

September 28, 2021 at 6:30 p.m. in Room, #15 at the Sterling Municipal Building, 1183 Plainfield Pike, Oneco, CT followed by a special meeting. All voted in favor of the motion.
c. Discussion Regarding Moving Alternate Board Member to Regular Board Member: The members discussed the possibility of recommending to the Board of Selectmen that one of the current Board alternates be named as a regular member. R. Lissan made a motion, seconded by C. Farrugia to recommend to the Board of Selectmen to appoint alternate Derek Anforth as a regular member. All voted in favor of the motion.

Any Other Business To Come Before The Authority: None

Adjournment: R. Lissan made a motion, seconded by B. Chamberland to adjourn at 7:29 p.m. All voted in favor of the motion.

Attest: _____
 Patricia Ball, Recording Secretary

Attest: _____
 Stephen Offiler, Chairman



Town of Sterling

Town Hall
 1183 Plainfield Pike
 P.O. Box 157
 Oneco, Connecticut 06373-0157

Assessor: 860-564-3030
 Building Official: 860-564-2275
 Economic Development: 860-564-4752
 Library: 860-564-2692
 Recreation: 860-564-2136
 Registrar of Voters: 860-564-2654

Revenue Collector: 860-564-7563
 Selectmen: 860-564-2904
 Town Clerk: 860-564-2657
 Treasurer: 860-564-8488
 Wetlands Agent: 860-564-2275
 Zoning Official: 860-564-2275

Legal Notice
 Town of Sterling
 Zoning Board of Appeals
 Notice of Public Hearing

The Sterling Zoning Board of Appeals will hold a Public Hearing on Tuesday, September 28, 2021 in Room 15 at the Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT beginning at 6:30 p.m. to hear written and/or verbal comments on the following:

Application #ZBA21-01 by A. Kausch & Sons, LLC, 217 Snake Meadow Hill Road (Map 06828, Block 15A, Lot 005H) for a variance to reduce Section 4.04A Setbacks to reduce front setback from 50' to 38' to construct a single family dwelling.

A copy of this application is available for review at Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT during normal business hours.

Dated this 9th day of September 2021 at Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT.

Sterling Zoning Board of Appeals
 Stephen Offiler, Chairman

"This institution is an equal opportunity provider and employer."

September 28, 2021

The public hearing was called to order at 6:31 by Stephen Offiler, ZBA Chairman. Other members' present-Russell Dexter, Robert Lassan, Derek Anforth, and Alternate Lincoln Cooper.

Staff present-Melissa Gil and Joyce Gustavson.

Also present- Andrew B. Kausch, Andrew J. Kausch, and Attorney Ernest Cotnoir (6:45 p.m.).

S. Offiler read the legal notice into the minutes and stated that the way the public hearing works is first we would hear testimony from the people who are in favor of the application followed by anyone who might be opposed, then general comments.

Andrew B. Kausch introduced himself and his son Andrew J. to the Commission stating that his attorney should be here shortly.

A. Kausch stated that he purchased the parcel three-four (3/4) years ago and was originally a subdivision in 1983 before the Town had zoning. The wetlands have been flagged and he has received approval from the Northeast District Department of Health. Due to the shape of the lot, the house has been raised and because of the location between the tank and the house, there is no room for a curtain drain. The Septic System Design Plan that was submitted at the 9/7/2021 meeting was discussed. The applicant has revised the application to reflect that the variance is to reduce the setback from fifty feet (50') to twenty-six feet (26'), not thirty-eight feet (38') as originally presented. The Septic System Design Plan reflects the correct front yard setback as twenty-six feet (26'). A. Kausch also stated that in order to build a single-family dwelling on this lot, septic system and well, he needed to reduce the size of the dwelling, elevate the home, and eliminate the curtain drain. There are wetlands to the west, leaving limited availability of placement for the septic system and well which defines location of the home.

