

**CORNWALL ZONING BOARD OF APPEALS
MINUTES OF THE NOVEMBER 22, 2021 REGULAR MEETING – BY ZOOM**

ESTABLISH QUOROM.

Land Use Administrator Karen Griswold Nelson opened the Zoom meeting at 7:11PM with a quorum of regular members in attendance. Present were regular members Betty Spence, Joanne Wojtusiak, Ian Elwell and George Wolf. Absent were regular members Chairman Don Bardot, and Amy Worthington-Cady.

Due to the absence of the duly appointed chairman, Don Bardot, it was agreed by consensus that regular member Joanne Wojtusiak would chair the meeting.

REGULAR MEETING.

1. PUBLIC HEARING

A. Appeal: #332- Molly Larrison applicant/owner - Variance from Article IV – To construct a detached garage with a 14 foot variance from the 40 front yard setback – 4 Hart Hill Road.

The entire proceedings were recorded via Zoom and are available by request in Town Hall. Acting chairman Joanne Wojtusiak opened the hearing at 7:14PM with all members seated. The legal notice for the public hearing(s) as published in the Waterbury Republican on November 11th and November 18th and posted on the town website on November 2, 2021 was referenced as being in the record by staff.

Additional information made part of the record:

- Application #332 with supporting information including mapping entitled “Site Development Plan for garage addition – property of Molly Larrison, 4 Hart Hill Road, West Cornwall CT prepared by Colby Engineering, dated October 7, 2021”. Copy of letter sent to abutters as listed, Torrington Area Health approval and Notice of Exception for the septic system from the State of Connecticut Department of Public Health.
- Email correspondence from Elizabeth Mauro and Paul Smith, abutting property owners expressing support for the variance.
- Email correspondence dated 11/20/21 from Land Use administrator Karen Nelson regarding mapping (attached) “Property Survey prepared for Henry LaBalme et al showing property to be acquired from Priscilla Hart Mauro” .

With note made that all ZBA members had visited the site, the floor was opened to the property owner’s representative, William Colby, principal of Colby Engineering and Consulting LLC, Goshen, CT for his presentation.

Mr. Colby addressed the proposed location of the 20’ x24’ garage/studio on the site and the site constraints including surface drainage patterns and the overall size of the site as located in what was shown on Town documents as an R-3 zone.

The information made part of the record by Land Use administrator Griswold Nelson regarding information on file classifying the site as being in a R-3 zone and the inconsistencies with the Zoning map showing the site in an R-1 zone, (addressed in her 11/20/2021) correspondence) was discussed.

Griswold Nelson addressed conversations with First Selectman Gordon Ridgway, representing the Town as an abutter, regarding the matter and his acknowledgement of no issues with the granting of the variance based on the proposed entry location from Hart Hill Road and not the state highway. It was also noted that he agreed that Griswold Nelson could address the Zoning classification matter directly with the Assessor.

Hearing or seeing no one else in the audience to address the Variance application,

Motion made by Mrs. Spence, seconded by Mr. Elwell, to close the hearing at 7:35PM; unanimously approved,

2. PENDING APPLICATION

A. Appeal: #332- Molly Larrison applicant/owner - Variance from Article IV – To construct a detached garage with a 14 foot variance from the 40 front yard setback – 4 Hart Hill Road

Based on the recommendation of staff that a motion for approval be made to open discussion: **Motion** made by Mr. Wolfe, seconded by Mr. Elwell to grant the 14' variance as requested in **Appeal: #332- Molly Larrison applicant/owner** for the construction of a detached garage as shown in the mapping supplied and referenced.

After discussion, and as part of the motion for approval, the Board agreed upon the following reasons for granting the variance:

1. It was not worth re-arranging the historic surface water drainage patterns on the site.
2. The access for the garage from Hart Hill Road was preferred for safety reasons.
3. The inconsistency with the Zoning Map on file to the information in the Town Records, both assessor's cards and mapping on file supported the setback requested.

Motion, with reasons stated, unanimously approved.

3. APPROVAL OF MINUTES. November 27, 2017. Deferred.

4. CORRESPONDENCE AND COMMUNICATIONS.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.

A. Election of officers. Deferred.

B. Meeting dates for the year 2022

By consensus, that staff post the meeting dates for the year, 2022 - January 24, February 28, March 28, April 25, May 23, June 27, July 25, August 22, September 26, October 24. November 28, and December 19***, all meetings to commence at 7Pm and to be held by Zoon until further notice.

6. ADJOURN.

Motion made by Mr. Elwell, seconded by Ms. Spence to adjourn at 7:43PM; unanimously approved.

**Karen Griswold Nelson. Land Use administrator
Clerk for the Zoning Board of Appeals**