zoning Office when received throughout the year. Information on Freedom of Information (FOIA) from the State of Connecticut Freedom of Information Commission was distributed to the members for reference.

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 7:55 p.m.

Recording Secretary, Ellie Binns