

Minutes
LITCHFIELD ZONING BOARD OF APPEALS

May 3, 2016 7:30 p.m.
Town Hall Annex, 80 Doyle Rd., Bantam, CT

Members Present: Chairman Brian Donohue, Vice Chairman Brian McKernan, Jeff Legendre, Bruce Watts, Virginia Dean.

Members Absent: None

Chairman Donohue called the meeting to order at 7:31 and explained the format of the hearings.

PUBLIC HEARINGS

Case 16-5-1 - To discuss and possibly act upon a request from David & Deborah Beauregard for Front Yard variance of 30' from Article IV Section 2 for a proposed therapeutic spa for property at 272 South Street. David & Deborah Beauregard were present for the application and submitted return receipt mail cards. Mr. Beauregard explained that he has arthritis in his shoulder and Mrs. has arthritis in her back and the spa help with these conditions. He stated that the lot is uniquely shaped and is a corner lot. The house was built in 1885. The spa will be located behind an existing privacy fence so it will not be visible. Mrs. Beauregard stated that she received verbal approval from the Historic District. No one spoke for or against the application. The Chair moved to close the hearing at 7:45 p.m., G. Dean seconded and the motion passed unanimously.

Case 16-5-2 - To discuss and possibly act upon a request from John Casanova for Front yard variance of 4' from Article IV Section 2 and Enlargement variance from Article VI, Section 6(7) for two proposed additions for property at 13 McBride Road. John Casanova was present for the application and submitted return receipt mail cards. He explained that they just bought the house and are doing a complete renovation. He is adding a master bedroom addition where the current garage is located that is not part of this application. There was some discussion on whether zoning on this lot has changed since the house was built in 1988 making the housing presently non-conforming. The Board struggled with the hardship being aesthetic because it will not add much living space. Because the house is conforming, making it non-conforming by granting a variance could become an issue for the Board. No one spoke for or against the application. B. McKernan moved to close the hearing at 8:07, B. Donohue seconded and the motion passed unanimously.

REGULAR MEETING

Consider Case 16-5-1 – B. Donohue moved to approve the application because of the unique shape of the property; that the house was built in the 1800's and the fact that the owners require this for therapeutic reasons, G. Dean seconded and the motion passed unanimously.


Consider Case 16-5-2 – The Board discussed needing more information regarding the applicants claim that the house was built at a time when the zoning was different. They struggled with the fact that the request will make a presently conforming house become non-conforming. The uniqueness and hardship are not readily apparent. B. Donohue

moved to continue deliberations to next month to get more information, B. McKernan seconded and the motion passed unanimously.

Approval of Minutes – March 1, 2016 – B. Watts moved to approve the minutes, G. Dean seconded and the motion passed unanimously.

Possible Executive Session to discuss pending litigation – B. Donohue moved to go into executive session at 8:19, B. McKernan seconded and the motion passed unanimously. The Board came out of Executive session at 8:30 with no action taken.

Adjournment – B. Donohue moved to adjourn the meeting at 8:30, B. McKernan seconded and the motion passed unanimously.



Brian Donohue
Chairman

Date