

**TOWN OF EAST WINDSOR - ZONING BOARD OF APPEALS  
MINUTES OF REGULAR MEETING  
OCTOBER 3, 2011**

The East Windsor Zoning Board of Appeals held a Regular Meeting on Monday, October 3, 2011 at the East Windsor Town Hall, 11 Rye Street, Broad Brook, Connecticut. The following members were present: Regular Members Tom Arcari, José Giner, Stan Paleski and James Stremper, and Alternate Tom Gudzunas. Also present was John Burnham, Board of Selectmen liaison to ZBA and Judy Rajala, candidate for First Selectman

The meeting was called to order at 7:32 p.m. by Chairman Tom Arcari. Mr. Stremper read the legal notice as it appeared in publication.

**ESTABLISHMENT OF QUORUM**

A quorum was established, as four regular members and one alternate were present.

**NEW HEARINGS:**

**ZBA #2011-04** - Application of Donald Mitchell for property located at 56 Rice Road for a variance of Section 401 *Bulk & Area Requirements – Residential Districts (front setback)* to tear down an existing house and rebuild a new house which will be located less than the required 50' from the front property line. [A-1 zone]

Donald Mitchell came forward to explain his application. He noted that he has lived there for seven years. He said the existing house is 8 feet from the front property line. He wants to locate the new house 25 feet back. It would be placing the house more into compliance. Mr. Mitchell pointed out that the six houses closest to him are all set back from 8 to 35 feet. The house across the street is about 20 feet from the road. Mr. Paleski referred to a plan showing that the parcel was originally smaller. Mr. Mitchell said in 1992 the previous owner purchased additional property. Mr. Giner said if he went with the required front setback, he would probably need a variance for the rear setback.

Mr. Mitchell indicated that he has this at the Health Department awaiting approval for the septic. He said he will be tying into Connecticut Water. Mr. Mitchell pointed out that there is a big difference between the edge of the road and the setback.

Mr. Arcari opened up the hearing to the public.

Peter Larese of 42 Rice Road said the applicant does have a hardship and he has no objection to the variance.

**MOTION:** To close the hearing on **ZBA #2001-04.** Paleski / Gudzunas / Unanimous

**Discussion and Vote:**

Mr. Paleski said this parcel dates back before zoning. He said the applicant is doing the best he can. There is a hardship that existed prior to him purchasing the property. Mr. Giner said he will be making it less nonconforming. This will be in line with the neighbors on the road. He noted that some other towns allow people to do setback aligning with their neighbors.

**MOTION:** To approve **ZBA #2011-04** the application of Donald Mitchell for property located at 56 Rice Road for a variance of Section 401 *Bulk & Area Requirements – Residential Districts (front setback)* to tear down an existing house and rebuild a new house which will be located 25 feet from the front property line, where 50 feet is the minimum required. [A-1 zone]  
Giner / Paleski / Unanimous

**PUBLIC PARTICIPATION:**

John Burnham said he has enjoyed coming to these meetings during the past few years. He said they are doing a great job.

**APPROVAL OF MINUTES:**

Mr. Giner pointed out one change to be made: On page 5 under Discussion and Vote, the third line should read: “The areas in the front and to the south are seeing a **decrease** in the nonconformity.”

**MOTION:** To approve the minutes of the July 11, 2011 meeting, as amended.  
Gudzunas / Paleski / Unanimous

**ADJOURNMENT:**

**MOTION:** To adjourn. Giner / Paleski / Unanimous

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

Respectfully submitted,

Marlene Bauer  
Recording Secretary