

Agenda
Tolland Zoning Board of Appeals
21 Tolland Green, Tolland, CT
Thursday, November 30, 2023 at 7:00 p.m., Conference Room B

1. Call to Order
2. Election of Officers
3. Seat Alternate(s)
4. Public Hearing(s)
5. Business Meeting
 - 5.1. 2024 Meeting Schedule
6. Approve Minutes - September 28, 2023 Regular Meeting
7. Other Business
8. Adjournment

Join Zoom Meeting

<https://us02web.zoom.us/j/85757528119?pwd=dHZYdTZHeHo3dUwxSlh0U0hoLzhRZz09>

One tap mobile: 19292056099,,85757528119#,,,,*113023#

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

Meeting ID: 857 5752 8119

Passcode: 113023

2024
Tolland Zoning Board of Appeals
Meeting Schedule

Regular Meeting Dates		Save the date for Site Walk Dates	
January	25	January	21
February	22	February	18
March	21*	March	17
April	25	April	21
May	23	May	19
June	27	June	23
July	25	July	21
August	22	August	18
September	26	September	22
October	24	October	20
November	21*	November	17
December	19*	December	15

The Zoning Board of Appeals regular meetings will be held at **7:00 p.m.** on the 4th Thursday of each month and will be hybrid. Meetings are held in-person, they will be in the 6th level Council Chambers of the Hicks Memorial Municipal Center at 21 Tolland Green and via Zoom, unless otherwise posted.

Site Walks, if needed, will be posted as a Special Meeting. Time and locations for the Site Walks will be posted on the agenda.

Any party in need of an accommodation should contact the Development Office at 860-871-3601.

Check the Town website for meeting cancellations or special meetings.

*Meeting is not held on the 4th Thursday of the month.

**ZONING BOARD OF APPEALS
TOLLAND, CONNECTICUT
REGULAR (HYBRID) MEETING MINUTES OF SEPTEMBER 28, 2023**

MEMBERS PRESENT: Claudette Morehouse, Chair
Mike Martel
Nate Carlson
Bob Burns (remote)
Jean Fiske, Alternate (remote)

OTHERS PRESENT: Michael D'Amato, AICP, CAZEO
Joshua Ratti, applicant
Public (in-person and remote)

1. CALL TO ORDER

Claudette Morehouse, Chair, called the meeting to order at 7:03 p.m. in Council Chambers. The Pledge of Allegiance was recited.

2. SEAT ALTERNATES

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

3. PUBLIC HEARING

Claudette Morehouse explained the two-part process of the public hearings. Bob Burns read the legal notice.

MOTION: Claudette Morehouse/Nate Carlson to open the public hearing for ZBA #23-4. All were in favor. Motion carried.

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

The applicant, John Ratti of 404 Old Stafford Road attended the meeting. He said he wanted to install a Kloter Farms shed with a Dutch style roof and the property shape and location of the septic field limited its placement. He said the shape of his lot made it unclear whether they were measuring from the front yard or the side yard.

Michael D'Amato said the zoning regulations are unclear about how to determine where the front yard is. With this particular property, there are two front yards. It is pie-shaped and

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doesn't have four sides. He said with the application, they ran the variance with the most restrictive reading, which is 60 feet, but it is up to the Board to decide how to determine it.

Nate Carlson said he can see the hardship, as the shape of the lot makes it non-conforming. The location of the septic system also makes it difficult to place the shed anywhere else.

Claudette Morehouse said they want to place the shed 36 feet from the property line and asked if they need it to be 60 feet to conform with the regulations. Michael D'Amato said it depends on how they determine what the front yard is. The lot appears to have two front yards and one side yard. He said the zoning regulations are ambiguous and don't supply guidance in this case. He said, typically, the front yard is what is parallel to the street.

Nate Carlson noted that if they determine it to be a side yard, then that is only a 30-foot setback and the applicant would not need a variance. Claudette Morehouse said the way she interprets it the applicant wants to place the shed on the side yard.

Michael D'Amato reviewed the zoning regulations. He said the front lot line is a line that separates a lot from a street. A rear lot line runs parallel with the front lot line, but they don't have that here. The side lot line is a line that is neither of the two. He said there is no guidance for corner lots. Michael D'Amato noted the same property received a variance in 2018 for a shed, and for that one they indicated that a 75-foot setback was required. He noted also, however, that the regulations have changed since that time.

Michael D'Amato said they can't change the variance he is asking for so if the Board determines it is appropriate to grant a variance, they would need to do it off the 60-foot requirement. They will need to determine if this is an appropriate place to put the shed and if there is a reasonable hardship.

Bob Burns said based on the configuration of the lot, the chosen location is the best place to put it.

Mike Martel referenced the September 20, 2023 letter in their packets from Todd Grocki of 7 Oakwood Lane in opposition to the variance request. Mike Martel said he did not feel the nature of the complaint falls in the ZBA's purview and they shouldn't be basing any decision off of it. Michael D'Amato agreed that it is beyond the scope of a variance request. He noted he had received the receipts of mailings to abutters and that the sign was posted. He said the letter was the only response they received.

The public hearing was opened to public comment. John Stetz of 236 Charter Road said the front door and main entrance to the house faces toward the point on the property and it is 37 feet from Charter Road to the side of the house.

Rebecca Prato, also of 404 Old Stafford Road, said she took pictures of the property on her cell phone from behind the guardrail which showed where they planned to place the shed. She walked around and shared her cell phone pictures with Board members.

There were no further questions or comments from the public or the Board.

MOTION: Claudette Morehouse/Nate Carlson to close the public hearing for ZBA #23-4. All were in favor. Motion carried.

4. BUSINESS MEETING

4.1 Possible action on ZBA #23-4

The Board had no further discussion about the variance request.

MOTION: Nate Carlson/Claudette Morehouse to approve ZBA #23-4, a variance request from Section 17-2.C to allow a 14 x 30 shed, no closer than 36 feet from the property line where 60 feet is required. Zone: RDD. MBL: 15/K/001, the hardship due to the configuration of the lot and the location of the septic system. All were in favor. Motion carried.

Mike Martel asked that the applicant return his signs to the Planning Office and told him that the Town would be in touch with next steps.

5. APPROVE MINUTES – August 24, 2023 Regular Meeting

MOTION: Claudette Morehouse/Mike Martel to approve the August 24, 2023 Regular Meeting minutes as written. All were in favor. Motion carried.

6. OTHER BUSINESS: None.

7. ADJOURNMENT

MOTION: Claudette Morehouse/Nate Carlson to adjourn the meeting and pay the clerk at 7:34 p.m. All were in favor. Motion carried.

Respectfully submitted,

Annie Gentile
Clerk