

**TOWN OF KILLINGLY, CT  
ZONING BOARD OF APPEALS**

**7:00 PM REGULAR MEETING**  
***Thursday – December 13, 2018***

**KILLINGLY TOWN HALL  
TOWN OF KILLINGLY  
172 MAIN STREET, DANIELSON, CT**

**MINUTES**

RECEIVED  
TOWN CLERK, KILLINGLY, CT  
2018 DEC 20 AM 10:17  
Elizabeth M. Quisenberry

- I. CALL TO ORDER – Paul Gazzola Jr, called the meeting to order at 7:49 pm
- II. ROLL CALL – Andrew Farner, Paul Gazzola Jr, David Izzo Sr and Paul Archer.  
  
Others Present – Jonathan Blake – Zoning Enforcement Officer and Lynn LaBerge – Council Liaison.
- III. CITIZEN PARTICIPATION -- Brief citizen comments regarding items not subject to public hearings may be made at this time.  
None.
- IV. PUBLIC HEARINGS –
  - 1. Application #18-822 of Donald & Jean Carter to vary Town of Killingly Zoning Regulation Section 450, Table A, Min Setback from street line from 75' to 30', Setback from rear line from 30' to 20' and Max lot coverage from 15% to 20% for a 60' x 80' garage/barn. Property located at 509 Bailey Hill Road; GIS Map 165 Lot 1; Rural Development Zone.

Chair, Paul Gazzola explained to the Applicants that they would need a unanimous decision from the Board in order for the application to be approved. The Applicants would like to move forward with the meeting tonight.

Jean Carter and Donald Carter, Applicants, were present to review the application with the board.

Mrs. Carter reviewed the application with the Board. The reason they are requesting this variance is because Mr. Carter is retiring and is moving his tools, vehicles and camper back to their home from Rhode Island and store them in this proposed 60' x 80' garage.

Paul Archer stated that he has a couple concerns with this application. He does not feel comfortable making a decision on this application without seeing a site plan or survey. He would like to see what the applicant really needs as far as boundary lines for the front and back of the property for the proposed building. He also stated that he would like to know where the septic and well are and if there may be an issue with the Health Department not allowing the construction of this building. He further pointed out that if this variance is approved and the Health Department denies their application that this variance will stay with the property and recorded on the Land Records. He would like to know exactly what they need so that this variance will work for them.

Mrs. Carter stated that there was a recent survey done and markers have been placed on the property. She has spoken with the Health Department and they do not have any documentation stating where the septic system is located.

Jonathan Blake explained that if the Board approves this application, the applicants will need certain other steps to be met in order to move forward with the project however the setbacks will be reviewed during the construction process and enforced.

Mr. Archer would like to also know where the water will go on this property. They are asking for a reduction in lot size and he feels this also needs to be addressed.

Paul Gazzola asked Jonathan Blake how Staff determines where the set backs are on properties. Mr. Blake explained that he refrains from taking measurements and would ask the surveyor to set pins and ask for an As-Built to be submitted to his office.

Paul Gazzola asked the applicant where the access will be for this garage.

Mrs. Carter reviewed this with the Board.

Jonathan Blake stated site lines for a driveway are reviewed by the Engineering Department.

Mrs. Carter stated that she feels she has met all the requirements for this application and they were not told that they would need a survey. She also stated that her neighbors have not had any concerns with their proposal.

Paul Gazzola asked the applicant what their hardship is for this application.

Mrs. Carter stated that they have a lot of equipment at their current business and need to bring it home as her husband is retiring.

Jonathan Blake further pointed out that the property is an undersized lot, as per the current regulations.

#### Public Comments:

Lenard Zadora of Lenard Zadora and Sons LLC spoke on behalf of the applicants. He has reviewed this proposal several times along with looking at the property. He confirmed that there are a lot of other aspects of this application that will need to be completed after the Board approves this application such as Health Department and Engineering, but does not see any reason why they cannot approve the variance this evening.

Jean Carter again pointed out that she has done everything that has been required by the town for this application.

Jonathan Blake reviewed the timeline that would happen if the Board decided to continue the public hearing.

Paul Archer made a motion to obtain more information on Application 18-822 of Donald & Jean Carter. He does not feel there is enough information to make a decision.

Second by David Izzo. -

Mr. Archer commented that he would like to make sure that the building they are proposing will fit on this property. He further pointed out that the variance will stay with the property forever even if it does not get built and would like to see more information so he can make a knowledgeable decision.

Mrs. Carter does not feel that this is part of the regulations for this application. It was never mentioned to her before that she would need a survey or other information.

Jonathan Blake reviewed Section 800 of the regulation regarding the Zoning Board of Appeals.

Mrs. Carter asked that all the requests are in writing so she can comply. She is very frustrated with the system.

The Board further discussed Mr. Archer's motion and would like it to be more specific.

Paul Archer made a motion to amend the prior motion.

Motion second by David Izzo.

Motion passes unanimously.

Paul Archer made a motion to require the applicant bring in a boundary survey of the property which should include; the location of the well; all buildings and driveway; and an approximate location of the septic system. A site plan that shows the size of the proposed building and where it will be located on the subject property.

Motion second by David Izzo.

Roll Call: Farner, Izzo, Archer, Gazzola – Aye/in favor. The motion passes unanimously.

Mrs. Carter stated that she would like a full compliment of the Board to hear the next meeting.

Andrew Farner made a motion to continue Application 18-822 of Donald & Jean Carter.

Jonathan Blake reviewed the time line of the application and stated that this may be heard at the next regular meeting or special meeting may be held if the applicant requests this in writing.

Motion second by David Izzo.

Motion passes.

#### V. UNFINISHED BUSINESS –

1. Application #18-821 of Donald & Jean Carter to vary Town of Killingly Zoning Regulation Section 450, Table A, Min Setback from street line from 75' to 20', Setback from rear line from 30' to 12' and Max lot coverage from 15% to 18.4% for a 100' x 80' garage/barn. Property located at 509 Bailey Hill Road; GIS Map 165 Lot 1; Rural Development Zone.

Application continued.

#### VI. NEW BUSINESS – None

VII. ADOPTION OF MINUTES –

1. Motion by David Izzo to approve the October 11, 2018 Regular Meeting Minutes as presented. Motion second by Andrew Farner. Motion passes.

VIII. CORRESPONDENCE TO THE BOARD –

1. Motion by David Izzo to approve the proposed 2019 ZBA Meeting Dates. Second by Andrew Farner. Motion passes.

IX. COUNCIL LIAISON – Lynn LaBerge reviewed the most recent meetings of the Town Council.

ADJOURNMENT - Motion to Adjourn the meeting at 9:05 by David Izzo. Motion second by Paul Archer. Motion passes.

Respectfully Submitted,

*Karen M. Desrosier*

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Clerk