



TOWN OF MIDDLEBURY

Zoning Board of Appeals

MINUTES

ZONING BOARD OF APPEALS REGULAR MEETING

Wednesday, December 1, 2021 – 7:30 p.m.

Shepardson Community Center

Room 26

Present: Linda Herrmann
Joe Mancini
Brian Proulx
Candice Graziano
Gerald Lukowski
Bryan Ferrucci, Alternate

Also Present: Curt Bosco, ZEO
Rachel Primus, Recording Clerk

Excused

Absent: Ray Caruso, Alternate
Tom Ford, Alternate

Call to Order with the Pledge of Allegiance

The meeting was called to order by Linda Herrmann, with the absence of a chairman, at 7:31 P.M.

Election of a Chairman and Vice Chairman

Linda Herrmann asked for nominations for Chairman. Joe Mancini nominated Linda Herrmann for Chairman.

VOTED: Unanimously on a motion by Joe Mancini and seconded by Brian Proulx to **ELECT** Linda Herrmann as Chairman.

Candice nominated Joe Mancini for Vice Chairman.

VOTED: Unanimously on a motion by Candice Graziano and seconded by Linda Herrmann to **ELECT** Joe Mancini as Vice Chairman.

Seating with Regular Members

The regular members present were seated.

Approval of August 4, 2020 Regular Meeting Minutes

VOTED: Unanimously on a motion by Brian Proulx and seconded by Joe Mancini to **APPROVE** the August 4, 2021 regular meeting minutes as presented. Gerald Lukowski abstained.

Public Hearing:

Application #3192 – Linda and Frederick Thorpe, 51 Skyline Drive – Seeking a variances from Section 11, side yard setback of the Middlebury Zoning Regulations allowing 16.6' rather than the required 25'.

Linda Herrmann opened the public hearing at 7:36 PM. She read the public notice into the record. She noted that it was published in the Voices on November 17th and November 24th.

Linda Thorpe handed the board plans for their review. She said they are looking to make the existing one car garage into a 2 car garage. Linda said their lot is 20,000 sq ft and is undersized. She said they do not want to shovel cars out in the winter and would like them inside due to the increase in crimes that are occurring. They also have an electric vehicle and the garage would give them the ability to charge it. Linda said they have spoken to their neighbors and the neighbors have no objections. Frederick Thorpe said they have been in the home for 20 years. They are also in the process of expanding the house on the other side as well. They are looking into committing to stay in their home and want to make it more comfortable. They have already updated the inside of the house and have made improvements. Fred explained that the yard slopes off in the back and there are no other options for the garage placement. If the garage is moved to the other side of the home then you would have to enter through the livingroom, no longer from the kitchen. This is not a feasible or desirable location. Mr. Thorpe explained that the elevation drops behind the house and water collects in that area.

Brian Proulx noted that applicants typically have the area staked out, but in this situation he was still able to figure out where the addition would go. Curt Bosco said that it is his job to find any alternative options, and this was the most feasible. Brian Proulx asked if the measurements are to the edge of the building and will have no overhang. Curt said the measurements are to the foundation. Mr. Thorpe said they would like to mirror the existing garage. There was a brief discussion regarding the notification to neighbors. Curt noted that there has been legal time period to contact the department if an individual was against the application. Gerald Lukowski asked the applicants when they would begin construction. Mr. Thorpe said they are planning on beginning next year.

VOTED: Unanimously on a motion by Candice Graziano and seconded by Joe Mancini to CLOSE the public hearing at 7:54 PM

Old Business

None

New Business

Discussion of Appeal #3192

Candice Graziano said her only concern is with the neighbors, but she feels they must be ok with it. Brian Proulx noted the applicant said he spoke with the neighbor.

VOTED: Unanimously on a motion by Joe Mancini and seconded by Candice Graziano: Whereas the Middlebury Zoning Board of Appeals has received an application #3192 from Linda and Frederick Thorpe, 51 Skyline Drive seeking a variances from Section 11, side yard setback of the Middlebury Zoning Regulations allowing 16.6' rather than the required 25' setback to allow an addition.

Whereas the ZBA held a public hearing on Wednesday December 1, 2021 to consider the matter. Whereas the ZBA studied the materials related to this matter.

Now, therefore be it resolved, the ZBA hereby **APPROVES** the variance and **ACCEPTS** the hardship as stated in the said application.

Approval of the 2022 Meeting Schedule

VOTED: Unanimously on a motion by Brian Proulx and seconded by Gerald Lukowski to SET the 2022 meeting schedule on the first Wednesday of every month at 7:30 PM in Room 26 of the Shepardson Community Center.

Correspondence

Curt explained to the board there is a situation on Washington Drive area. He said one of the

neighbors had their lot surveyed and it was discovered that the adjoining neighbor's house is encroaching on their property. He said they are unable to resolve this issue without a variance and each property owner has submitted an application for a variance. They will be using the same engineer with a variance on each property. He just wanted to make the board aware these applications will be coming before them at next month's meeting.

Adjournment

VOTED: Unanimously on a motion by Joe Mancini and seconded by Candice Graziano to **ADJOURN** the meeting at 8:11 P.M.

These minutes are submitted subject to approval.

Respectfully submitted,

Rachel Primus

Recording Clerk

ZBA Members

CC: Town Clerk, Barbara Whitaker, Z.E.O.