

**Agenda**  
**Tolland Zoning Board of Appeals**  
**21 Tolland Green, Tolland, CT**  
**Thursday, September 28, 2023 at 7:00 p.m., 6<sup>th</sup> floor – Council Chambers**

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1. Call to Order
2. Seat Alternate(s)
3. Public Hearing(s)
  - 3.1. **ZBA #23-4 404 Old Stafford Road** - Variance request from section 17-2. C to allow a 14 x 30 shed 36 feet from the property line where 60 feet is required. Zone: RDD. MBL: 15/K/001. Applicant: Joshua Ratti.
4. Business Meeting
  - 4.1. Possible action on ZBA #23-4.
5. Approve Minutes - August 24, 2023 Regular Meeting
6. Other Business
7. Adjournment

To join the Zoom Meeting, either click:

<https://us02web.zoom.us/j/8608713602?pwd=cXZLNQ9SWV1vNkNjZU9NYUxCd2xiUT09>

**One tap mobile:** +16469313860,,8608713602#,,, \*06084#

**Or call:** 1-929-205-6099 and input:

Meeting ID: 860 871 3602

Passcode: 06084



TOWN of TOLLAND/ 21 tolland green, tolland connecticut 06084

*Zoning Board of Appeals*

LEGAL NOTICE  
TOLLAND ZONING BOARD OF APPEALS

The Zoning Board of Appeals will hold a public hearing on September 28, 2023 at 7:00 p.m to consider the following application:

**ZBA 23-4 404 Old Stafford Road** - Variance request from section 17-2. C to allow a 14 x 30 shed 36 feet from the property line where 60 feet is required. Zone: RDD. MBL: 15/K/001. Applicant: Joshua Ratti.

A copy of this application is available on file and available for review in the Planning and Building Department at 21 Tolland Green. At this hearing, public comments will be heard and written communications received.

To be advertised twice in the Journal Inquirer: Once on: Friday, September 15, 2023  
Once on: Monday, September 25, 2023



**TOWN OF TOLLAND**  
**APPLICATION FOR VARIANCE**  
 Zoning Board of Appeals

App. # \_\_\_\_\_

**Property Information**

Property Address: 404 Old Stafford Rd

Property Owner: Joshua Ratti

Zone: \_\_\_\_\_ Map/Block/Lot: \_\_\_\_\_

**Applicant Information**

Name: (if different than above) (same)

Address: (if different than above) \_\_\_\_\_

Phone Number: (860) 706-6092 Email Address: jratti354@aol.com

**Variance Requested**

Describe variance being requested and hardship (self-created, financial or cosmetic issues are not hardships):

Applying for this variance is needed due to the limitation on my property of required footage to property boundaries. Requesting to place a 14' X 30' Klotter farm shed indicated on Map with an "X"

Section of Zoning Regulations to be Varied: \_\_\_\_\_

All of the above statements and the statements contained in any documents and plans submitted herewith are true to the best of my knowledge:

Applicant Signature: Joshua Ratti Date: 8-24-23

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*A separate letter or email from owner authorizing permission to apply for a variance is also acceptable.*

The fee in the amount of \$260 plus \$60 State fee (Residential) or \$360 plus \$60 State fee (Non-Residential) must be submitted to be considered a complete application.

9 copies of a sketch / plot plan clearly showing the proposed location of the structure, property lines, and distance to property lines must accompany this application along with the appropriate fee. Please consult with staff.

**OFFICE USE ONLY**

Fee Amount: \$320.00 Official Date of Receipt: 09/07/2023

Form of Payment: CHECK Public Hearing Set for: 09/28/2023

Date Submitted: \_\_\_\_\_ Decision Date: \_\_\_\_\_  
 (stamp) Decision: \_\_\_\_\_

