

Bolton Zoning Board of Appeals
Regular Meeting Minutes
June 13, 2023 7:00 p.m.
Bolton Town Hall, 222 Bolton Center Road
Hybrid Meeting-In person and virtual via Zoom

Members Present: Anne Decker and Jonathan Treat and Alternates Bill Anderson (seated for William Pike), Joshua Machnik (seated for Mark Altermatt) and Mary Terhune (seated for Morris Silverstein)

B. Anderson made a motion to appoint the above seated members. J. Treat seconded. The motion passed unanimously 5:0:0.

Regular Meeting

J. Treat made a motion to appoint A. Decker as acting Chairman. J. Machnik seconded. The motion passed unanimously 5:0:0.

1. Call to Order: Acting Chairman Anne Decker called the meeting to order at 7:02 p.m.

2. Public Comment: No public comment

Continuation of Public Hearing

3. #ZBA-23-1 – Jason Vaillette – 68 Country Club Rd – variance request for installation of 18x30 in-ground swimming pool

Attorney Louis Spadaccini spoke on behalf on the applicants. His clients have modified their request and have decided against the in-law suite. They would like to install the pool only. The pool and adjacent patio would only encroach 9 feet beyond the setback. Their proposed 400 square foot pool is comparable to many in the neighborhood and is the smallest size recommended by their contractor. His client's house is set back further on the lot than others in the neighborhood and many of the other houses in the neighborhood have large side yards whereas the applicants do not. They have significantly scaled back their plans, there has not been any opposition from neighbors and several neighbors have written letters in endorsement of the proposed pool. The rear setback line is open space and would not encroach on any neighbors.

J. Treat asked what the hardship is. Mr. Spadaccini said that it is a unique lot in that the house was built further back on the lot. J. Treat questioned the placement of the house being a hardship. He believes that topography would be more of a hardship.

M. Terhune asked if they considered a rectangular pool. Mr. Vaillette noted that the smallest rectangular pool would be wider than the kidney-shaped pool that is proposed and they asked two contractors for options.

A. Decker said that it seems like the applicant has made a concerted effort to comply with the current regulations although she is concerned that J. Treat has a point about the hardship.

B. Anderson noted that purchasing a house on its own is not a self induced hardship. The regulations require a builder to leave room for septic options not for the installation of a pool. There are three houses in the neighborhood that would in his opinion qualify for a variance if they wanted to install a pool.

J. Machnik agrees with B. Anderson and feels that it is a real hardship.

M. Terhune asked if there were other plans for expansion in the future, i.e. a patio, outdoor kitchen, etc. Mr. Vaillette replied in the negative.

A. Decker asked if any of the commission members had any other questions. Mr. Vaillette provided copies of the letters from his neighbors in support of the project.

B. Anderson made a motion to close the public hearing. J. Treat seconded. The motion passed unanimously 5:0:0.

A. Decker asked if anyone on the commission would like to continue the discussion. There was no further discussion.

J. Machnik made a motion to grant the variance based on the hardship of the house being set back further on the lot than others in the neighborhood. B. Anderson seconded. The motion passed 4:1:0 with J. Treat in opposition.

Other Business

4. Approval of Minutes:

May 9, 2023

J. Machnik made a motion to accept the minutes as presented. M. Terhune seconded. The motion passed unanimously 5:0:0.

April 11, 2023

J. Machnik made a motion to accept the minutes as presented. J. Treat seconded. The motion passed 4:0:1 with B. Anderson abstaining.

5. Election of Officers

J. Treat made a motion to nominate A. Decker as chairman. M. Terhune seconded.

J. Machnik made a motion to nominate M. Silverstein as chairman. There was no second.

The motion to nominate A. Decker as chairman passed 3:2:0 with B. Anderson and J. Machnik in opposition.

6. Correspondence: None

7. Other: None

8. Adjournment

J. Machnik made a motion to adjourn at 7:26 p.m. B. Anderson seconded. The motion passed unanimously 5:0:0.

Respectfully submitted,

Leslie J. Brand

Leslie J. Brand

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.

