

**TOWN OF HADDAM  
ZONING BOARD OF APPEALS  
PUBLIC HEARINGS/MEETING  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT 06438  
THURSDAY, 31 MARCH 2022  
APPROVED MINUTES  
*Approved as Submitted at the 26 May 2022 Meeting***

**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 – 27 Filley Road Application
A	Susan Costa, Alternate
X	Jessica Labbe Kuchyt, Alternate – Seated – 13 Summersweet Road Application
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 7:02 p.m.

Mr. Warner distributed a revised agenda that included the Election of Officers (Item #3) to all Board members and staff.

Mrs. Munster read the Legal Notice, as printed in the Haddam News, into the record.

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

Attendance was taken.

Mrs. Munster explained the public hearing and meeting process; and then asked about the mailing certificates. Mr. Warner stated a copy of the Certificate of Mailing (Alesh) and Certified Mail Receipt (Veiga) were a part of the record.

Mrs. Munster moved into the hearings.

**3. Election of Officers**

After the public hearings and the votes were taken, the Board returned to this agenda item.

Margo Chase-Wells nominated Robin Munster for chairman. Ken Wendt second. Nomination carried unanimously.

Margo Chase-Wells nominated Ken Wendt for vice chairman. Robin Munster second. Nomination carried unanimously.

Congratulations Robin and Ken!

#### **4. PUBLIC HEARINGS**

##### **a. Request for a Variance to Allow for Side Setback Five (5) Feet Less than what is Required to Allow for Garage Addition. Applicant: Irene Alesh. Property: 27 Filley Road, Haddam, CT – Map 46, Lot 15B.**

Irene Alesh, applicant, was present.

Ms. Alesh stated she would like to rebuild her garage as it's too small and her neighbor, Robert Arrigoni, suggested she get a variance in order to do so. Mrs. Munster asked if the garage will stay within the same footprint but be wider/larger. Ms. Alesh stated yes. Mrs. Munster stated her neighbor seems to be fine with the request/proposal. Ms. Alesh stated yes.

Mr. Warner reported he had sent an email with an aerial photograph showing the hardship – placement of the house with the pond and the layout of the driveway and garage. The property line is clearly defined with the wire fencing. Mr. Warner stated he has no objection to the request.

Mr. Wendt stated there is a strong presence of trees along the property line and that he had driven by to view the site. Mr. Wendt stated this will also provide Mr. Arrigoni with additional privacy although he's not requesting it. Ms. Alesh stated Mr. Arrigoni has offered to cut the branches of the big tree to make it easier to pass by and has no objection to the variance.

Mr. Wendt asked if Mr. Arrigoni had provided the Board with anything in writing or verbally. Mr. Warner stated no, just that Ms. Alesh had sent the letter to him.

Mrs. DeBold stated when she drove by the property, she noticed a non-living space near Ms. Alesh's property line. Ms. Alesh stated its Mr. Arrigoni's garage.

As there were no further questions from the Board or the public, Mrs. Munster moved into the next hearing.

##### **b. Request for a Variance to Allow for In-Ground Pool Five (5) Feet Off Northern Side of Property Within Setbacks. Applicant: Brent Veiga. Property: 13 Summersweet Drive – Map 41, Lot 15-45**

Brent Veiga, applicant/owner, was present.

Mr. Veiga stated he would like to install an in-ground pool, but due to the shape of the lot, the location of the leaching field, and the proximity of his neighbor on the south side, a variance is needed. Mr. Veiga also stated on the north side there is an undeveloped parcel; and it's unclear at this time whether a pool can be installed on the north side of the property as Wetlands Commission approval is still pending (pool would be located within the 100 foot upland review area). The Wetlands Commission will conduct a site walk on Saturday, 7 April 2022, 10:00 a.m. Mr. Veiga noted the property is within a Homeowners Association (HOA) and above ground pools are not allowed.

Mr. Warner reported he had sent an email with an aerial photograph and based on the location of the septic system and the setbacks, the only place the pool could be put would be right next to the neighbor's property (most intrusive area). Whereas, on the other side, it's all undevelopable land (developer did not deed as open space and less intrusive). Mr. Warner reminded the Board that they must find a hardship that is unique to this parcel of land.

Mr. Wendt stated when he drove by the property, he noticed the right side of the house has no windows; therefore, there would be no view of a pool to monitor the safety of children and the pool would be right next to the neighbor's house.

Mrs. DeBold asked if there is a garage on that side. Mr. Veiga stated the proposal calls for the pool to go behind the two car garage. Mr. Warner noted that the photograph is from 2016 and a back patio has been added.

Mrs. Munster asked if there were any responses from the neighbors. Mr. Veiga stated no, but the neighbors are aware.

Mr. Warner spoke in regard to an email from Sue Costa, ZBA alternate member, who could not be in attendance, noting that her comments are mostly about wetlands and wetlands is not a consideration of ZBA.

Ms. Wessling asked if blasting will be an issue. Mr. Veiga stated he did not believe blasting will need to be done, but noted they are in the early stages of finding out what can and/or cannot be done. Mr. Warner stated it does appear that fill will be required as it drops down considerable by the propane tank.

Mr. Wendt stated his concern is the water table; and asked the depth of the pool. Mr. Veiga stated maximum eight feet. Mr. Veiga stated they will need to build a wall at the starting point of the pool (staked out) and the water table is far below where the bottom of the pool will be. Mr. Warner stated it appears as if the entire yard is fill.