RECEIVED  
 SEP 07 2023  
 BY: ame

RECEIVED Aug 12 1971 9:29 AM

Attest *Maria Lucia Pileone* Town Clerk

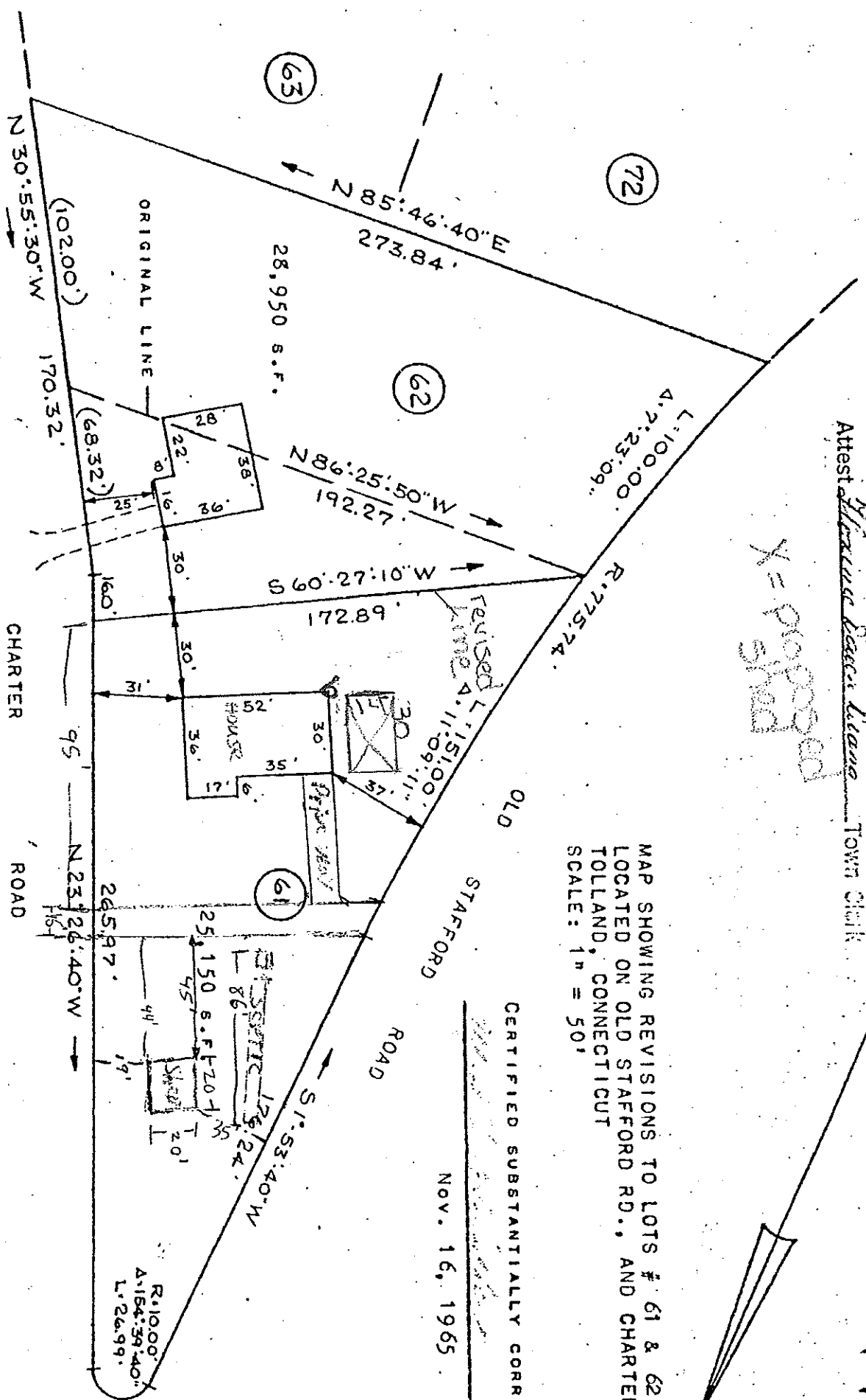
*X = proposed street*

*10/48*

MAP SHOWING REVISIONS TO LOTS # 61 & 62  
LOCATED ON OLD STAFFORD RD., AND CHARTER  
TOLLAND, CONNECTICUT  
SCALE: 1" = 50'

CERTIFIED SUBSTANTIALLY CORRECT

Nov. 16, 1965



ALFRED E. SCHINDLER  
LAND SURVEYOR  
MILINGTON, CONN.



REFERENCE TO MAP ENTITLED: " SUBDIVISION MAP  
PROPERTY OF MARY J. VENDRILLO TOLLAND, CONN.  
APRIL 26, 1957 SCALE 1" = 100' MORTON S.  
FINE, CIVIL ENGINEER & LAND SURVEYOR "

Todd J. Grocki  
7 Oakwood Lane  
Tolland, CT 06084  
September 20, 2023

Zoning Board of Appeals  
21 Tolland Green  
Tolland, CT 06084

To the Tolland Zoning Board of Appeals:

This written statement is in reference to **Variance Request ZBA 23-4 404 Old Stafford Road**. This statement serves to provide reasons/arguments for *denial* of the applicants request for a variance.

