

**GLASTONBURY ZONING BOARD OF APPEALS**  
***Regular Meeting Minutes of Monday, September 14, 2020***

The Glastonbury Zoning Board of Appeals with Peter Carey, Building Official, in attendance held a Regular Meeting on Monday, September 14, 2020 via ZOOM video conferencing.

**ROLL CALL**

**Board Members- Present**

Brian Smith, Chairperson  
Sandra O’Leary, Vice Chairperson  
Nicolas Korn, Secretary  
Timothy Lamb  
Susan Dzialo, Alternate  
Doug Bowman- Alternate

**Board Members- Excused**

Jaye Winkler  
David Hoopes

Chairman Smith called the meeting to order at 7:03 pm and explained the public hearing process to the audience. Chairman Smith also noted that 4/5 votes are needed for an application to pass and there is a 15-day appeal period.

Chairman Smith seated Mr. Doug Bowman as a voting member in place of Ms. Jaye Winkler.

Secretary Korn read out the 4 agenda items.

**Public Hearing**

- 1. By Hearthstone Home for a special exception as provided for in Section 7.1b.2b.1 to allow a fourth car garage space located at 880 Mott Hill Road in RR zone owned by Brian Feery.**

Mr. Carey read out the first application.

*Due to technical difficulties, Ms. O’Leary had to reconnect to the Zoom meeting. Chairman Smith seated Ms. Dzialo as a voting member for the first application item.*

Mr. Brian Feery informed the Board that he was seeking a special exception as provided in Section 7.1b.2b.1 of the Zoning Regulations to allow a 4<sup>th</sup> garage bay. He explained that the proposed house will be under 4,500 square feet and will include a two-bay garage. Mr. Feery also noted that the lot already has a two-bay garage, which makes the total number 4. The

homeowner then explained that the application meets the criteria for a 4<sup>th</sup> garage under the special exception.

Mr. Lamb inquired about the size of the lot. He then asked the homeowner if it is under one acre. Mr. Carey informed the Board that the property is 43,567 square feet, which is just over one acre.

Mr. Lamb inquired about the square footage of the proposed house. Mr. Feery replied it will be 3,000 square feet, and added that it would be a modern farm house.

Mr. Bowman inquired about the direction the garage doors will face. Mr. Feery replied that the garage doors will face the road. Mr. Feery explained that the old garage driveway is composed of gravel with grass behind it. He then informed the Board that the new garage driveway will be paved. Mr. Feery explained that the garage use is intended for storage and large equipment.

Chairman Smith informed Ms. O’Leary that Ms. Dzialo will vote on the first agenda item.

Mr. Feery put up the site plans on the screen. He explained that the backyard is all grass.

Chairman Smith asked if any members of the Board had questions. Ms. Dzialo inquired if this application requires a justification of hardship. Chairman Smith explained that, because the application is a special exception, no hardship is required.

Mr. Bowman stated that the garage is very close to the property line.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicant.

**2. By Jason Kriedel for a variance from Section 4.2.7 to allow an addition closer to the side yard than permitted at 28 Thompson Street in RR zone.**

Mr. Carey read out the second application. Chairman Smith reseated Ms. O’Leary as a voting member.

Mr. Kriedel stated that they want to build a 2-car garage in place of the existing 1-car garage. He explained that the existing garage is very small and cannot fit a modern car. Mr. Kriedel informed the Board that they plan to have an unfinished second floor storage area measuring 22 feet by 28 feet.

Mr. Kriedel then explained that almost every house in their neighborhood has a 2-car garage. He then noted that their house looks unfinished with the existing 1-car garage. Mr. Kriedel informed the Board that in the future they plan to put up solar panels on the roof of the new 2-car garage.

Mr. Kriedel and his wife Ms. Olivia Humphreys, explained that the lot is non-conforming and irregularly shaped. The homeowners also explained that the north-east corner of the house was designed and built with less than the 25-foot side boundary requirement. The homeowners stated that they are only left with 15 feet of space from the property line. Ms. Humphreys explained that they are asking for 17 feet, which is 2 more feet of space just in case.

