



# TOWN OF ROXBURY CONNECTICUT

Zoning Board of Appeals

29 North Street • P.O. Box 203 • Roxbury, CT 06783-0203

## ROXBURY ZONING BOARD OF APPEALS PUBLIC HEARING APRIL 21, 2016

### MINUTES

#### CALL TO ORDER

Nanette Falkenberg, Chair, called the meeting to order at 7:30 PM.

#### IDENTIFICATION OF MEMBERS

Members Present: Nanette Falkenberg, Bill Davies, Margaret Miner and Karen Kopta.

Alternates Present: Ed Cady

Alternate Ed Cady was seated as a Regular Member.

Others Present: Marc Olivieri and Steve Lasar

#### BUSINESS

Alexander S.C. Rower, Assessors Map 38 Lot 1, located at 340 Painter Hill Rd.

Case file 2016-0071, variance to move the small 19th century barn away from Painter Hill Rd. 10' onto a new foundation to allow for proper sightline from driveway. Ref: Zoning Regulations variance from 5.3.1(c) and 3.10.4

- Read legal notice into the record

Chair Falkenberg read the legal notice of this public hearing for the record.

- Confirmation of certified mailings

Marc Olivieri submitted the receipts of certified mailings to abutters for the record.

- Applicant presentation

Marc Olivieri, agent, and Steven Lasar, architect, came forward and reviewed the history with the ZBA on the site. He identified the barns on the site map and explained that they are proposing to move back the small barn 10 feet for a better sight line for the driveway. Chair Falkenberg noted that the record contains an e-mail from Barbara Henry confirming that the barn would need to be moved for the driveway sight lines.

Mr. Olivieri explained that a variance was previously granted for the other barn and which will now need to be moved 5 feet back to meet the sight line requirements. It was determined this matter would be further discussed after this hearing.

It was noted that the larger buildings for which they have Zoning permits are 90 feet from the road. The barns are for agricultural purposes. This will be a gentleman's farm. Drawings of the barns were presented. The specific use for the barn in question has not yet been determined.

Mr. Olivieri does not know of any opposition from the neighbors.

- Questions from the Board

Ed Cady asked for the reason why the barn could not be moved back further to be conforming. Mr. Olivieri explained that the Historic District Commission likes this plan. The reason they do not want to move the barn back further is for historic reasons and this proposal meets the sight line requirements. A redesign would be required to make the barn conforming.

Ed Cady reported that he viewed the property and confirmed that this is not a flat lot and there are not unlimited places to put this barn. Mr. Olivieri advised that Mr. Rower does have a lot of property; however, he wants to preserve, reserve and restore the property.

Bill Davies explained that he feels that this Board is charged with preserving the historic nature of Roxbury and agreed that there are challenges in trying to make the setback work due to topography. He noted that the driveway would need to be redesigned if barn was moved further back.

Karen Kopta agreed with regard to the matter of the topography. She would prefer that the barn remain as opposed to being removed for the safety of the driveway.

The Board asked that the hardship be stated by the agent for the applicant. Marc Olivieri stated that the hardship is to keep the property in agricultural use, to expand agricultural use, to maintain some historical aspect of the property while compromising for practical considerations of the driveway. The hardship is safety.

Nanette Falkenberg noted that if there is somewhere else you can put this barn then there is no hardship. Steve Lasar advised that it is not possible to move the driveway. Ms. Falkenberg asked that he state the obstacles to making this conforming because the first preference is to make it conforming. Mr. Olivieri stated that moving the driveway would put it in the wetlands. He explained that by the time they reconfigure the entire property the wetlands would be compromised.

Ms. Falkenberg questioned why it is not feasible to move the barn back beyond setback requirements. Mr. Lasar stated they would have to move back new building to move the barn back. The new building is constrained by the property line and wetlands.

- Public comment
- No one from the public was present to comment.

#### **ADJOURNMENT**

A motion was made to close the public hearing at 8:13 PM, motion by Bill Davies. The motion was seconded by Margaret Miner and carried unanimously.

Respectfully submitted,  
*Jai Kern*  
Tai Kern, Secretary

*These minutes are not considered official until approved at the next Meeting of the Roxbury Zoning Board of Appeals*