



# TOWN OF ROXBURY CONNECTICUT

Zoning Board of Appeals

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

## ROXBURY ZONING BOARD OF APPEALS REGULAR MEETING APRIL 21, 2016

### MINUTES

#### CALL TO ORDER

Nanette Falkenberg, Chair, called the meeting to order at 8:15 PM.

#### IDENTIFICATION OF MEMBERS

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

Alternates Present: Ed Cady

Alternate Ed Cady was seated as Regular Member.

Others Present: Marc Olivieri and Steven Lasar

#### NEW 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

Margaret Miner stated that she is in favor of this request because making the farm functional is consistent with the Plan of Conservation and Development. All the work done to preserve historic barns was not to put them out of sight. To move the barn further away would be difficult due to wetlands impact and could create another nonconformity. The applicant has been instructed by the town officials that he has to move the barn back.

Ed Cady agreed with all of Margaret Miner's points. He would like to see the barn saved and thinks the proposal is reasonable.

Bill Davies sees the hardship as that the barn was built on the road and now there is a safety issue. He finds this to be a reasonable request. The goal is to keep and preserve barns. There are definitely topography and wetlands issues which prevent making this conforming.

Karen Kopta also stated she was in favor for all of the aforementioned reasons. The issues of safety and topography are more than enough to justify approval.

Nanette Falkenberg also supports the variance as there is not an easy way to make the barn conforming without interfering with wetlands or creating another nonconformity.

A motion was made by Margaret Miner to approve the application of 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. The motion was seconded by Ed Cady and carried unanimously 5-0.

#### APPROVAL OF MINUTES

March 17, 2016 Regular Meeting

A correction was made to note that Dan Gunnip was present and not James Kopta.

A motion was made to approve the minutes of the March 17, 2016 Regular Meeting as amended. Motion by Margaret Miner. The motion was seconded by Karen Kopta and carried unanimously.

March 17, 2016 Public Hearing

A correction was made to note that Dan Gunnip was present and not James Kopta.

A motion was made to approve the minutes of the March 17, 2016 Public Hearing as amended. Motion by Margaret Miner. The motion was seconded by Bill Davies and carried unanimously.

**OTHER BUSINESS**

Marc Olivieri came forward to discuss the other barn on the Rower property. The previous variance was three feet from the road; however, the new construction would be eight feet from the road to allow for the sight line requirements. The driveway permit issued by the Town of Roxbury was read. The Board advised that the application process would be required to grant a different variance with regard to this structure. Nanette Falkenberg noted that within the stipulations of the existing variance there is a stipulation that this is not to be used as a residence.

The Board discussed that they still require guidance on whether an existing nonconformity, topography and safety are hardships and will try to schedule a meeting with the Town attorney to clarify this matter. Additionally, the Board requested that the format of their agenda be revised to allow for the decision for each public hearing to be discussed directly after the public hearing. Once a decision is reached, then the next public hearing would be opened.

**ADJOURNMENT**

A motion was made at 9:00 PM to adjourn. Motion by Bill Davies. The motion was seconded by Ed Cady 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*