

TOWN OF COLUMBIA
ZONING BOARD OF APPEALS
THURSDAY, MARCH 28, 2019 - 7:00 P.M.
ADELLA G. URBAN ADMINISTRATIVE OFFICES CONFERENCE ROOM
323 ROUTE 87, COLUMBIA, CT
REGULAR MEETING MINUTES

Members Present: Chair Joseph Narkawicz, Vice Chair Carole Williamson, Secretary Jeffery Vose, William Petrone, Andrea Drabicki (Alternate), Edward DiGiovanni (Alternate)

Members Absent: Keith Peck

Staff Present: ZEO Constance Kisluk, Board Clerk Terri Lasota

Others Present: R. Powell, M. Roickle, K. Then, and 3 others

CALL TO ORDER: J. Narkawicz called the meeting to order at 7:00 pm

ROLL CALL (Designation of Alternates, as needed): None

CHANGES/ADDITIONS TO AGENDA: None

APPROVAL OF REGULAR MEETING MINUTES OF October 25, 2018:

J. Vose **MOVED** to **APPROVE** the meeting minutes of 10/25/2018; A. Drabicki **SECONDED**; **MOTION CARRIED 4:0:0**

AUDIENCE OF CITIZENS (Comments on matters not on the Agenda): None

SUSPEND REGULAR MEETING: The regular meeting was suspended at 7:01pm

OPEN PUBLIC HEARING:

- 1. ZBA-1819-04: Application of Craig Gates (owner) and Greg Glaude (agent) for a Variance of the side yard set back requirement from 20ft to 10ft, and the front yard set back requirement from 40ft to 10ft, to build a 24'x30' garage at 35 Woodland Terrace #1, Columbia CT, Assessor's Map #130, Lots #003 & 007 in the LAR zone:**

J. Narkawicz read the application and nature of hardship into record, and noted the application fees have been paid and abutter notices sent. J. Narkawicz said the applicant and his agent could not be present at this hearing; there is paperwork that has not yet been filed, and noted the applicant has requested an extension. J. Narkawicz explained there were several letters in the file but would not yet read them into record as the applicant is not present to hear them.

C. Kisluk said the applicant was primarily missing the Nutrient Allocation Plan and noted they were asked to complete and have this approved prior to seeking approval at this meeting. C. Kisluk also said she also asked the applicant/agent to speak with Eastern Highlands Health District to either get a letter or get approval via a B110A because part of the hardship claim is the location of the septic which pushes the proposed location of the garage closer to the side boundary. The distance was not included on the location survey, so EHHD needs to look at this closely. Per State Statute they do not need to have IWWC approval before the ZBA decision.

J. Narkawicz read the letter of request for an extension from Greg Glaude of Killingly Engineering. He also noted per the Town attorney, letters from public can be accepted tonight and read aloud into record at the next meeting on April 25th 2019.

Karl Then of 14 Woodland Terrace asked which side is to be considered the front yard; C. Kisluk said the applicant considers the side abutting the church property as the front, but the set back would still be the same, whether considered front or rear.

A. Drabicki asked a question about drainage; C. Kisluk said all the various surfaces are looked at and there are coefficients to determine runoff. She and J. Valente (wetlands Agent) looked at the site and their concern was the catch basin in the cul-de-sac at the end of the street where the dirtiest water could make its way to the lake.

C. Kisluk said they requested that the engineers come up with a solution to address some of that water; at this point their solution is a retention pool which allows the sediment to settle and the cleaner water to drain.

Robert Powell of 6 Sunnyslopes Road suggested the ZBA consider the hardships aspects of the application first, noting according to the hardship statement, the hardship is the road. He said when Mr. Gates purchased the property, he knew what the encumbrances were and felt he was using the septic system for a reason for needing the reduced rear and side yard, but Mr. Gates put that septic in, so he created his own hardship which is not a legitimate hardship for the variances.

Mary Roickle of 34 Erdoni Road agreed with R. Powell and felt it is the applicants responsibility to justify the hardship, and if the hardship is self-created would not be acceptable.

J. Narkawicz thanked Mr. Powell and Ms. Roickle for their comments and noted the ZBA does have strict rules to follow when making a decision.

J. Vose commented that the ZBA's decision would be based solely on the proof of hardship, but other issues will be discussed as they are important.

K. Then and J. Vose discussed decisions made that in turn, effect neighbors at a later point in time. J. Vose commented that every property is unique; J. Vose, K. Then, and R. Powell briefly discussed this point.

J. Vose **MOVED** to **SUSPEND** the public hearing until April 25, 2019;

C. Williamson **SECONDED; MOTION CARRIED 4:0:0**

RESUME REGULAR MEETING: The regular meeting was resumed at 7:25pm

NEW BUSINESS:

1. **ZBA-1819-04:** Application of Craig Gates (owner) and Greg Glaude (agent) for a Variance of the side yard set back requirement from 20ft to 10ft, and the front yard set back requirement from 40ft to 10ft, to build a 24'x30' garage at 35 Woodland Terrace #1, Columbia CT, Assessor's Map #130, Lots #003 & 007 in the LAR zone.

TABLED until April 25, 2019

UNFINISHED BUSINESS: None

BOARD OPEN DISCUSSION: None

CORRESPONDANCE: None

ADJOURNMENT:

J. Vose **MOVED** to **ADJOURN**; C. Williamson **SECONDED; MOTION CARRIED 4:0:0**

The meeting was **ADJOURNED** at 7:26pm

Respectfully submitted by Terri Lasota, Board Clerk

Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.