TOWN OF HADDAM
ZONING BOARD OF APPEALS
PUBLIC HEARING/MEETING
ONLINE VIA GOTOMEETING
THURSDAY, 28 MAY 2020
UNAPPROVED MINUTES
Subject to Approval by the Board

ATTENDANCE

X	Thomas Berchulski
X	Marjorie W. DeBold
A	Joseph Laurenza
X	Robin Munster, Chairman
X	Kenneth Wendt
A	William Iselin, Alternate
X	Jessica Labbe, Alternate
X	Anthony Matterazzo, Alternate - Seated
X	William Warner, AICP Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order and Pledge of Allegiance

Mrs. Munster, Chairman, called the meeting to order at 7:06 p.m. and the pledge was recited.

2. Attendance/Seating of the Alternates

Attendance was taken and all regular members as well as alternate member Mr. Matterazzo were seated.

Mrs. Munster read the Legal Notice, as printed on the Town web site, into the record; and then explained the public hearing/meeting process to those in attendance.

3. PUBLIC HEARING

a. A Variance to Section 23.1 Accessory Buildings to Allow a 12' by 24' One Car, One Story Garage within 20' (40' Required) of the Front Property Line at 12 Arkay Drive. Applicant: Steven Adduci.

Steven Adduci, owner/applicant, was present.

Mr. Adduci explained he is requesting a variance for the installation of a one car garage 20 feet from the road. Mr. Adduci stated he has sufficient room on the side of his property, but would need a 20 foot variance to the front.

Mrs. Munster stated the application and maps were on the town's web site, but the application did not describe the hardship. Mr. Adduci stated the location of the driveway can only be placed on one side as the other side of the yard has a utility easement. Mr. Wendt asked if the utility easement was on the north side of the property with Mr. Adduci responding yes.

Mrs. DeBold inquired about notification of the neighbors and potential responses. Mr. Adduci stated he had mailed three (3) certified letters to his closest neighbors who received them 22 May 2020; and prior to that, he had spoken to them directly in regard to the application. Mrs. Munster asked Mr. Warner if there were any additional letters for or against the application. Mr. Warner stated no, neither objecting or supporting.

Mr. Matterazzo asked the proximity of the neighbors. Mr. Adduci stated the proximity of the neighbors to the proposed garage would not be close at all – the front where the garage will be will be facing is woods,

the neighbor in the upper corner is approximately 300 feet away, the neighbor to the left of the shed location is 20 feet from his property line, but not where his driveway will be blocked, and a neighbor across the street. Mr. Matterazzo asked about the neighbor to the right. Mr. Adduci stated the neighbor to the right is approximately 500 feet from the garage itself. Mr. Matterazzo asked if a notification letter had been mailed to him. Mr. Adduci stated no, as he was instructed to send letters to three people in the proximity. Discussion followed as to who instructed Mr. Adduci to send the notification letters (Bill Warner, Town Planner, instructed Mr. Adduci to send notification to the abutters).

Mr. Warner reported he had spoken to one of the neighbors (located to the side and behind Mr. Adduci's property – 24 Arkay Drive, Delvecchio) regarding the application and he didn't seem concerned so he's fully aware of the situation. Mr. Adduci stated he did not send a letter to him. Mr. Wendt stated he was looking at a map and it shows four abutting properties – one to the north, the second at the intersection of Arkay and Gunger Hill, and the three and four behind Mr. Adduci. Mr. Adduci apologized for not notifying everyone. Mr. Warner stated the neighbor that he had been speaking to was the one to the north (facing the house to the left) who also owns the parcel behind the applicant. Mr. Wendt stated there are two houses on Gunger Hill that abut Mr. Adduci's property. Mr. Warner asked which houses letters were mailed to. Mr. Adduci stated 96 Gunger Hill (Conte), 110 Gunger Hill (Ziroli), and 11 Arkay Drive (Holness - directly across the street).

Mr. Matterazzo asked if the requirements have been met (legal standpoint), since all notifications were not mailed. Mr. Warner stated from a very technical standpoint, yes and the Board could continue the hearing to allow Mr. Adduci time to resend the notification letters; however, the owner of 24 Arkay is aware of the matter and didn't object. Mr. Warner recommended the Board move forward with the matter.

