

**TOWN OF HADDAM  
ZONING BOARD OF APPEALS  
PUBLIC HEARING/MEETING  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT 06438  
THURSDAY, 29 SEPTEMBER 2022  
UNAPPROVED MINUTES  
*Subject to Approval by the Board***

**ATTENDANCE**

X	Marjorie W. DeBold
A	Joseph Laurenza
X	Robin Munster, Chairman
X	Kenneth Wendt, Vice Chairman
X	Kate Wessling
X	Margo Chase-Wells, Alternate – Seated
X	Susann Costa, Alternate
X	Jessica Labbe Kuchyt, Alternate
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 7:01 p.m.

**2. Attendance/Seating of the Alternates**

Attendance was taken.

Mrs. Munster read the hearing request from the agenda into the record. Ms. Wessling questioned the required distance as read by Mrs. Munster as the Legal Notice indicated 30 feet required; whereas, the agenda indicated 20 feet required. Mr. Warner stated 30 feet is required (Legal Notice would take precedent) and Mr. Vinopal is asking to be within 10 feet. Mrs. Munster stated the Legal Notice is correct, the motion is correct according to the published Legal Notice, and the agenda is incorrect.

Attendance was taken and Mrs. Chase-Wells was seated.

**3. PUBLIC HEARING**

**a. Request for a front yard variance to Section 4 and Table 1 of the Zoning Code to Authorize Construction of a Detached Garage to be within 10 Feet when 30 Feet is Required at 493 Little City Road, Higganum. Applicant: William Vinopal.**

William Vinopal, owner/applicant, was present.

Mrs. Munster explained the hearing process and opened the hearing at 7:05 p.m. Mrs. Munster asked for the Certified Mailing receipts (received and placed in the file).

Mr. Vinopal stated they are looking to construct a 24 foot by 30 foot detached garage next to the existing garage. Mr. Vinopal stated the hardship is due to the wetlands on the property; and the most seamless place to not disturb the rest of the property or try to cross a wetland, while trying to get access to the garage they are requesting a variance. Mr. Vinopal also stated the proposal will allow them to use their existing driveway. Mr. Vinopal noted the proposed location is currently a parking spot.

Ms. Wessling asked if the driveway would be changed at all and if the proposed garage would be one or two stories. Mr. Vinopal stated they would not be changing the driveway and the proposed structure would be 1.5 stories (loft inside). Mr. Vinopal provided copies of the building plans for the Board to review. One of the submissions, a GIS map, showed the projected wetlands on the site. Mr. Warner stated that's the DEEP wetland delineation and noted there's a pond on site. Mr. Vinopal stated there is also a stream that feeds the pond and the other side of the property is wet from the stream that runs along the other side of the pond. Mr. Warner stated the GIS mapping is slightly off, but there isn't much on the site that isn't wet. Mr. Vinopal stated the backyard behind the house is ledge and contains their septic system. Another map showed the ledge and leaching field.

Ms. Wessling asked if the proposed garage can be constructed while leave the existing garage. Mr. Vinopal stated yes. Ms. Wessling asked if any trees along the road would be removed. Mr. Vinopal stated the only trees that will be removed are two birch trees to the front of the proposed site. There are no further intentions of changing or removing any of the pine trees along the road.

Mr. Vinopal stated the proposed structure has been canted to go along with the road so it will shelter the existing garage and keeps the cohesive look of the property as well. They're trying to keep the character of the house.

Mrs. Munster asked if there were any letters from the neighbors or if he had talked to his neighbors. Mr. Vinopal stated he had spoken to the neighbors up the street and they are fine with the proposal and did not hear back from the other two neighbors. Mr. Vinopal noted the letters were sent early as he was originally scheduled for the September meeting.

Mr. Wendt asked if the barn would be visible from the street. Mr. Vinopal stated yes, as it will be close to the street.

Mrs. Chase-Wells asked if the house is visible from the street. Mr. Vinopal stated yes, as well as the existing garage.

Mrs. DeBold stated she's glad there is some buffer. Mr. Vinopal stated there's ledge to the back and they're trying to work with what's available noting if they come too far forward they would have to change the lines of the driveway.

Mrs. Chase-Wells asked where the 30 feet is required. Mr. Warner stated to the property line which happens to be a stonewall (so 10 feet from the stonewall). Mrs. Chase-Wells asked the location of the property line on the map (indicated by a red line). Mr. Warner stated it may be a little more than 10 feet from the stonewall, but there's a little room to work with. Mr. Vinopal stated they do not want to hit ledge.