Chairman Smith inquired if there were any overhangs and if that was included in the measurements. The homeowners stated that 17 feet should be enough space. Mr. Kriedel stated that the new 2-car garage will balance the look of the house and will fit the neighborhood.

Chairman Smith inquired if they would need to expand the pavement. Mr. Kriedel replied no.

*The homeowners temporarily lost connection to the Zoom meeting.*

Mr. Bowman stated that he saw the architectural drawing and added that the plans look very nice. He then explained that the existing garage looks more like a carport. Mr. Bowman stated that the new plans would be a big improvement.

*The homeowners reconnected to the Zoom meeting.*

The homeowners presented a rendering of the proposed 2-car garage. Ms. Humphreys stated that the design will be much more balanced.

Secretary Korns wanted to clarify what the new distance would be. Mr. Kriedel replied 17 feet.

Mr. Carey informed the homeowners and the Board that is better if they keep it at 11 feet. He explained that 11 feet was listed on the application. Mr. Carey then noted that the garage can go shorter but not bigger.

The homeowners agreed to go with 11 feet.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicants.

**3. By Jonathan & Kelly Stangel for a special exception as provided for in Section 8.2b for an addition closer to the front property line but no closer than the existing non-conforming structure at 1559 Main Street in Residence AA zone.**

Mr. Carey read off the third application.

Mr. Stangel explained that he wants to build an 8-foot by 12-foot structure on the north-west part of the property. He explained that the house is non-conforming and noted the addition will not go closer than the existing house. Mr. Stangel asked if the Board had any questions.

Chairman Smith wanted to confirm if the application was a special exception and not a variance. Mr. Carey stated correct.

Mr. Bowman explained that he visited the property and got a tour of the house. He noted that the property is over 100 years old. Mr. Bowman stated that the plans would be in keeping with the architectural integrity of the property.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicants.

**4. By Justin Salvio for a variance from Section 4.1.6 and 4.1.8 to allow an addition closer to both the front and rear yard lines than permitted at 57 Laurel Trail in CR zone.**

Mr. Carey read off the fourth application.

Mr. Bobby Ashton, IT Manager, stated that the homeowner is not present.

Chairman Smith asked if there was anyone from the public representing Mr. Salvio. There was no reply. Mr. Carey called Mr. Salvio and informed him of the Zoom meeting in progress. Chairman Smith stated that Mr. Salvio could be having technical problems.

Mr. Carey asked Mr. Ashton to help connect Mr. Salvio. Mr. Salvio connected into the Zoom meeting and apologized.

The Chairman asked Mr. Salvio to explain what he would like to do.

Mr. Salvio stated that the concrete porch is cracked in the middle and he would like to put an 8-foot by 4-foot gable roof over the front porch.

Chairman Smith asked Mr. Salvio if he had a building permit plan. Mr. Salvio replied yes and stated that he had submitted the drawings.

Mr. Salvio corrected himself and explained that the measurements are 6 feet by 8 feet and not 8 feet by 4 feet.

Chairman Smith asked whether the rest of the project would be new. Mr. Salvio replied yes.

Ms. Dzialo inquired if the project will have the same footprint as the damaged stoop. Mr. Salvio replied yes.

Chairman Smith explained to Mr. Salvio that he would need to describe the hardship and reason for needing a variance. The Chairman inquired if the lot is narrow. Mr. Salvio explained that the property is in the Diamond Lake area. He also explained that the front and back of the property crisscross and the shape of the lot is triangular. Mr. Salvio stated that the shape of the lot is a hardship.

Mr. Lamb stated that the front of the house is facing Hilltop Trail, while from the Town's perspective, the front is Laurel Trail. He then noted that the shape is triangular and the lot is non-conforming.

Mr. Lamb inquired how far the property would be from Laurel Trail. Mr. Salvio stated that Mr. Carey had done the measurements. Mr. Carey explained that the front left corner of the house is 76 feet from Laurel Trail. He also explained that, coming back from Hilltop Trail, is another 76 feet.

Mr. Lamb stated that he is confused. Mr. Carey explained that the property crisscrosses and the front left corner is at 76 feet. He then noted that the property is behind the rear setback line. Mr. Carey then explained that it is 76 feet from the right side of the porch.