Attorney E. Cotnoir has joined the meeting and submitted for the record a letter of formal Appearance (copy of file).

E. Cotnoir stated that a request for a variance is governed by Section 9.02 of the Sterling Zoning Regulations, as well as Section 8-6 of the Connecticut General Statutes. The key in granting the variance is that the Board can make a finding of hardship, and the hardship needs to be specific to this piece of property, is not any fault of the applicant, and that the proposed use is consistent with the overall scheme of Zoning in that area. This is a non-conforming lot of record, created in 1983 prior to subdivision or zoning regulations, and at that time complied to the Town's Building Ordinance, it is misshaped, the sidelines are at an angle to the front and rear line, and the west side of the lot consists of wetlands. The application is keeping within the Permitted Uses and has complied with everything that was in place at the time it was created and did not have anything to do with the applicant. The topography and the shape of the lot makes it impossible to adhere to the Town's regulations and without the variance, the property cannot be developed.

M. Gil, Zoning Enforcement Officer, stated that in her opinion, this is clear cut case of Section 8-26A of the Connecticut General Statutes. The lot was created by a subdivision in 1983 and any changes subsequent to that do not apply.

The hardship is that without the variance the lot would not be useable and is a pre-existing lot of record created in 1983.

S. Offiler asked if anyone had any questions or comments. There were none.

S. Offiler stated that if the Board members do not have anymore comments or questions, we could entertain a motion to close the public hearing.

There were none.

R. Lasso made a motion, seconded by R. Dexter to close the public hearing at 6:51 p.m. All voted in favor of the motion.

September 28, 2021

The Zoning Board of Appeals special meeting was called to order at 6:51 p.m. by Stephen Offiler, ZBA Chairman. Other members' present-Robert Lasso, Russell Dexter, Derek Anforth and Alternate Lincoln Cooper.

Members' absent-Christine Farrugia and Alternate Betsy Chamberland.

Alternate L. Cooper was seated for C. Farrugia.

Staff present-Melissa Gil and Joyce Gustavson.

Also present-Andrew J. Kausch, Andrew B. Kausch, and Attorney Ernest Cotnoir.

Audience of Citizens: None.

Approval of Minutes: D. Anforth made a motion, seconded by R. Lasso to approve the 9/7/2021 special meeting minutes with the following two (2) corrections to New Business, Item a... "2007", instead of "2017" and "derelict", instead of "dialectic". All voted in favor of the motion.

Unfinished Business:

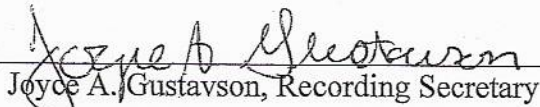
a. Application #ZBA21-01 by A. Kausch & Sons, LLC for a Variance from Section 4.04A Setbacks – to Reduce the Front Yard Setback from 50' to Amended 26' in Order to Construct a Single-Family Residence for Property Located at 217 Snake Meadow Hill Road (06828/15A/005H): It was noted at the public hearing held earlier tonight that the variance is to reduce the setback from fifty feet (50') to twenty-six feet (26') and not from fifty feet (50') to thirty-eight (38') as previously noted. R. Lasso made a motion seconded by R. Dexter to approve ZBA Application-#21-01 by A. Kausch & Sons, LLC for 217 Snake Meadow Hill Road (Assessor's Map 06828, Block 15A, Lot 005H) for a variance from Section 4.04A Setbacks – front yard setback from required fifty feet (50') to proposed twenty-six feet (26') based on the uniqueness of the lot and it was a pre-existing lot of record created in 1983. All voted in favor of the motion.

New Business: None.

Any Other Business To Come Before The Authority: None.

Adjournment: R. Lasso made a motion, seconded by R. Dexter to adjourn at 7:00 p.m. All voted in favor of the motion.

Attest:


Joyce A. Gustavson, Recording Secretary

Attest:

Stephen Offiler, Chairman