

**ZONING BOARD OF APPEALS**  
**June 1, 2020 Meeting Minutes**

Board Members Present: Joseph DeLisle, Sr., Leyna Erickson, Douglas Glazier, Christopher Halpin and Alternate Daniel Merrigan

Town Staff Present: Dan Malo, Enforcement Officer

ZOOM Meeting Host: Jennifer Rodriguez

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The meeting was called to order at 7:00 pm

Mr. Malo asked Mr. Glazier if they had a quorum for the meeting. Mr. Glazier responded that he, Mr. DeLisle and Ms. Erickson were present. He went on to say that that was enough members to open the meeting, but not enough to approve any applications.

**ELECTION OF INTERIM CHAIRMAN**

Mr. Glazier stated that Chairman Flanagan had an illness that he would be dealing with for several months, therefore he had recommended to Mr. Glazier that he be interim Chairman.

**Mr. Glazier asked for any Interim Chairman nominations. He noted that anyone could be nominated for the position. Mr. DeLisle nominated Mr. Glazier. Ms. Erickson seconded the nomination. All were in favor. The vote was 3 – 0, Mr. Glazier was elected Interim Chairman.**

**BILLS & CORRESPONDENCE:**

None

**OLD BUSINESS:**

None

**The meeting was paused while Chairman Glazier and Mr. Malo called some of the other Board members in order to acquire a full quorum so that the applications before the Board that evening could be voted on.**

**Mr. Merrigan and Mr. Halpin both joined the meeting and the meeting resumed.**

**NEW BUSINESS:**

**a. DMV Applications**

None

**b. Public Hearings**

Chairman Glazier stated that he had visited all three applications sites.

**1. Public hearing on Application #FY19-20-04, Owner/Applicant: Mary Ann Danyluk for a variance for the property located at 24 Whiton Street to replace a deck 6 feet from front property line where 40 feet are required in a Residential A Zone.**

Mary Ann Danyluk of 24 Whiton Street addressed the Board and stated that Steve Chambers, her engineer, was also present that evening. She stated that for safety reasons she was proposing to make her front stoop larger which would allow her to safely take packages in as well as allowing safer entry by individuals thru her front door. Ms. Danyluk explained that the original steps were concrete with rebar reinforcement, but that she was proposing that the new stoop and steps be constructed with Trex.

Mr. Chambers explained the new landing would need to be about 4 feet with two steps that would need to be 1 foot each totaling 6 feet which would put the new stoop and stairs a little over 12' 3" from the edge of the sidewalk.

Chairman Glazier commented that there was currently no landing on the top step. Mr. Chambers stated that that was correct. He then noted that the bottom step was currently 9 feet from the sidewalk.

Chairman Glazier noted that the house had been built in the late-1800's or early-1900's when there were no zoning regulations in place. He went on to say that the other houses in the neighborhood were also built very close to the road, therefore the proposed front stoop and steps' proximity to the sidewalk would be in harmony with the rest of neighborhood.

Chairman Glazier asked the Board members for any questions or comments. Ms. Erickson stated that she had visited the site and went on to note that all of the homes in the neighborhood were very close to the street. She then commented that it would not be out of line for the Board to grant the requested variance.

Mr. DeLisle stated that he had also visited the site and noted that the current front steps were very precarious.

Chairman Glazier asked for any public input. Ms. Rodriguez stated that Sue K. was trying to give comments, but that her video and sound had cut-out. Ms. Rodriguez then read the following comments that Sue K. was able to type into the “Chat” feature of the meeting:

“My full name is Susan Kittredge, I am one of the property owners at 22 Whiton Street, Windsor Locks. I fully support Mary Ann’s project. It will only improve her property and make her front entry way safer.”

**Mr. Glazier asked for a motion regarding Application #FY19-20-04. Mr. DeLisle moved to approve Application #FY19-20-04, Owner/Applicant: Mary Ann Danyluk for a variance for the property located at 24 Whiton Street to replace existing front door steps (9 feet from the property line), with a 3 foot flat area followed by steps, which results in the proposed steps being 6 feet from the front property line, where 40 feet is required in a Residential A Zone. This home was built long before the 40 foot frontal zone was established. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning Requirements of frontage.**

**Chairman Glazier then read the following hardship from Mr. Malo’s memorandum dated June 1, 2020:**

- 2. The hardship upon which this decision is based is that the existing front porch and steps were built prior to Zoning Regulations and the proposal will create safe egress.**

**Mr. Delisle then continued with the following conditions:**

- 3. Changes to the proposed plan may require a return to this Board.**
- 4. This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
- 5. The granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Ms. Erickson seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

Chairman Glazier told Ms. Danyluk that she would need to see the Building Office in order to obtain the required permit. Ms. Danyluk asked when she could apply for that permit. Mr. Glazier stated that she could apply during the Building Department’s regular business hours of Monday thru Wednesday from 8:00 am to 4:00 and Thursday from 8:00 am to 6:00 pm. He then noted that the Town Hall was currently closed on Fridays. Mr. Malo then stated that it would be best for Ms. Danyluk to call Jennifer Bourque in the Building Office prior to stopping by the Office. The Recording Secretary then noted that a permit could not be issued until the required 15 day appeal period ended. The appeal period started from the day in which the legal

results of the meeting were published. She explained that she had 15 days in which to publish the legal results, but she typically had them done within 7 days of the meeting at which time the 15 day appeal period would begin.