Mr. Wendt stated it shows about 4 acres of land total and most is unbuildable because of the ledge, wetlands, and pond. Mr. Vinopal stated yes, and the spot on the other side where it could be placed is wetland locked. Mr. Vinopal also stated there was at one time a barn on the other side of the property, but it was right on the road and next to the neighbor's property. Using a map, Mr. Warner pointed out the slope (ledge), septic system, the house, and the flagged and actual wetland as well as a stream coming down through the backyard. Mrs. DeBold asked Mr. Warner to show the other side of the table the map.

Mrs. Costa stated the design of the building is beautiful. Mr. Vinopal stated they wanted the new garage to look like it had been there before and they didn't want to deviate from the style of the house.

Mrs. DeBold asked about signage on the building. Mr. Vinopal stated no, the existing structure will remain the dog grooming facility.

Mr. Wendt stated although there are three bordering neighbors, they're all distant from the house. Mr. Vinopal stated correct. Mr. Wendt stated the encroachment would not be affecting anyone as no one should be able to see the garage.

Mrs. Chase-Wells asked if there was a picture of the proposed garage. Mr. Warner asked about a cupola. Mr. Vinopal provided the drawings and stated no cupola.

Mr. Warner noted that there was no one from the public present.

**MOTION:** Margo Chase-Wells motioned to close the hearing at 7:18 p.m. Marge DeBold second. Motion carried unanimously.

#### **4. PUBLIC MEETING**

**a. Request for a front yard variance to Section 4 and Table 1 of the Zoning Code to Authorize Construction of a Detached Garage to be within 10 Feet when 30 Feet is Required at 493 Little City Road, Higganum. Map 56, Lot 17-7. Applicant: William Vinopal.**

**SEATED: DeBold, Munster, Wendt, Wessling, and Chase-Wells.**

William Vinopal, owner/applicant, was present.

Mrs. Munster stated the applicant was very thorough on all the information brought to the Board and the proposed structure will not be encroaching on any neighbors. Ms. Wessling stated there will be no impact to the traffic on the road.

Mr. Warner stated the Board needs to find a hardship that's unique to the land and not self-imposed and in this case the hardship is unique to the land – wetlands, the septic, the ledge, the brook, etc.

Mrs. Costa stated she appreciated the presentation and the building is lovely, but she concerned about making changes to the existing regulations. Mrs. Costa also stated if the variance were granted, in her opinion, it would be a large variance and that it would set a precedent.

Mr. Warner stated that's the idea of the variance that it has to be unique to the land so that the next person can't come in and say you gave him one you have to give me one.

**MOTION:** Kate Wessling motioned to approve a request for a front yard variance to Section 4 and Table 1 of the Zoning Code to authorize the construction of a detached garage to be within 10 feet when 30 feet is required at LOCATION: 493 Little City Road, Higganum. Map 56 / Lot 17-7. APPLICANT: William Vinopal. **Conditions:** 1. Standard Permit Conditions. 2) Special Conditions/Modifications – No. Marjorie DeBold second. Motion carried unanimously.

#### **5. Approval/Correction of the Minutes**

**MOTION:** Marjorie DeBold motioned to approve the 26 May 2022 public hearing/meeting minutes as submitted. Ken Wendt second. Motion carried with Mrs. Munster abstaining.

#### **6. Open Discussion**

Mrs. Costa asked Mr. Warner if the footprint for the proposed pool on Summersweet Drive had been moved. Mr. Warner stated yes.

Mr. Wendt asked Mr. Warner if it was acceptable for a non-seated Board member to ask questions or comment on an applicant after the public hearing has been closed. Mr. Warner stated it only becomes a problem if someone is taken to court.

Mrs. Kuchyt asked if it would have been acceptable for her to ask questions. Mrs. Munster stated she may always ask questions, but cannot vote if not seated. Mr. Warner stated questions should only be asked during the public hearing portion. Once the hearing is closed, there should be no more questions.

Mr. Wendt asked if there were any applications pending for the October meeting. Mr. Warner stated not at this time.

## **7. Adjournment**

**MOTION:** Margo Chase-Wells motioned to adjourn. Kate Wessling second. Motion carried unanimously.

The meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The next regular meeting is scheduled for Thursday, 27 October 2022.**