As I live in close proximity to the property referenced in this variance I drive by this location on an almost daily basis. For several years I've observed activities which do not seem to be in keeping with that of a typical property owner. This property typically has multiple unregistered vehicles, appliances, boats, and other refuse in various states of disassembly and storage. More specifically, vehicles, parts of vehicles and boats some without engines that progressively get disassembled over multiple days and/or transit the property on multiple trailers. As of the writing of this statement there are multiple vehicles and a trailer parked on the property with a load of approximately eight to ten scrap water heaters loaded on it among other items littering the property. These examples provide just a few details around the constant rotation of refuse, some of which is unrecognizable, that transits this property on a perpetual basis. Because of the perpetual condition of this property, I have submitted a blight complaint in the past, but the town seems limited in its ability to enforce the guidelines of what constitutes blight because the individual pieces of refuse aren't there long enough as they constantly rotate on and off the property. I would urge this committee to consult with the Tolland Blight Enforcement Officer about the condition of this property because as I understand it the property has been the subject of multiple complaints and monitoring. The perpetual overall condition of the property doesn't seem to be a consideration in the guidelines established to enforce blight. When these guidelines were established, I don't think it was considered that a residential property owner would essentially conduct industrial type activities on land zoned as residential.

Of additional concern is the environmental impact caused by the activities being conducted on this property. Constant disassembly and storage of various vehicles, boats and other machinery carries with it the risk that fluids like engine oil, hydraulic fluid, antifreeze etc. could contaminate the property and leach into the ground. Of note is that according to the property map provided in the application the area above and near the septic system is a common place where vehicles, appliances and scrap are seen being disassembled and stored. The concern is that contamination could eventually find its way easily into the leach field and into neighboring properties wells and the conservation land located in close proximity.

Zoning Board of Appeals

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Lastly, I would add that there is already a shed constructed on this property. This shed appears to be a temporary three-sided structure with a dirt floor. It is unclear what this structure is used for, and the front is usually covered with a tarp to hide its contents.

For these reasons and concerns of perpetual blight and/or the general unsightly condition of the property, potential industrial type activity and environmental hazards, and the fact that there is already a rather unsightly shed constructed on the property I would like to submit my objection to approving this variance. As it stands, I feel this property already has a negative impact on the use and enjoyment of neighboring properties. If provided with the ability to install another structure on the property the concern is that this may expand the ability of the property owner to conduct the types of activities that are currently taking place and further limit the space available for transit, storage, and disassembly of refuse making it even more visible from the road if these activities are allowed to continue.

Thank you in advance for your time and consideration of my written statement with respect to this issue. Please contact me with any questions you may have via the email address used to provide this statement.

Sincerely,

Todd J. Grocki

**ZONING BOARD OF APPEALS  
TOLLAND, CONNECTICUT  
REGULAR (HYBRID) MEETING MINUTES OF AUGUST 24, 2023**

**MEMBERS PRESENT:** Claudette Morehouse, Chair  
Ben Chevalier, Vice Chair  
Mike Martel  
Nate Carlson  
Jean Fiske, Alternate (remote)

**OTHERS PRESENT:** Michael D'Amato, AICP, CAZEO  
Louis & April Marchigiano, applicants  
Sierra DeCarli & Tracy DeCarli, applicants  
Public (remote)

**1. CALL TO ORDER**

Claudette Morehouse, Chair, called the meeting to order at 7:00 p.m. in Council Chambers. The Pledge of Allegiance was recited.

**2. SEAT ALTERNATES**

A quorum was established with Claudette Morehouse, Chair; Ben Chevalier, Vice Chair; Mike Martel, Nate Carlson and seating alternate member Jean Fiske for Bob Burns.

**3. PUBLIC HEARINGS**

Claudette Morehouse explained the two-part process of the public hearings. Ben Chevalier read the legal notice.

**MOTION:** Claudette Morehouse/Ben Chevalier to open the public hearing for ZBA #23-2. All were in favor. Motion carried.

3.1 **ZBA #23-2 – 17 Walbridge Hill Road** – Variance request from Section 17-2.C.1 to allow a 22' x 24' garage to be 10 feet from the side property line where 25 feet is required. Zone: RDD. Map/Block/Lot: 29/L/018. Applicants: Louis and April Marchigiano. *Continued from June 22, 2023.*

Louis and April Marchigiano of 17 Walbridge Hill Road attended the hearing. Louis Marchigiano said they would like to put up a two-car metal garage, but the closest part of it will be 10 feet from the side property line where 25' are required. The front of it will be about 14 feet from the side property line. He said the hardship is due to the fact that the other side of the property is wetlands and the septic tank and leech field are in the back of the property. He provided certified notices to his neighbors.