Mr. Lamb noted that the homeowner is asking for 2 variances instead of a special exception. He then reiterated that the property is non-conforming.

Mr. Bowman stated that he visited the property and had the wrong definitions about the front and back of the house.

The hearing was opened for public comment, either for or against the application, and seeing as no one came forward to speak, Chairman Smith closed public comment on the application.

Chairman Smith thanked the applicants.

*Chairman Smith informed the Board that they will take a short recess and then move on to deliberations.*

## 1) Action on Public Hearings

1. **By Hearthstone Home for a special exception as provided for in Section 7.1b.2b.1 to allow a fourth car garage space located at 880 Mott Hill Road in RR zone owned by Brian Feery.**

Secretary Korns read out the first application.

*Motion by:* Ms. Dzialo

*Seconded by:* Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Hearthstone Home for a Special Exception as provided in section 7.1b.2b.1 to allow a fourth car garage space located at 880 Mott Hill Road in RR zone owned by Brian Feery. The requirements of section 13.9 have been met.

### **Discussion:**

Mr. Lamb stated that it is a permitted use and added that the lot is fine and in a rural area. He also noted that he thinks it will look nice.

Mr. Bowman stated that the width of the driveway comes too close to the property line. He then explained that his concern is more about the driveway than the garage. Mr. Bowman inquired if he is correct to think that they are voting on the garage and not the driveway. Chairman Smith replied correct. Chairman Smith wanted to confirm with Mr. Carey that there are no zoning issues. Mr. Carey replied correct.

Mr. Lamb explained that the Board's deliberations are about the building and not the paving. He then stated that it is not the Board's call whether the property owner paves or does not pave. Chairman Smith agreed with the points and added that the Board cannot enforce that.

**Result:** Motion passes unanimously. (5-0-0)

*Chairman Smith reseated Ms. O'Leary as a voting member.*

2. **By Jason Kriedel for a variance from Section 4.2.7 to allow an addition closer to the side yard than permitted at 28 Thompson Street in RR zone.**

Secretary Korns read out the second application.

**Motion by:** Mr. Bowman

**Seconded by:** Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Jason Kriedel for a variance from Section 4.2.7 to allow an addition no closer than 11 feet from the side yard than permitted at 28 Thompson Street in RR zone based on the hardship of the unusual lot configuration and the existing structure predating zoning regulations. The requirements of section 13.9 have been met.

**Discussion:**

Mr. Lamb stated that it will meet the character of the neighborhood and will be an improvement.

Chairman Smith stated that it was a good solution.

**Result:** Motion passes unanimously. (5-0-0)

- 3. By Jonathan & Kelly Stangel for a special exception as provided for in Section 8.2b for an addition closer to the front property line but no closer than the existing non-conforming structure at 1559 Main Street in Residence AA zone.**

Secretary Korns read the third application.

**Motion by:** Mr. Lamb

**Seconded by:** Secretary Korns

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Jonathan & Kelly Stangel for a Special Exception as provided in Section 8.2b for an addition closer to the front property line but no closer than the existing non-conforming structure as presented in the application packet at 1559 Main Street in Residence AA zone owned by Jonathan & Kelly Stangel on grounds that the house predates zoning and the addition is a permitted use. The requirements of section 13.9 have been met.

**Discussion:**

Mr. Lamb stated that he will be voting in favor of the application. He explained that the property is far back from the street and not visible. Mr. Lamb also noted that it meets the requirements.

Chairman Smith stated that a good job was done matching the proposed addition to the existing structure.

**Result:** Motion passes unanimously. (5-0-0)

**4. By Justin Salvio for a variance from Section 4.1.6 and 4.1.8 to allow an addition closer to both the front and rear yard lines than permitted at 57 Laurel Trail in CR zone.**

Secretary Korns read the fourth application.

**Motion by:** Secretary Korns

**Seconded by:** Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals approves the application by Justin Salvio for a variance from Section 4.1.6 and 4.1.8 to allow an addition closer to both the front and rear yard lines than permitted at 57 Laurel Trail in CR zone on the grounds that the very unusual lot configuration mitigates against standard setback requirements. The requirements of section 13.9 have been met.