**2. Public hearing on Application #FY19-20-05, Owner/Applicant: Patrick Walsh for a variance for the property located at 199 Elm Street to place an addition 6 feet from a side property line where 12 feet are required and a variance for 22 feet from the rear property line where 25 feet are required in a Residential A Zone.**

Patrick Walsh addressed the Board and stated that his wife had rheumatoid arthritis and fibromyalgia, therefore he wanted to build a garage in order to make it easier and safer for his wife to get to and from her vehicle. He went on to say that he and his wife also had custody of their two grandchildren and the garage would make it much easier for his wife when she needed to transport their grandchildren. Mr. Walsh also noted that the garage would alleviate the need for his wife to have to clear her vehicle of snow in the winter months.

Mr. Walsh stated that the garage would be 4 feet from the back side and 4 feet from the side. He pointed out that the house was only 9 feet from the property line and the proposed garage would be 6 feet from the property line. He then noted that his neighbor's garage was only 1 foot from the property line. Mr. Walsh commented that the garage would end up being 3 feet wider than the house.

Chairman Glazier clarified that the applicant was proposing a two care garage off the back of the house that would sit 6 feet from the property line to the garage on the side and the other side to the property line in the backyard would be 22 feet. Mr. Walsh stated that that was correct.

Chairman Glazier asked the Board members for any questions or comments. Mr. DeLisle asked if there was going to be any living space above the proposed garage. Mr. Walsh responded that there would be some living space, but no bedrooms. He went on to say that it would probably be used for storage and possibly a "man cave". Mr. DeLisle clarified that it would be heated and cooled. Mr. Walsh stated that that was correct. He then noted that there would also be either a half or full bath.

Chairman Glazier noted that the location of the proposed garage would allow for easy access to the adjacent side of the home. Mr. Walsh stated that that was correct. He then pointed out that it would also make it so that his wife would not have to clear snow off her vehicle in the winter.

Chairman Glazier asked for any public input. There was none.

**Chairman Glazier asked for a motion regarding Application #FY19-20-05. Ms. Erickson moved to approve Application #FY19-20-05, Owner/Applicant: Patrick Walsh for a variance for the property located at 199 Elm Street to place an addition 6 feet from a side property line where 12 feet is required and a variance for 22 feet from the rear property line where 25 feet is required in a Residential A Zone. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning Requirements to side and back yards.**

**Chairman Glazier then read the following hardship from Mr. Malo's memorandum dated June 1, 2020:**

- 2. The hardship upon which this decision is based is that the lack of garage creates difficult vehicle access for handicap homeowner in adverse weather.**

**Ms. Erickson then continued with the following conditions:**

- 3. Changes to the proposed plan may require a return to this Board.**
- 4. This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
- 5. The granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Mr. DeLisle seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

- 3. Public hearing on Application #FY19-20-06, Owner/Applicant: Danny Kokofsky, Jr. for a variance for the property located at 258 South Elm Street to build a 21 x 24 foot addition off the north side of the house, setback 23 feet (west extent) and 31 feet (east extent) where a 40 foot setback is required.**

Mr. Kokofsky was not present for the meeting. His wife, Krista, was present and addressed the Board. She stated that they would like to put an addition on the north side of their home to be used as a master bedroom. She explained that they had a corner lot, therefore their side yard was considered another front yard. Mrs. Kokofsky noted that the proposed addition would be 23 feet from the front corner to the road and 21 feet from the back corner to the road.

Chairman Glazier clarified that the north side was the only side that they could put the addition. Mrs. Kokofsky stated that that was correct. She then explained there was a large patio in the back of the home and if built on the south side of the home it would be too close to the neighbor.

Chairman Glazier asked the Board members for any questions or comments. Mr. DeLisle asked what the impact on the corner would be. Mr. Malo replied that there was an existing 12 foot Town-owned, undeveloped right-of-way that the applicant

maintained, therefore their proposed addition would actually be 35 feet and 42 feet from the roadway. He went on to say that, if the right-of-way was figured in, the applicant would not need a variance for their proposed addition.

**Chairman Glazier asked for a motion on Application #FY19-20-06. Mr. DeLisle moved to approve Application #FY19-20-06, Owner/Applicant: Danny Kokofsky, Jr. for a variance for the property located at 258 South Elm Street to build a 21 foot x 24 foot addition off the north side of the house, setback 23 feet (west extent) and 31 feet (east extent) where a 40 foot setback is required in a Residential A Zone. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning Requirements to side and back yards.**

**Chairman Glazier read the following hardship from Mr. Malo's memorandum dated June 1, 2020:**

- 2. The hardship upon which this decision is based is that the expansion of the structure on this corner lot site is space-limited to its northern side.**

**Mr. DeLisle then continued with the following conditions:**

- 3. Changes to the proposed plan may require a return to this Board.**
- 4. This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
- 5. The granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Ms. Erickson seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**Mr. Glazier asked for a motion to adjourn. Mr. DeLisle moved to adjourn the meeting. Ms. Erickson seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:54 pm**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**THIS IS A DRAFT**

**Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.**