

1 **MINUTES**

2 **ZONING BOARD OF APPEALS – REGULAR MEETING**

3 **WEDNESDAY, March 27, 2024 at 7:00 P.M.**

4 **Simsbury Town Hall – Board of Education Conference Room, Second Floor**

5 **933 Hopmeadow Street, Simsbury, CT 06070**

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7 **I. CALL TO ORDER** –Chair Hogan called the meeting to order at 7:00 p.m.

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9 **Present:** Zoning Board of Appeals Chair, JoAnn Hogan; Zoning Board of Appeals
10 Regular Members: Ram Kaza, Sheree Landerman, and Doug McKown; Zoning Board of
11 Appeals Alternate Members: Ali Rice and Johnathan Yeisley; Planning Director, George
12 McGregor; Code Compliance Officer, Joseph Hollis.

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14 **Absent:** Mark Freeman, Stacey Walczak

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16 **Seating of Alternates**

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18 Commissioner Rice and Commissioner Yeisley were appointed as regular members for
19 tonight’s meeting.

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21 **II. NEW BUSINESS**

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23 • Public Hearings/Possible Action

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25 **Application ZBA #24-02** of Curtis Looney & Manu Singh-Looney, Applicant/Owner,
26 for a variance to section 3.9 of the Simsbury Zoning Regulations to construct an
27 accessory dwelling unit within established property setbacks by reducing the side yard
28 setback from +/- 40’ to +/- 31.4’ and to reduce the rear yard setback from +/- 50’ to +/-
29 47’ at 10 Cedar Glen (Assessor’s Map E10, Block 147, Lot 207) Simsbury, CT 06070,
30 zone R-40.

- 31
32 • Ms. Singh-Looney summarized the application, noting the accessory dwelling is
33 for an in-law suite for the Applicant’s mother. The design presented, which
34 requires a variance, is the preferential design, given the location of the septic
35 system, grading of the home and requirement for garage access. The town
36 wetland’s agency has approved the application.
37 • Commissioner Landerman inquired about the size of the dwelling and questioned
38 the need for two variances.
39 • Ms. Singh-Looney commented that a hardship exists because the accessory
40 dwelling unit cannot be located anywhere else on the property, as a result of the
41 septic tank.

- 42 • Discussion ensued around the hardship and what other options might exist to
43 reduce the number and/or size of the variances.
- 44 • Mr. McGregor suggested that Ms. Singh-Looney work with her architect to
45 address the Board’s concern relating to the size of the dwelling and whether the
46 design can be changed to reduce the number and/or size of the variances. He
47 recommended that the architect attend the next meeting of the Board.
- 48 • Ms. Singh-Looney confirmed she is open to working with her architect, noting
49 that the design considered accessibility issues for a potential wheelchair and other
50 future considerations.
- 51 • Commissioner Rice requested additional pictures of the residence, including the
52 side yard and back yard be provided for the next meeting.

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54 **MOTION:** Chair Hogan moved to continue Application ZBA #24-02 to the next meeting
55 of the Zoning Board of Appeals on April 24, 2024. Commissioner Yeisley seconded the
56 motion. The motion carried. (6-0-0)

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58 • Commissioner Landerman requested clarification be provided relating to the
59 regulations associated with an addition for an accessory dwelling, the calculation
60 of the square footage requirement, and how the second kitchen should be treated
61 under the regulations. Town Staff confirmed that clarification would be provided
62 prior to the next meeting of the Board.

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64 **III. GENERAL COMMISSION BUSINESS**

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66 • Commission Bylaws Discussion
 - 67 ○ Mr. Hollis explained that the by-laws have not been revised since 2009.
68 As such, he has reviewed and proposed changes to the by-laws, which
69 include cleaning up outdated language and clarifying verbiage where
70 applicable. He noted that the by-laws need to be discussed at one meeting
71 and acted on at a following meeting. He requested feedback from the
72 Commissioners.
 - 73 ○ Commissioner Rice requested the following edits:
 - 74 ■ The language on page 2 (“These by-laws shall govern...”) should
75 be moved to the top of the document.
 - 76 ■ After the third bullet in Section B, the following phrase should be
77 added: “*See section F for clarification*”.
 - 78 ■ In Section G, the second paragraph, an article should be inserted
79 within the following phrase: “An applicant will present “*an or the*
80 *or their*” application to the board”.

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- In Section G, the second paragraph, a comma should be inserted after “but not limited to”.
 - The “He/she” gender convention should be kept consistent throughout the section and document.
 - Commissioner Yeisley noted grammar issues on page 5 regarding the verbiage relating to board members declaring conflicts. Town Staff will review and update appropriately.
 - Town Staff will make noted changes for review and consideration of approval at the next meeting of the Board.
 - Chair Hogan requested the Commissioners review the document and provide any other edits to Town Staff prior to the next meeting.
 - Commission Variance Training
 - Mr. McGregor addressed the Board and provided the Commissioners with an overview of the Board’s roles and responsibilities and guidance on CT regulations around variances and hardships.
 - Chair Hogan inquired whether any changes have been made to the Zoning Regulations relating to corner lots. Mr. McGregor responded that he does not believe any changes have been made. Mr. McGregor advised the Commissioners to draft recommendations to provide to the Zoning Commission when these types of issues are identified.
 - Chair Hogan also questioned where there were any changes around generator regulations. Mr. McGregor noted that Town Staff is working on generator regulation changes.
 - Mr. Hollis noted the presentation will be made available to the Commissioners in the drop box.

108 **IV. APPROVAL OF MINUTES**

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- 110
- February 28, 2024
 - Commissioner Landerman noted “sings” should be replaced with “signs” on Line 74.

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114 **MOTION:** Chair Hogan moved to approve the February 28, 2024 minutes.

115 Commissioner Leary seconded the motion. Commissioner Yeisley. The motion carried.

116 (6-0-0)

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118 **V. ADJOURNMENT**

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120 **MOTION:** Commissioner Landerman moved to adjourn the meeting. Commissioner
121 Yeisley seconded the motion. The motion carried unanimously. (6-0-0)

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123 The meeting adjourned at 8:23 P.M.

124

125 Respectfully Submitted,

126

127 Cara Blackaby

128 Commission Clerk