

**Thomaston Zoning Board of Appeals
Meeting Minutes**

The Thomaston Zoning Board of Appeals held a public hearing and regular meeting on Tuesday, **May 19, 2009** at 7:00 pm, Meeting Room #1, Thomaston Town Hall, 158 Main St., Thomaston, CT.

Members Present: Peter Fuller, Chairman, James Wilson, Vice Chairman, Edward Eaton Secretary, Becky Skinner, Thomas Langlis, Matt Kamens, Will Cummings

Others Present: Mary Barton, Land Use Officer; Bruce Royer, Thomaston Valley Village; Greg McKirryher

The Public Hearing was convened at 7:07 PM

Members Seated: P. Fuller, W. Cummings, E. Eaton, B. Skinner, J. Wilson

Agenda Item # 1 - Continuation of Public Hearing from April 21, 2009 for Application #2009-03-13-01 to operate earth excavation earth processing equipment within 200 feet of all abutting property lines at Waterbury Rd.

Agent(s): None

M. Barton told the Commission that she wasn't able to get all the information to Atty. Rybak for his opinion regarding if there could be a time limit put on the 200 foot variance or if it becomes a permanent variance. M. Barton will contact the applicant tomorrow to see if he will grant an extension because the dead line for the application is May 26, 2009.

A motion was made by P. Fuller and seconded by J. Wilson to recess Application #2009-03-13-01. Motion unanimously passed. 5-0.

Members Seated: P. Fuller, W. Cummings, E. Eaton, B. Skinner, T. Langlais

Agenda Item #3 - Continuation of Public Hearing from April 21, 2009 for Application #2009-03-24-02 to construct a 2 car garage at 399 D Welton Way.

Agent(s): G. McKirryher

G. McKirryher submitted a letter from his neighbor, Fred Campagna of 393 D Welton Way, stating he doesn't have an issue with the location of the garage.

M. Barton informed the Board that IWWC approved the building being 95' from the wetlands instead of the required 100 foot distance and that no other written or verbal communications have been received regarding this application. The Board discussed the hardship of the increased regulated wetlands setback areas since the purchase of the property, the shape of the lot, and the slope of the driveway.

Public Comment: None

A motion was made by E. Eaton and seconded by T. Langlais to grant a 15 foot rear yard variance and a 10 foot side yard variance. Motion passed. 4 to 1 opposed by J. Wilson.

The Public Hearing closed at 7:24 pm.

The Regular Meeting convened at 8:35 pm.

Old Business:

Members Seated: P. Fuller, E. Eaton, B. Skinner, M. Kamens, J. Wilson

Agenda Item # 1 - Application # 2008-12-16-01 for a 10 foot rear and side yard property line variance to a Residential Zoning District setback boundary to construct a building at 32 Watertown Road in a G-C General Commercial Zoning District.

Agent(s): B. Royer

M. Barton distributed a revised draft motion with the changes discussed at the special meeting held on April 28, 2009.

A motion was made by P. Fuller and seconded by B. Skinner to approve the variance for a 30 foot rear yard setback and 30 foot side yard setback with all the stipulations and regulations as listed in the draft motion revised May 18, 2009 (see attachment #1) with the deletion of #4 on Page 3. Motion unanimously passed. 5-0.

Minutes:

A motion was made by P. Fuller and seconded by W. Cummings to accept the minutes from April 21, 2009 as amended to include W. Cumming in attendance of the meeting. Motion unanimously passed. 5-0.

A motion was made by P. Fuller and seconded by B. Skinner to accept the minutes from April 28, 2009. Motion unanimously passed. 5-0.

New Business: None

Communications and Bills: None

Staff Report:

M. Barton reported that she measured the shed setbacks at Mrs. Palermo residence and determined that it does not meet the setback requirements. She will contact Mrs. Palermo Wednesday or Friday about moving or removing it.

Adjournment:

A motion was made by P. Fuller and it was the consensus of the Board to adjourn the meeting at 8:12 pm. Motion unanimously passed. 5-0.

Respectfully submitted,

Pat Santa Maria
Recording Secretary