

**TOWN OF POMFRET
ZONING BOARD OF APPEALS
PUBLIC HEARING & SPECIAL MEETING MINUTES
THURSDAY, MARCH 19, 2009 AT 7:00 PM
POMFRET TOWN HALL**

In Attendance: Board Members James Robbins, Gary Kendall, Elizabeth Cartier, and Alternate Robert Bitondi.

Not in attendance: Board Members Richard Galante, Bill Hull, Alternates Kevin Vernon, Barry Jessrun, ZEO Ryan Brais, and James Rabbitt, AICP.

- I. **PUBLIC HEARING** – J. Robbins opened the Public Hearing at 7:00 pm. with a quorum present.
 1. Ken Cardinal, 28 Mashamoquet Road, Variance for Section 10.4.1, Side Yard Set-back. Applicant spoke regarding how his existing building doesn't have a basement, only a crawl space and that all storage is contained in a separate shed outside. Employees that have to go to the shed for supplies at night across the drive-through is an issue. A letter of support from Randy Daggett, an abutter of the property, was submitted and read into record. The Board members asked the applicant a few more questions and decided that they had enough information to close the public hearing. It was closed at 7:23 pm.

- II. **REGULAR MEETING** – J. Robbins opened the regular meeting at 7:24 pm.
 1. Seat Alternates – Robert Bitondi was seated as an alternate.
 2. Citizen's Comments - None
 3. Items to Add to Agenda - None
 4. Approve Minutes of February 19, 2009 – G. Kendall made motion to approve minutes as submitted. L. Cartier seconded the motion. The motion was approved unanimously.

- III. **CURRENT BUSINESS** -
 1. Ken Cardinal, 28 Mashamoquet Road, Variance for Section 10.4.1, Side Yard Set-back. The Board discussed the information they received during the public hearing. The members approved of the architect's rendering of the addition and felt there would be no problem with putting on an attractive addition to an existing building. J. Robbins mentioned that the applicant could show he can't do something that his neighbors can do, which causes a hardship. The addition shouldn't go over the septic system on the opposite side of the proposed addition, it can't go in the front because it would cause a front yard set-back issue, and it doesn't make any sense to put it in the back because it would alter a very good circulation pattern already established. After discussion, a motion was made by G. Kendall that due to the hardship resulting from the location of the existing structure on the lot, we hereby grant a side yard set-back variance for an addition to extend up to a minimum of 10 feet from the southeast property line. L. Cartier

seconded the motion. J. Robbins thought there should be more specifics added to the motion and after discussion, the motion was amended. The amended motion states: due to the hardship resulting from the location of the pre-existing, non-conforming structure on the lot, the Board hereby grants a side yard set-back variance for an addition, which may extend up to but no closer than 10 feet from the southeast property line. The addition shall comply with current front yard set-back requirements found in section 10.4.1. G. Kendall accepted the amendment. The amended motion was approved unanimously and the variance was granted.

IV. NEW BUSINESS

1. Correspondence – None.

V. OTHER BUSINESS

1. Agenda items for next meeting – None
2. Citizen's Comments – None

VI. ADJOURNMENT – A motion was made by G. Kendall to adjourn the meeting. It was seconded by L. Cartier. All in favor. Meeting adjourned at 8:03 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved: _____