



**TOWN OF WILTON
ZONING BOARD OF ADJUSTMENT BOARD MEETING
APPROVED MINUTES**

DATE: July 28, 2015
TIME: 7:45 PM
PLACE: Wilton Town Hall Courtroom

PRESENT: ZBA Board Members: Chairman Neil Faiman, Vice-Chairman Andy Hoar, Paul Levesque, Joanna Eckstrom, Carol Roberts, Secretary Sorrell Downing.
Applicants: Bill and Karen Artemik

PUBLIC HEARING

Chairman Faiman opened the meeting at 7:50 PM.

Case #7/14/15-2 – Artemik

Karen L. Artemik has applied for a variance to section 5.2.3 of the Wilton Zoning Ordinance, to allow the construction of a shed on Lot F-42-3, 106 Intervale Road, which will be closer to a lot line than is permitted by the Ordinance.

The applicant outlined the proposal for the shed to be built at the specified location (2 feet from lot line):

The board prior to the meeting visited the property at F-42-3.

Application Questions #1-#4 were discussed.

- Mr. Levesque and Mr. Hoar discussed the placement of the proposed shed in the location of the existing “temporary” shed. This would require the existing temporary shed to be moved by excavator and the stability of the shed was questioned.
- The other flat areas (and therefore possible locations for a shed) on the property are in front of the house.
 - Ms. Eckstrom stated that placement of a shed in a front yard would not be reasonable for the purpose of functionality
 - Ms. Eckstrom stated that placement of a shed in a front yard would be unattractive and possibly diminish property values.

- There are currently many temporary shed type buildings on the property and the applicants stated that by building the proposed 12x24' shed there would not be a need for the temporary hoop structures. Some of the temporary hops structures currently hold building materials for the proposed shed.
- The abutters do not have a problem with the placement of the proposed shed as it is a wooded area and the houses at F-42-1 and F-42-2 sit close to the road and the shed will be further back toward river.

The question of preference vs. necessity was raised. The applicants have blended two households in the recent years and have a lot of equipment that needs to be protected. The applicants plan to build a garage in the next few years. Ms. Eckstrom stated the applicants should be allowed to use their land and not cause unnecessary financial hardship for the applicant (as a result of having to move existing shed with an excavator and not using materials already purchased).

Mr. Levesque stated his concern of the shed being too close to the lot line.

A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Hoar to close the public hearing of Case #7/14/15-2 for discussion among board.

Voting: 5 ayes, motion carried unanimously

Mr. Hoar stated the applicant has met the requirements for a variance. The 2' boundary does not seem to be an infringement on abutter at this time.

Ms. Eckstrom and Mr. Faiman agreed there was something different about the property – it is a backlot with irregular boundaries.

Mr. Faiman and Mr. Hoar could see why the applicants would like to put a large shed in the proposed location.

Ms. Roberts and Ms. Eckstrom asked that the temporary structures be removed quickly.

Mr. Levesque states that the shed will be too close to the property line and it is important to consider the future abutters when deciding this case.

A MOTION was made by Ms. Roberts and SECONDED by Mr. Levesque to reopen the public hearing of Case #7/14/15-2 for further input from the applicant.

Mr. Faiman asked the applicants if there was further information to be shared. None was heard.

Mr. Faiman called for a vote to grant the variance to section 5.2.3 of the Wilton Zoning Ordinance, to allow the construction of a shed on Lot F-42-3, 106 Intervale Road.

Voting:

Ms. Eckstrom – Yes

Ms. Roberts – Yes

Mr. Faiman - Yes

Mr. Hoar – Yes

Mr. Levesque – No

The variance to section 5.2.3 of the Wilton Zoning Ordinance, to allow the construction of a shed on Lot F-42-3, 106 Intervale Road is granted.

Formal notification will be sent via email to the applicant and kept on file.

Reasons for Decision:

Addressing 5(a) on application: There is a fair and substantial relationship based on the property line.

Addressing 5(b) on application: The proposed use is reasonable.

Addressing 5(c) on application: The hardship is a consequence of the unusual lot and the property borders a river.

A MOTION was made by Mr. Faiman and SECONDED by Mr. Hoar to accept the reasons for decision for Case #7/14/15-2 .

Voting: 5 ayes, motion carried unanimously

Materials for Meeting

Ms. Roberts asked if board members should print their own materials in preparation for the meeting. Mr. Faiman responded that the materials are online and can be printed off by each board member easily.

A MOTION was made by Mr. Levesque and SECONDED by Ms. Roberts to adjourn the meeting.

Voting: 5 ayes, motion carried unanimously

The next meeting will be held August 11, 2015 at 7:30 PM.

Chairman Faiman declared the meeting adjourned at 8:55 PM.

Respectfully Submitted,
Sorrell Downing
Secretary