

THESE MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT ZBA MEETING

TOWN OF CHESTER, CONNECTICUT
ZONING BOARD OF APPEALS
REGULAR MEETING
Monday, June 26, 2023
Chester Town Hall
Meeting Room

CALL TO ORDER

Chairman Blair called the meeting to order at 7:05 p.m. A quorum was established with the following Board members present Bob Blair, Erik Anderson, Vic Fetter, Michael Peck and Paul Radicchi (seated for John DeLaura). Also in attendance: Isabel Hosley and Rick Hosley.

Vic Fetter made a motion to add to the agenda a discussion on the Zoning Regulations. Michael Peck seconded the motion. The motion passed unanimously.

Vic Fetter reported that page 35 of the Zoning Regulations is not posted online and a “hard copy” of the Regulations is not in the town’s offices (vault). It appears that items “c” through “f” of Regulation 60a is missing.

Chairman Blair will discuss further with the First Selectwoman and Zoning Consultant.

Michael Peck made a motion to consider the missing page 35 as a “harmless error” relative to this evening’s application/public hearing. Erik Anderson seconded the motion. The motion passed with Vic Fetter abstaining from the vote.

PUBLIC HEARING – Request for Variance to Section 60B of Chester Zoning Regulations (setbacks) at 10 Spring Street (Map 14, Lot 337). Applicant: Richard M. Hosley & Kimberly H. Kellogg

Michael Peck made a motion to open the Public Hearing at 7:13 p.m. Erik Anderson seconded the motion. The motion passed unanimously.

A copy of an application, dated 6/5/23, was included in the Board packet. A hard copy of the plan was presented at this evening’s meeting.

As discussed previously, the applicants wish to demolish an existing dilapidated garage and rebuild and expand the structure. A Power Point Presentation was shared with ZBA members.

The Board discussed the application at length. Discussion of note:

- The location of the property is an R1 zone and is perhaps zoned incorrectly.
- It is a pre-existing, non-conforming lot.
- It is the first property outside of the Village District

Mr. Hosley requested that ZBA members visit the property for a site walk to witness the difficulty in accessing the garage. The property/proposed project will be staked and include property line monuments.

The significant change to the application presented this evening includes increases to the setbacks. The garage will be moved 13 ft. from Spring Street on the “low” side and 15 ft. from the back side. The proposed garage will “overhang” the wall. The footprint of the garage did not change, and the elevations remain the same. Note that the ZBA has no jurisdiction regarding the height of the structure. The application notes the nature of the hardship to be the topography of the property (slope to the water) and the imposition of zoning (this is the first property outside of the Village District) and the pre-existing, non-conforming lot.

Mr. Hosley was available to address questions/comments posed by Board members.

Additional information requested:

- Clarification on the missing page of the Zoning Regulations.
- Confirmation that neighboring property owners have seen and agree with the proposed changes to the application.
- Updated plan showing that the structure has been moved back (superimpose the changes onto the original plan and update the print to include the appropriate “scale”).

Mr. Hosley requested an extension to allow for the submission of additional documentation and to allow ZBA members to “walk” the property.

APPROVAL OF MINUTES

Erik Anderson made a motion to approve the minutes from the 5/15/23 meeting as presented. Vic Fetter seconded the motion. The motion passed with Michael Peck abstaining from the vote.

REVIEW AND DECISION ON PUBLIC HEARING – tabled.

Request for Variance to Section 60B of Chester Zoning Regulations (setbacks) at 10 Spring Street (Map 14, Lot 337). Applicant: Richard M. Hosley & Kimberly H. Kellogg

NEW BUSINESS

Michael Peck made a motion directing Chairman Blair to follow-up with the First Selectwoman and appropriate staff relative to the missing page of the Zoning Regulations. Erik Anderson seconded the motion. The motion passed unanimously.

Note that all ZBA members will be copied on correspondence to the First Selectwoman.

OTHER BUSINESS – None.

ADJOURNMENT

Vic Fetter made a motion to adjourn the meeting at 8:01 p.m. Paul Radicchi seconded the motion. The motion passed unanimously.

Next meeting - July 17, 2023

Respectfully Submitted,

Suzanne Helchowski
Clerk