

Zoning Board of Adjustment

September 7, 2016

APPROVED MINUTES

Present: Steve Lagasse, Chris Lowe, Frank Gado, Alice Maleski, Dennis Brown, Selectboard Liaison and Jo-Ann Ells, Zoning Administrator

Absent: Tom Franklin

Frank Gado was running late, so the Board decided to attend to the following administrative matters:

Administrative Matters

1. Minutes

Steve Lagasse moved to approve the minutes of August 10, 2016. Alice Maleski seconded and the motion passed unanimously.

Chris Lowe moved to approve the minutes of July 6, 2016. Alice Maleski seconded and the motion passed unanimously.

2. Projects that received administrative approval:

There were no projects approved administratively since the Board's last hearing.

Frank Gado arrived.

Public Hearing

Steve Lagasse opened the Public Hearing at 6:40PM and explained the hearing process and the Interested Party Rule and then administered the oath.

1. Application #10-16 by Knight Properties, LLC (owner/applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations for an accessory structure, lot 43-0020-000, 903 Hartford Avenue, Hartford, in RC-2, R-2 and R-1 Zoning Districts.

Jeff Knight and Chris Holzwarth were present.

Chris Holzwarth noted that the plans include Phase #1 and Phase #2. He explained that Phase #1 (an addition to the crematory) was approved administratively and that the applicant was seeking approval of Phase #2 for an accessory structure. He proceeded to review the project.

It was noted that the Findings of Fact should reflect that the proposed lights will be downlit and only activated when new garage/shed is being used.

Steve Lagasse asked about the single and double row of proposed arborvitae. Chris Holzwarth stated that the intent of the double row was to block the view from Demers Avenue. There was discussion about the planting and mature height of the arborvitae. Chris Holzwarth noted that there is significant shade on the east side of the lot and that he had reviewed the proposed plantings with the direct abutter, Lucille Demers' tenant.

Chris Holzwarth clarified that the accessory structure would not be connected to water or sewer.

There was discussion about the operating hours for the funeral home and crematory.

There was no public comment.

Alice Maleski moved to close the Public Hearing. Steve Lagasse seconded, and the hearing was closed. The Hearing was reopened briefly to discuss the hours of operation. It was agreed that the Findings of Fact would reflect the hours of operation as 8:00 AM-9:00 PM seven days a week.

Frank Gado moved to close the Public Hearing. Alice Maleski seconded, and the hearing was closed.

Alice Maleski moved to approve the application with the noted changes. Chris Lowe seconded, and the motion passed unanimously.

2. Application #11-16 by Lorenz and Shari Rutz (owners) and Steve Davis (applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a single-family dwelling, lot 09-0159-012, School Street, Hartford, in an R-3 Zoning District.

Steve Davis and Chris Holzwarth were present.

Chris Holzwarth explained that during the construction of the dwelling the orientation was changed and a portion of the foundation was placed in the front setback.

Chris Holzwarth reviewed the plans.

Chris Holzwarth stated that the current orientation of the dwelling allows for southern exposure.

Chris Holzwarth reviewed the development of the street, and pointed out that other structures are in the front setback.

Chris Lowe asked about the back corner of the dwelling and the proximity to the drainage ditch. Chris Holzwarth stated that the grading of the ditch as shown on the plans still needs to be done.

Alice Maleski expressed frustration that, contrary to the approved permit, the foundation was moved and built inside the setback. Jo-Ann Ells stated that the Board's purview at this time was to review this application for a setback waiver and determine if it met the criteria for a waiver.

Steve Lagasse asked what would have happened if the builder had known that a waiver would be needed to switch the orientation of the dwelling. Jo-Ann Ells stated that she would have reviewed the project with the builder and advised that he seek a setback waiver similar to what the Board was presently reviewing.

Dennis Brown suggested a correction to the Findings of Fact regarding the name of the school on School Street.

Steve Lagasse moved to close the Public Hearing. Frank Gado seconded, and the Public Hearing was closed.

Steve Lagasse commented to the Board that he believed that the application met the criteria for a waiver and added that, in his opinion, the required setback might be excessive for the area.

Chris Lowe moved to approve the application with the noted change. Steve Lagasse seconded, and the motion passed unanimously.

Administrative Matters Continued

3. Rules of Procedure

Jo-Ann Ells reminded the Board that once an application has been formally submitted to her office they cannot discuss the application.

There was a brief discussion regarding the process for conducting a deliberative session.

4. Availability for the next Public Hearing

Steve Lagasse told the Board that he would be out of town for the October 19th hearing.

5. Public comment

None

Adjournment

At 7:44 p.m. Alice Maleski moved to adjourn. Frank Gado seconded, and the motion passed unanimously.

Respectively Submitted,

Frank Gado, Clerk