Mr. Wendt asked if 92 Gunger Hill (Gallarotti) received notification as they do abut the property line. Mr. Adduci stated no, they did not receive notification. Mr. Adduci stated they do abut the back of the property line. Mr. Adduci stated he sent three letters to those whose view would be affected by the garage and didn't think of those behind him.

Discussion returned to whether or not proper notification of abutting property owners had been met. Mr. Warner recommended the Board continue the hearing.

Mr. Wendt asked about the timing of this project. Mr. Adduci stated there is no time requirement and the last thing he would want to do is have the Board bend the rules because he made a mistake. Mr. Adduci stated the neighbor to the rear is aware of what's happening, but he didn't know he should have notified him.

Mrs. Munster asked about holding a special meeting. Mr. Warner stated yes, one could be scheduled next week as only 24 hours is required.

Mr. Matterazzo stated there was no notification has to what the hardship is requiring the applicant to be 20 feet rather than 40 feet from the property line. Mr. Matterazzo asked what would prevent the driveway from going back another 20 feet. Mr. Adduci stated if he went back another 20 feet he would be lined up with the well (possible 20 feet to the north of it) and he would not like to put the driveway that far back. Discussion followed at length regarding the hardship and the distance from the dry well, the area being elevated, and the existence of a retaining wall. Mr. Adduci offered to have the Board view the property. Mrs. Munster stated it probably would have been easier visually if the map had been marked up showing the well, etc.

Discussion followed in regard to continuing the public hearing, notifying 24 Arkay Drive and 92 Gunger Hill, and the continuation of the hearing being a benefit (legally) to Mr. Adduci. Mr. Adduci stated he understood; and asked if he needed to notify the initial three neighbors again as well as the two neighbors who were not notified. Mr. Warner stated only the two neighbors who did not receive notification.

Mr. Matterazzo returned the discussion to the nature of the hardship – a well, a dry well – the fact that these are not specifically noted on the plot plan or the application and believes these items are critical in the Board making a decision. Mr. Warner stated a continuation will allow Mr. Adduci the opportunity to show the Board the reasons why a variance is needed. Mr. Wendt suggested driving by the property to see the situation. Mr. Warner stated Board members could go on the property (application allows it). Mrs. DeBold asked if the hardship should be added to the application. Mr. Warner stated Mr. Adduci could complete that. Mr. Matterazzo asked who helped him complete the application with Mr. Adduci stated he did and it's the first time he's done this.

Mr. Warner asked Mr. Adduci to call him on Tuesday, 2 June 2020. Mr. Matterazzo asked if the same members have to be seated during the continuation of the hearing. Mr. Warner stated they should be but others could participate if they listen to the record. Mr. Warner suggested Mr. Matterazzo, as an alternate who is seated, should follow the application if possible.

MOTION: Marge DeBold motioned to continue the hearing to a special meeting to be held on Thursday, 4 June 2020, 7:00 p.m., via GoToMeeting to allow the applicant to mail notice to two abutting property owners and to complete the application. Ken Wendt second. Mrs. Munster called for the vote: DeBold – yes, Matterazzo – yes, Berchulski – yes, Wendt – yes, and Munster – yes. Motion carried unanimously.

Public hearing continued until Thursday, 4 June 2020.

4. PUBLIC MEETING

a. A Variance to Section 23.1 Accessory Buildings to Allow a 12' by 24' One Car, One Story Garage within 20' (40' Required) of the Front Property Line at 12 Arkay Drive. Applicant: Seven Adduci.

The meeting was continued until Thursday, 4 June 2020.

5. Approval/Correction of the Minutes

MOTION: Tony Matterazzo motioned to approve the 30 April 2020 public hearings/meeting minutes as submitted. Tom Berchulski second. Motion carried unanimously.

6. Adjournment

The meeting was adjourned at 7:36 p.m.

Respectfully Submitted,

Bunny Hall Batzner

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Recording Clerk

A Special Meeting has been scheduled for Thursday, 4 June 2020.

The next regular meeting is scheduled for Thursday, 25 June 2020.