

**TOWN OF SOMERS
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
April 10, 2007**

I. CALL TO ORDER: Chairman Torres called the meeting to order at 7:47 P.M.

II. MEMBERS PRESENT: John Torres, Robert Minch, Barbara Flebotte, Jerry Young, Edward Mack. Absent: Daniel Scully and B.J. Farrow
Mr. Young seated for Mr. Scully.

The Public Hearing was called to order by Chairman Torres at 7:48 P.M.

III. PUBLIC HEARING:

1. Temple Property Management, LLC

Acting Secretary, Mr. Mack read the legal notice. Temple Property Management, LLC of 585 Burnside Ave., East Hartford, CT were seeking a variance from Somers Code, Section 214-98; requirement of a side yard setback. This was needed to allow for the installation of a rear exit door and deck for the medical office facility at 146 Main Street, Somers, CT.

Chairman Torres read a letter from Temple Property stating that they are withdrawing their appeal for a variance. The deck that did not meet the side yard requirements has been dismantled and replaced with a small set of stairs. The letter was presented to the Board.

2. Lori and John Hazzard

Acting Secretary, Mr. Mack read the legal notice. Lori and John Hazzard of 7 Roberts Street, Somers, CT are seeking a variance of Somers Code, Section 214-98; requirement of 25 feet for side yard setback. The variance is needed in order to replace an existing shed on their property at 7 Roberts Street, Somers, CT.

Mrs. Hazzard provided copies of photos of the home, the shed and a lot map showing the placement of the shed.

She explained that their current shed is 8' X 10' and they would like to replace it with a 10' X 16' shed built by Kloter Farms. They need a larger shed because they intend to replace their current oil tank. The old tank is in a crawl space under the house. To install the new tank in the same location would require breaking the foundation of the house. To avoid this, they intend to install

the new tank in the garage. The larger shed is needed to accommodate items currently stored in their garage.

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Chairman Torres asked about the footprint of the new shed in regard to the existing shed. Mrs. Hazzard explained that the new shed would be centered over the footprint of the current shed. This places the shed within two feet from one property line and four feet from the other property line.

Chairman Torres asked about the location of the septic system and the leaching field in relation to the shed. Mr. And Mrs. Hazzard explained that the system is on the other side of the yard. They pointed out the location of the leaching field on the lot map.

Chairman Torres asked if there was any discussion from the abutting property owners. Mrs. Hazzard provided letters from two abutting property owners who approved of the plans. The owner of the third abutting property discussed the shed with the Hazzards and told them he approved as well but has not provided a letter to state this.

3. Marie Theresa Demers

Acting Secretary, Mr. Mack read the legal notice. Marie Therese Demers of 129 Springfield Road, Somers, CT is seeking to appeal a cease and desist order. The order was issued by the Zoning Enforcement Officer concerning a violation of Section 214-4 and 214-98 of the Somers Zoning Regulations regarding rooming house activity at 129 Springfield Road, Somers, CT.

Attending this appeal were Atty. Bruce Tyler representing Marie Therese Demers, Atty. Carl Landolina for Zoning Officer, Joy O'Connor and Atty. Rick Conti for the Zoning Board of Appeals.

A transcript was requested of these proceedings and will be provided. Therefore this discussion will not be included in these minutes.

The Public Hearing closed at 10:00 P.M.

IV. REGULAR MEETING:

The regular meeting continued at 10:17 P.M.

V. MINUTES APPROVAL:

A motion was made by Mr. Minch and seconded by Mr. Young to accept the ZBA minutes of March 13, 2007 as presented. The motion was unanimously approved.

VI. PUBLIC HEARING DISCUSSION:

1. Temple Property Management, LLC

Appeal was withdrawn, therefore no further discussion.

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2. Lori and John Hazzard

After a short discussion a motion was made by Mr. Mack and seconded by Ms. Flebotte to cease discussion and vote. The motion was unanimously approved.

The Board voted unanimously to approve the proposed storage shed.

3. Marie Therese Demers

This discussion will continue at our next scheduled meeting May 8, 2007 to allow time for the review of the transcript of the hearing and exhibits presented. The Board members will provide any questions they may have to Atty. Conti. These questions will be presented to Atty. Conti in writing and his written discussion of them will be provided to all of the Board members.

VII. OLD BUSINESS:

None.

VIII. NEW BUSINESS:

Chairman Torres mentioned a letter received from the Treasurer's Office asking to review the proposed budget. The budget as submitted by the Zoning Board of Appeals was accepted with no changes.

IX. CORRESPONDENCE:

None.

X. BILLS:

A motion was made by Mr. Mack and seconded by Mr. Young to pay all ZBA bills including the

Journal Inquirer in the sum of \$267.58. The motion was unanimously approved.

XI. ADJOURNMENT:

A motion to adjourn was made by Mr. Mack, seconded by Mr. Young and unanimously voted to approve.

The Meeting adjourned at 10:25.

Respectfully submitted,

Jeanne Reed, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING