

**TOWN OF SALEM
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
THURSDAY, APRIL 28 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

1. CALL TO ORDER

Chairman Dutch called the meeting to order at 7:10 p.m.

2. ROLL CALL: Seating of Alternates

Present were Chairman Charlie Dutch, Board Members Ken Bondi, Elbert Burr, and Alternate Board Member True Smith. Absent were Vice Chairperson Denise Orsini, Board Members Emil Casciano and Alternate Board Members Larry Benedict and Rebecca Nortz. Also present was the Zoning Enforcement Officer (ZEO) Matthew Allen.

Alternate Member Smith was seated.

3. APPROVAL OF MINUTES: January 27, 2022

M/S/C: Burr/Bondi, to approve the Regular Meeting Minutes of January 27, 2022.

Discussion: None. Voice vote, 4-0, all in favor.

4. PUBLIC HEARING(S):

- A. ZBA#22-02** – 170 Norwich Road, Rural A Zone. Application of Dennis O’Sullivan for a northerly front yard setback of 25 ft. in lieu of the required 50 ft., a southerly front yard setback of 25 ft. in lieu of the required 50 ft., and an easterly side yard setback of 15 ft. in lieu of the required 25 ft. for a proposed 14 ft. by 36 ft. accessory building.

Chairman Dutch opened the Public Hearing.

ZEO Allen stated that all mailings and notifications were in order. The variance involves a 2.1-acre property that is sandwiched between Music Vale and Norwich Roads. The Applicant is requesting a variance for an accessory building to be located on the easterly area where the property narrows and the septic field is located. There is one abutting property, which is owned by the State. Other nearest properties/dwellings are located across the street. The proposed location for the building has been approved by the Uncas Health District. He did not see any conflicts or issues with the application. The hardship is due to the shape and narrowness of the lot caused by the presence of the two roads, limiting the available areas to place the accessory building.

Applicant Dennis O’Sullivan presented a site plan indicating the location of the proposed structure.

Distance from Septic System (Board Member Bondi) – The distance of the proposed building from the leach fields was determined by the Uncas Health District.

Power & Plumbing (Board Member Burr) – The structure will have plumbing and electricity.

Permanence/Movability of Structure (Board Member Burr) – The building will sit on a foundation. He has spoken with the Building Department and, due to its size, the building would require frost protection and sonatubes.

Use Limitations (Board Member Burr) – The Applicant will be utilizing the structure as a utility building to store a tractor, mowers, and the like. Commercial Use of the structure would not be permitted. The building may not be converted into a dwelling as the property currently contains the maximum number of dwellings. A Home Occupation, should the qualifications and requirements be met, could be allowed. The motion may include verbiage indicating that the variance is being granted for a specific use.

Building Height (Board Member Smith) – The building will be no more than 12' high.

PUBLIC COMMENTS

Mark and Linda Frausini, 212 Music Vale Road, expressed their support for the variance, stating that the addition of the accessory building would only further enhance and beautify the property.

David Williams, 142 Norwich Road, also expressed his support for the Application, stating his faith in Mr. O'Sullivan.

A letter of support from James and Dawn Shumbo, 220 Music Vale Road, as well as text messages from other neighboring properties were submitted for the record.

There being no additional comments, the Public Hearing was closed at 7:29 p.m.

M/S/C: Burr/Smith, to approve ZBA#22-02 – 170 Norwich Rd., Rural A Zone for a proposed 14' x 36' accessory building, as presented, with the condition that the accessory building is utilized for storage only. Discussion: Due to the configuration and confining dimensions of the property, being wedged between the two roads, presenting a hardship, the Board Members agreed to approve the Application. Voice vote, 4-0, all in favor.

6. OLD BUSINESS: *none*

7. NEW BUSINESS: *none*

8. CORRESPONDENCE/ANNOUNCEMENTS: *none*

9. ADJOURNMENT

M/S/C: Smith/Burr, to adjourn the meeting at 7:37 p.m. Discussion: None. Voice vote, 4-0, all in favor. Meeting adjourned.

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem