

CITY OF NORWICH ZONING BOARD OF APPEALS
June 13, 2023
Regular Meeting Minutes
Hybrid Meeting
ZOOM & Room 335, City Hall, Norwich

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 (ZOOM)
Robert Phoenix
Dorothy Travers (ZOOM)
Gregory Schlough

ABSENT: None

OTHERS: Matthew Ostrowski, Creative Enclosures; Edward Aberbach;
Richard Demauro; Richard Shuck, Zoning Enforcement Officer; and
Katherine Rose, Recording Secretary

Marc Benjamin called the meeting to order at 7:00 p.m. Marc Benjamin stated all members would be voting on all matters.

A. COMMUNICATIONS: None.

B. ACCEPTANCE OF MINUTES: Gregory Schlough made a motion to accept the February 14, 2023 regular meeting minutes, with one correction. Robert Phoenix seconded. All voted in favor. The motion passed unanimously.

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C. OLD BUSINESS: None.

D. NEW BUSINESS:

1. **V# 23-03: 15 Canterbury Tpke.: Request for relief from ZR Sec. 1.1, Residential Bulk Requirement; to reduce the rear yard setback from 30 ft. to 10 ft. for the construction of a 13 ft. x 10 ft. addition. Property of Edward H. Aberbach & Sue Ann Aberbach, Application of Matt Ostrowski., Assessors Map # 068, Block # 002 Lots # 006, R-40 Zone**

Richard Shuck read Exhibits A - F into the record.

Matthew Ostrowski of Creative Enclosures presented on behalf of the applicants Edward and Susan Aberbach. Matthew Ostrowski stated the request is to build a small 10 foot by 13 foot addition on the rear of the home.

Matthew Ostrowski reported that the property is on an existing non-conforming lot in the R-40 zone so the applicant is requesting to have the setback revised as it is fairly aggressive and is preventing the way of expansion. Matthew Ostrowski noted how the rear of the property borders on a diagonal property line and that the proposed setback would be 17 feet from the property line to the new addition. Richard Shuck noted it would be 10 feet from the property line to the rear corner of the addition. Marc Benjamin asked if the addition was put to the right of the existing jut-out, to square it off, if it would be encroaching on the opposite property line. Matthew Ostrowski responded that was correct and the addition would be sitting on that property's driveway. Robert Phoenix asked if there was a previous structure on the existing patio. Edward Aberbach of 15 Canterbury Turnpike responded there was nothing there when the home was purchased. Robert Phoenix asked if the addition would be a three or four season room. Matthew Ostrowski responded it would be a heated, fully insulated space. David Martin asked if there was any thought on putting the addition on the left backside of the home. Matthew Ostrowski responded that location was considered but it would be more costly and still would not resolve the issue with the existing setback. Richard Shuck agreed the location would still be non-conforming. Matthew Ostrowski stated the hardship for the applicant is the existing non-conforming lot located in an R-40 zone with an aggressive setback preventing the use of expansion of the non-conforming structure in a manner that would otherwise comply with the applicable zoning regulations.

Richard Demauro of 19 Canterbury Turnpike stated he was concerned that the addition would be a direct viewpoint to his driveway where his children lay during the summertime. Robert Phoenix asked how that would differ from the current configuration of the home. Richard Demauro responded that the space would be wider and the vantage point would be his entire driveway.

Edward Aberbach stated there is nothing preventing that viewpoint with the current configuration and the addition would be used mostly for houseplants and not as a sitting area.

Gregory Schlough made a motion to close the public hearing at 7:12 PM. Robert Phoenix seconded. All voted in favor. The motion passed unanimously.

E. DISCUSSION AND POSSIBLE DECISIONS:

- 1. V# 23-03: 15 Canterbury Tpke.: Request for relief from ZR Sec. 1.1, Residential Bulk Requirement; to reduce the rear yard setback from 30 ft. to 10 ft. for the construction of a 13 ft. x 10 ft. addition. Property of Edward H. Aberbach & Sue Ann Aberbach, Application of Matt**

Ostrowski., Assessors Map # 068, Block # 002 Lots # 006, R-40 Zone

Gregory Schlough made a motion to approve the variance based on the hardship of the topography of the land in the area that would fit the addition. Robert Phoenix seconded. All voted in favor. The motion passed unanimously.

F. STAFF UPDATES: Richard Shuck reported the appeal by Mr. Gaitan in relation to the Franklin Street garage was progressing and he would provide updates as they arose.

G. ADJOURNMENT: A motion was made by Robert Phoenix to adjourn at 7:22 PM. Gregory Schlough seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted,
Katherine Rose
Recording Secretary