

TOWN OF CHESTER, CONNECTICUT  
ZONING BOARD OF APPEALS

Regular Meeting  
Monday, April 17, 2023  
Chester Town Hall  
Meeting Room

CALL TO ORDER

Chairman Blair called the meeting to order at 7:01 p.m. In attendance included: Seated: Bob Blair, Vic Fetter, Erik Anderson, and Mike Peck. Alternate members in attendance: Alex Stein, seated for John DeLaura and Paul Radicchi, not seated. Also in attendance: Kim Kellogg, Richard Hosley and Brian Buckley.

PUBLIC HEARING ON APPLICATIONS

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

Mike Peck made a motion to open the Public Hearing at 7:05 p.m. Alex Stein seconded the motion. The motion passed unanimously.

The applicants provided an overview of their proposed project (demolition of an existing dilapidated garage and rebuilding and expanding the garage) including a Power Point Presentation, architectural drawings, A2 survey and ZBA application. These documents were also included in the ZBA packet.

Mike Peck and Alex Stein reported that they know the applicants personally but feel they can be dispassionate relative to the ZBA application. The applicants reported that they will waive the potential “conflict of interest” with these ZBA members.

The comprehensive Power Point presentation developed by the applicants highlighted the following:

- Challenges – existing non-conforming building lot
- Steep topography – access to the current driveway is unsafe. To date the garage has been used only for storage (bikes, lawnmower kayak, etc.).
- Historic Zone – house built in 1840. The property is zoned Residential and is not part of the Chester Village zone.
- Proximity to the road
- Collapsed retaining wall supporting Spring Street
  - Note that the applicant did install concrete blocks to hold up the retaining wall as portions of Spring Street are jeopardized.
  - The lack of curbing and runoff has contributed to the collapse of the retaining wall.
- The lower level of the proposed garage will house cars, lawnmower, tools, equipment, etc. This level includes a full bathroom. The upper level of the garage will be used for

storage only.

### Retaining Wall

Mr. Hosley has discussed the status of the retaining wall with Geoff Jacobson and Howard Pfrommer, Jacobson & Associates. As reviewed with Jacobson, the project includes building an engineered retaining wall to support Spring Street, a stone guardrail wall to replace the existing unsafe and unsightly wire roping. These efforts will improve the safety and stability of the road.

An application for the project has also been submitted to IWWA as the project is within the IWWA review area. As recommended by the IWWA, if the project moves forward, a double silt fence will be installed. Note that the Wetlands Official has visited the site and talked with the applicant. Note that if any work is to be done on Town property, the Town must be included on the IWWA application.

The hardship identified is as follows: existing non-conforming building lot in a non-conforming neighborhood, and constraints based on topography and undersized lot for the zone. In addition, the location chosen is the safest spot on the property for garage and driveway placement.

No neighboring property owners were in attendance; however, the applicants reported that neighbors are in support of their proposed project.

ZBA member comments/concerns and requests include:

- Retaining Wall – clarification - does the applicant have an “official” agreement with the Town relative to the re-construction of the retaining wall and Jacobson’s design of same.
  - The need for a clean line of demarcation between the retaining wall and the garage.
  - The need for an “official” statement from the Town relative to the retaining wall project.
  - Clarification – is the retaining wall expected to be part of the structure/attached to the garage.
- Request for additional detail on the variance granted in 2000 for the construction of a carport. Note that this variance is expired, and the carport was never constructed.
- Information on side setbacks.
- Request for support letters from the neighbors (or in-person support).

The applicants requested that the Public Hearing be continued to allow them to provide the additional information requested by ZBA members. The Public Hearing will be continued at the May 15 ZBA meeting.

### APPROVAL OF MINUTES

Alex Stein made a motion to approve the meeting minutes dated 10/17/22 as presented. Vic Fetter seconded the motion. The motion passed unanimously.

### REVIEW AND DECISIONS ON PUBLIC HEARING PROCEEDINGS -

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

Postponed to 5/15/23 ZBA meeting.

NEW BUSINESS – None.

OTHER BUSINESS

Bob will request that a representative from the Town (ZEO, First Selectman and/or Town Attorney) attend the 5/15/23 meeting to provide clarification on the Town's collaboration on this Spring Street project as discussed this evening.

ADJOURNMENT

Alex Stein made a motion to adjourn the meeting at 8:18 p.m. Vic Fetter seconded the motion. The motion passed unanimously.

Respectfully submitted,

Suzanne Helchowski  
Clerk