**Discussion:**

Mr. Bowman stated that he feels bad for the property owner because at the present moment he cannot walk out of his front door. He also noted that the proposal is tasteful and proportional.

Secretary Korns agreed with Mr. Bowman's points.

Chairman Smith stated that it is a peculiar lot from a regulatory standpoint. He explained that it is similar to the property in the Coldspring Xing area in South Glastonbury where the front and back yards cross. Chairman Smith also noted that it is a narrow and oddly shaped lot and the homeowner has a hardship from a regulatory standpoint. The Chairman also stated that what is being proposed is not a major addition.

**Result:** Motion passes unanimously. (5-0-0)

Chairman Smith thanked the applicants and wished them luck.

**2) Acceptance of Minutes from July 6, 2020 meeting  
Acceptance of Minutes from August 3, 2020 meeting**

Secretary Korns informed the Board that the July minutes were tabled at the last meeting.

Mr. Lamb stated that he noticed that the hardship clause and the phrase "the requirements of Section 13.9 have been met" are combined in the July minutes. He stated that it should be two separate sentences.

Chairman Smith stated that he would entertain a motion, with an amendment to the July minutes, specifying that each reference to “the requirements of section of 13.9 have been met” should be phrased as a separate stand-alone sentence.

**Motion by:** Chairman Smith

**Seconded by:** Secretary Korns

MOVED, that the Glastonbury Zoning Board of Appeals adopts the July minutes with the proviso that the reference to “the requirements to the section of 13.9 have been met” will be phrased as a separate sentence in each and every application.

**Result:** Motion passes unanimously. (5-0-0)

Chairman Smith stated that the Board will now move on to the August 3, 2020 minutes.

The Board reviewed the formatting of the August minutes and noted that “The requirements of section 13.9 have been met” is written as a separate sentence. No amendments are needed for the August 3, 2020 minutes.

Mr. Lamb stated that he cannot vote on the first application. Chairman Smith explained that they will divide the approval of the August minutes. The first vote will be on the portion of the minutes that deal with application number 1 of the public hearing, as well as the vote related to the 1st application.

Chairman Smith explained that seated for the voting portion will be Secretary Korns, Mr. Bowman, Ms. Dzialo, and himself.

Chairman Smith reiterated that the vote is for the first portion of the meeting relating to the first application item. He also reiterated that Ms. O’Leary and Mr. Lamb will not be voting.

**Motion by:** Chairman Smith

**Seconded by:** Ms. Dzialo

MOVED, that the Glastonbury Zoning Board of Appeals approves the portion of the minutes related to the first public hearing application and vote of the regular meeting of August 3, 2020.

**Result:** Motion passes. (4-0-0)

Chairman Smith stated that the Board will now vote on items 2-4 of the August 3, 2020 Minutes. He stated that Ms. O’Leary, Mr. Lamb, Mr. Bowman, Secretary Korns and himself will be voting.

**Motion by:** Chairman Smith

**Seconded by:** Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals approves the public hearing portion and the votes on application items 2-4 of the regular meeting of August 3, 2020.

**Result:** Motion passes unanimously. (5-0-0)

Chairman Smith inquired if it will be a busy agenda for the October meeting. Mr. Carey replied yes and explained that there may be 9 applications.

Secretary Korns inquired if the October meeting will still be virtual. Mr. Carey replied yes.

Mr. Lamb stated that he prefers the virtual meetings over meeting room A.

Secretary Korns inquired, as a follow-up to the approval of the August minutes, whether there was any communication from Mr. Sakon. Mr. Carey stated that he has not heard anything.

### **3) Adjournment**

**Motion by:** Secretary Korns

**Seconded by:** Mr. Lamb

MOVED, that the Glastonbury Zoning Board of Appeals adjourns their regular Meeting of September 14, 2020 at 8:37 pm.

**Result:** Motion passes unanimously. (5-0-0)

Chairman Smith thanked the Board and stated that they will reconvene in October.

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Brian Smith, Chairperson