Claudette Morehouse asked if this would be a detached garage. Louis Marchigiano said it will be. Nate Carlson asked if it would need a foundation. Louis Marchigiano said it would not. It would not have a floor and would be going over the existing asphalt driveway.

Michael D'Amato said no correspondence was received regarding this application. There were no further questions or comments from the Board.

**MOTION:** Claudette Morehouse/Ben Chevalier to close the public hearing for ZBA #23-2. All were in favor. Motion carried.

3.2 **ZBA #23-3 – 12 Old Stafford Road** – Variance request from Section 17-2.C.1 to allow an above ground pool to be 30 feet from the front property line where 75 feet is required. Zone: VCZ. Map/Block/Lot: 12/F/003. Applicant: Sierra DeCarli and Tracy DeCarli.

**MOTION:** Claudette Morehouse/Ben Chevalier to open the public hearing for ZBA #23-3. All were in favor. Motion carried.

Sierra DeCarli and Tracy DeCarli of 12 Old Stafford Road attended the hearing. Sierra DeCarli noted that they are asking for a lesser variance than was advertised. She said the above-ground pool was installed 36 feet from the front property line where 75 feet is required so they are looking for a 39-foot variance. She said they had installed the pool on the advice of the builder and the sanitarian, Chris Buter of Eastern Highlands Health District. She said it had been explained to them that they could not put the pool further back because of the location of the leech field. Tracy DeCarli said Chris Buter came out to their property twice and okayed the location. He had told them they could not cut any more into the hill because of the leech field.

Michael D'Amato noted that this is a small lot, only .46 acres in size. He also confirmed that certified receipts of notification were received and that signs were put up on the property. He said no correspondence regarding this application was received.

Jean Fiske asked if any fencing around the pool was required. Tracy DeCarli said she did not believe so, as it is above ground, but it will have a deck as well as a pool alarm and lock. There were no further questions or comments.

**MOTION:** Claudette Morehouse/Ben Chevalier to close the public hearing for ZBA #23-3. All were in favor. Motion carried.

#### 4. BUSINESS MEETING

**MOTION:** Claudette Moreshouse/Ben Chevalier to open the Business Meeting. All were in favor. Motion carried.

Discussion and possible decision on ZBA #23-2 – The Board agreed to approve.

**MOTION:** Ben Chevalier/Claudette Morehouse to approve ZBA #23-2 to allow a variance from Section 17-2.C.1 to allow a 22' x 24' garage to be no closer than 10 feet from the side property line where 25 feet is required. Zone: RDD. Map/Block/Lot: 29/L/018. The hardship is



due to the location of wetlands and septic system on the property. All were in favor. Motion carried.

Ben Chevalier reminded the applicants to return their signs to the Planning Office. He said they should receive their variance paperwork in the mail within two weeks.

Discussion and possible decision on ZBA #23-3 – The Board agreed to approve.

**MOTION**: Claudette Morehouse/Ben Chevalier to approve ZBA #23-3 for a variance from Section 17-2.C.1 to allow an above ground pool to be no closer than 36 feet from the front property line where 75 feet is required. Zone: VCZ. Map/Block/Lot: 12/F/003. The hardship is due to the location of the leech field on the property. All were in favor. Motion carried. The applicants were requested to return their signs also.

5. **APPROVE MINUTES** – February 23, 2023 Regular Meeting

**MOTION**: Claudette Morehouse/Ben Chevalier to approve the February 23, 2023 Regular meeting minutes as written. All were in favor. Motion carried.

6. **OTHER BUSINESS**

Michael D’Amato said he has not received any applications yet for next month. Claudette Morehouse noted that the PZC has done a number of text amendments in recent months and asked when they might be getting an updated version of the Zoning Regulations. Michael D’Amato noted the Zoning Regulations are updated promptly online so they can refer to them if necessary. He said new copies could be printed up.

Mike Martel asked if anything had changed with the training requirements that they understood needed to be completed by the end of the year. Michael D’Amato said there have been no changes. The Board discussed the online training available through UConn CLEAR as the most convenient to utilize. Mike Martel forwarded a link to Claudette Morehouse for it.

7. **ADJOURNMENT**

**MOTION**: Claudette Morehouse/Ben Chevalier to adjourn the meeting and pay the clerk at 7:38 p.m. All were in favor. Motion carried.

Respectfully submitted,

Annie Gentile  
Clerk