Mrs. DeBold stated the request is for a five foot setback rather than the 15 foot setback. Mr. Veiga stated correct. Mr. Veiga also stated the hardship is the location of the leaching field (in the middle of the yard). Mr. Warner stated the house has four bedrooms and with fill there is a large leaching field.

Mrs. DeBold asked when the letter was sent to the Red Wing Foundation as there was another name from the one on the letter that is listed in the tax office. Mr. Veiga stated the information given by the Town Office was a P.O. Box and the name of the company. Mrs. DeBold stated Red Wing is a charitable foundation.

Mr. Warner stated as it is not clear where the property line is, he is asking that a surveyor stake out the property line (a condition within the motion).

As there were no further questions from the Board or public, Mrs. Munster asked for a motion to close the public hearings.

**MOTION:** Margo Chase-Wells motioned to close the public hearings at 7:20 p.m. Ken Wendt second. Motion carried unanimously.

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

**a. Request for a Variance to Allow for Side Setback Five (5) Feet Less than what is Required to Allow for Garage Addition. Applicant: Irene Alesh. Property: 27 Filley Road, Haddam, CT – Map 46, Lot 15B.**

Irene Alesh, applicant/owner, was present.

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

The Board discussed the merits of the request citing the remote location, there is only one neighbor who suggested that a variance be sought and does not appear to have any objections, the original footprint is the hardship, and Ms. Alesh's hardship is clear and the absence of a hardship for Mr. and Mrs. Arrigoni is also clear.

Mrs. DeBold asked if there was any indication from Mr. Arrigoni on the matter. Mr. Warner stated Mr. Arrigoni received a certified letter regarding the matter.

**MOTION:** Marjorie DeBold motioned to grant a request for variance to allow for side setback five (5) feet less than what is required to allow for a garage addition. Applicant/Owner: Irene Alesh. Property: 27 Filley Road, Haddam, CT – Map 46, Lot 15B. **Conditions:** 1. Standard Permit Conditions. 2. Special Conditions/Modifications – No. **Exhibits:** None. Margo Chase-Wells second. Motion carried unanimously.

**b. Request for a Variance to Allow for In-Ground Pool Five (5) Feet Off Northern Side of Property Within Setbacks. Applicant: Brent Veiga. Property: 13 Summersweet Drive – Map 41, Lot 15-45.**

Brent Veiga, applicant/owner, was present.

**Seated: DeBold, Munster, Wendt, Wessling, and Kuchyt.**

The Board discussed the following points: applicant thought about placement of the pool considered as well as possible risks with the terrain, attempt made to contact abutting property owner to the north, location of leaching field (takes up large portion of yard) a hardship as well as the location of his neighbor's on the south side (intrusive to both parties), makes sense to install the pool to the side where there's undevelopable land, and no objections from the bordering property owner.

Ms. Wessling stated establishing the boundary is a good addition, but does not seem as if the pool will encroach on the adjacent property.

Mrs. Chase- Wells asked about the regulations pertaining to fencing and if that will affect this matter. Mr. Warner stated there are no setbacks for fencing so it can be installed right on the property line.

Mr. Wendt stated the biggest issue will be getting approval from the Wetlands Commission.

Mrs. DeBold stated she was concerned about the encroachment into the wetland when the mailing has not been successful in reaching the adjacent owner. Mr. Warner stated a letter was sent, but an answer is not required. Mrs. DeBold asked about the letter not being sent to the proper owner. Mr. Warner stated they sent the letter to who the tax office told them too. Mr. Warner stated he's not sure the foundation still exists.

**MOTION:** Marjorie DeBold motioned to grant a request for variance to allow for an in-ground pool five (5) feet off northern side of property within setbacks. **Condition:** Property line and pool location to be set by surveyor prior to issuance of building permit. Applicant/Owner: Brent Veiga. Property: 13 Summersweet Drive – Map 41, Lot 15-45. **Exhibits:** None. Kate Wessling second. Motion carried unanimously.

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

**MOTION:** Marjorie DeBold motioned to approve the 29 October 2020 public hearing/meeting minutes as submitted. Jessica Kuchyt second. Motion carried unanimously.

**6. Open Discussion**

**Online Meeting Option** - A brief discussion followed in regard to offering an online option. Mr. Warner stated the option is being worked on, but has not yet been finalized.

**Potential for Applications** – Mrs. Munster asked Mr. Warner if he saw anything in the future that would be putting applications before the Board. Mr. Warner stated no, noting that since the change in zoning regulations pertaining to Hidden Lake that seems to have lessened the number of applications.

**Training** – Mr. Warner reported that state legislation is requiring all board members to take four (4) or five (5) hours of training per year. This will not start until January 2023.

**Emails/Mailings** – Mrs. Chase-Wells and Ms. Wessling stated they had not received the email containing the photographs for the applications heard tonight. Mrs. Chase-Wells and Mrs. Kuchyt stated they did receive the hearing information packet in the mail. A brief discussion followed in regard to the need to update the email list.

## **7. Adjournment**

**MOTION:** Margo Chase-Wells motioned to adjourn. Ken Wendt second. Motion carried unanimously.

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The next regular meeting is scheduled for Thursday, 28 April 2022.**