

CITY OF NORWICH ZONING BOARD OF APPEALS

May 11, 2020

Regular Meeting Minutes

The regular meeting of the City of Norwich Zoning Board of Appeals was called to order at 7:07 p.m. Roll call was taken.

PRESENT: Marc Benjamin, Chairman
David Martin
Peter Cuprak
Gregory Schlough

ABSENT: Robert Phoenix
Dorothy Travers

OTHERS: Richard Shuck, Zoning Enforcement Officer, and Katherine Rose,
Recording Secretary

Marc Benjamin called the meeting to order at 7:11 p.m. Marc Benjamin stated all seated members would be voting on all matters.

A. COMMUNICATIONS: None.

B. ACCEPTANCE OF MINUTES: Peter Cuprak made a motion to accept the April 13, 2021 minutes. David Martin seconded. Motion passed unanimously.

C. OLD BUSINESS: None.

D. NEW BUSINESS:

- 1. V# 21-05: 23 Blueberry Hill Road.** Request for Variance to ZR Sec. 1.1 Residential Bulk Requirements to reduce the side yard setback from the minimum of 15 ft. to 3 ft. for the construction of a 33 ft. x 15 ft. attached garage addition. Property of John T. Flaherty and Elizabeth C. Flaherty, Application of Ryan Flaherty, Assessors Map # 73, Block # 1 Lot # 61, R-20 Zone

Marc Benjamin discussed with the members that he was a fellow fighter with the applicant and that as there were only four board members present and seated he could not recuse himself if they were to vote on the application at this meeting. Marc Benjamin stated he review the situation with city staff who recommended he put the question to the fellow members on the record. All members stated they did not see a conflict with Marc Benjamin voting on the application.

Richard Shuck read into the record Exhibits A - I.

Ryan Flaherty of 23 Blueberry Hill Road stated that five adults currently inhabited the home on the property which did not have a basement so

they were looking to build a shed for additional storage. Ryan Flaherty stated that he contacted the zoning department and Eversource regarding the utility poles with high tension power lines that run through the backyard who informed them that nothing can go beneath the poles or within a 25-foot easement. Ryan Flaherty continued that because of this the shed could not be placed in the backyard so their proposed location would be on the side of the home with a 3 foot setback and to run 30 feet alongside the home. Ryan Flaherty stated he spoke to neighbors in regards to the proposed shed's proximity to the road and none had any issues. Ryan Flaherty stated the garage would allow security and storage for yard equipment and vehicles. Ryan Flaherty stated he also spoke to Uncas Health District who informed that due to the location of the home's septic system a garage or shed would not be feasible in the rear yard. Marc Benjamin clarified that whichever side of the home the shed was placed a variance would be required which Richard Shuck stated was correct.

Francine Bachman of 19 Blueberry Hill Road stated she was the most affected by addition and had no issue with the proposed garage addition. Francine Bachman stated she felt the room was needed.

Patricia Klausman of 27 Blueberry Hill Road was in favor of the addition.

Kathy Shamroy of 22 Blueberry Hill Road was in favor of the addition.

Jennifer Lumberg of 18 Blueberry Hill Road was in favor of the addition.

Sarah Flaherty of 23 Blueberry Hill Road was in favor of the addition.

Elizabeth Flaherty the property owner of 23 Blueberry Hill Road stated the addition would allow her children to remain in the home who helped maintain the property.

Sean Flaherty of 23 Blueberry Hill Road stated he would like to remain in Norwich and the addition would help allow that for their family.

Gregory Schlough made a motion to close the public hearing. Peter Cuprak seconded. The motion passed unanimously.

2. **V# 21-06: 125 Newton Street.** Request for Variance to ZR Sec. 1.1 Residential Bulk Requirements to reduce the side yard setback from the minimum of 15 ft. to 12 ft. for a 10 ft. extension of an existing nonconforming deck. Property of: Fred W. Charles, Application of Fred W. Charles, Assessors Map # 100, Block # 2 Lot # 16, R-20 Zone

Richard Shuck read into the record Exhibits A - H.

Fred Charles of 125 Newton Street stated he is looking to replace the deck of the home he purchased nine years prior which was in poor shape. Fred Charles stated he wished to put stairs on the side of the deck and to increase its size going toward the rear of the home, which would require a variance. Fred Charles stated he needed to repair the existing stairs either way and would like to make the size of the deck feasible for family use. Discussion ensued.

Sheri Speer on behalf of the The Revnor Land Trust at 127 Newton Street stated the property was closest abutting neighbor and was in support of the project.

Ryan Flaherty of 22 Blueberry Hill Road stated he was in favor of the extension of the deck for increased family usage and that the extension would not be visible from the road.

Gregory Schlough made a motion to close the public hearing. Peter Cuprak seconded. The motion passed unanimously.

E. DISCUSSION AND POSSIBLE DECISIONS:

- 1. V# 21-05: 23 Blueberry Hill Road.** Request for Variance to ZR Sec. 1.1 Residential Bulk Requirements to reduce the side yard setback from the minimum of 15 ft. to 3 ft. for the construction of a 33 ft. x 15 ft. attached garage addition. Property of John T. Flaherty and Elizabeth C. Flaherty, Application of Ryan Flaherty, Assessors Map # 73, Block # 1 Lot # 61, R-20 Zone

Peter Cuprak made a motion to accept the application due the hardship caused by the Eversource easement, the setup of the septic system and the fire hazard in putting the attachment close to the bedroom areas. Gregory Schlough seconded. All voted in favor. The motion passed unanimously.

- 2. V# 21-06: 125 Newton Street.** Request for Variance to ZR Sec. 1.1 Residential Bulk Requirements to reduce the side yard setback from the minimum of 15 ft. to 12 ft. for a 10 ft. extension of an existing nonconforming deck. Property of: Fred W. Charles, Application of Fred W. Charles, Assessors Map # 100, Block # 2 Lot # 16, R-20 Zone

Gregory Schlough made a motion to approve the application due to the hardship of the failing deck and the lack of options to relocate it elsewhere. Peter Cuprak seconded. Marc Benjamin agreed and noted that the proposed work will be in line with the side of the home. All voted in favor. The motion passed unanimously.

F. OTHER MATTERS: Richard Shuck reported that at the next regular meeting there would be a variance for a property in the business park that he first referred to the Commission on City Plans for as it is a usage variance. Richard Shuck continued that the property is in an area that previously allowed residential homes and is surrounded by residential apartments so the variance is requesting a usage change as the zone no longer allows residential uses. Richard Shuck stated that CCP will act on the variance prior to the next regular Zoning Board of Appeals meeting.

G. ADJOURNMENT: A motion was made by Gregory Schlough to adjourn at 8:05PM. Peter Cuprak seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted,
Katherine Rose
Recording Secretary