**ZBA-23-2**

Zoning Board of Appeals

Status: Active

Submitted On: 6/28/2023

Primary Location

35 LAKESIDE CIRCLE

BOLTON, CT 06043

Owner

Maureen Shortoff

35 LAKESIDE CIRCLE

BOLTON, CT 06043

Applicant

James Grady

860-478-2569

gradyconstructionct@gmail.com

 5 laurel rd
Vernon, Ct 06066

Permit Info

Occupancy Type*

Residential

Application For*

Variance

Aquifer Protection Area*

No

Zone *

R-3

Zoning Board of Appeals

Statement of Hardship*

There are two rear entries to the home, neither of which provide safe and easy access to the home from the backyard. The rear stairs are greater than 30" above grade with no handrails. My client who is in her 70s is looking to add a 28x10 deck off the rear of the home. This will connect both doors and provide safe easy access to the home and the backyard. The neighboring houses all have decks off the rear of their home and many of them are closer to the water line than we are proposing. Also my client has family with special needs and would like to be able to include them in their family get together a at the lake.

Brief Explanation of Specific Action(s) Requested of the ZBA*

Client is looking for a variance for the rear setback line from 30' to 20' and a variance for the side setback line from 10' to 6.72'

Has any previous application been filed in connection with these premises? *

No

Setbacks

Front Required

35

Front Provided

—

Rear Required*

30

Rear Provided*

20

Left Required

10

Left Provided

—

Right Required

10

Right Provided

—

Lot Coverage Required

15

Lot Coverage Provided

—

Building & Parcel Size

Building Size

—

Lot Area

—

Applicable Section(s) of Zoning By-Laws

Section 11

Does Property Need CCDRB Review?

Is Property Located in Aquifer Protection District?

Signature and Confirmation of Submission of Application

The property owner, or applicant/agent duly authorized by the property owner hereby acknowledges that this applicant has been submitted truthfully. The applicant further acknowledges that any information submitted herein which is found to have been submitted willfully in error may render such application null and void.

The above is hereby acknowledged and understood*

The property owner, or applicant/agent duly authorized by the owner hereby grants permission to the Town of Bolton, it's agents and the Zoning Board of Appeals to make reasonable property inspections related to the review of the submitted application

The above is hereby acknowledged and understood*

The property owner, or applicant/agent duly authorized by the owner hereby acknowledges the above and by endorsement of the digital signature below, hereby submits this application.

Signature of Owner or Applicant/Agent duly
authorized by the owner*

 James Grady
Jun 27, 2023

Additional Project Info

 **Date of Receipt**

—

 **Hearings Commencement Deadline**

—

 **Hearings Completion Deadline**

—

 **Decision Deadline**

—

 **Distance to Town Line**

 **Extension Date**

—

Conditions [Internal Use Only -- To be Printed of Permit]

 **Conditions**



To whom it may concern,

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ABUTTERS WITHIN 500 FT.

SHORTOFF MAUREEN	35 LAKESIDE CIRCLE	BOLTON, CT 06043
RLB REAL ESTATE HOLDINGS LLC	921 BOSTON TPKE	BOLTON, CT 06043
BODMAN EDITH & DALE & SURV	442 GOODWIN ST	EAST HARTFORD, CT 06108
BOSTON TURNPIKE LLC	75 GERBER ROAD EAST	SOUTH WINDSOR, CT 06074
BODMAN EDITH & DALE & SURV	442 GOODWIN ST	EAST HARTFORD, CT 06108
PETERS STEPHEN H & KELLI J	14 LAKESIDE LN	BOLTON, CT 06043
AMES CLARA JEAN	18 LAKESIDE LANE	BOLTON, CT 06043
HOWARD ROAD REALTY LLC	25 HOWARD RD	BOLTON, CT 06043
LALANCETTE LAUREN D	1 LAKESIDE CIRCLE	BOLTON, CT 06043
PETERS STEPHEN H & KELLI J	14 LAKESIDE LN	BOLTON, CT 06043
AMES CLARA JEAN	18 LAKESIDE LANE	BOLTON, CT 06043
WEI RULING	345 BUFF CAP RD	TOLLAND, CT 06084
TRUSKA LUKAS	939 BOSTON TPKE	BOLTON, CT 06043
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THE HANNON FAMILY TRUST DATED JANUARY 15 2020	33 LAKESIDE CIRCLE	BOLTON, CT 06043
PLUMMER DAVID W	17 LAKESIDE CIRCLE	BOLTON, CT 06043
PALOWSKI KIM	958 BOSTON TPKE	BOLTON, CT 06043
CARNEY JOHN F & BERGERON DIANE	976 BOSTON TPKE	BOLTON, CT 06043
SADLER JOHN T & BEVERLY J	16 LAKESIDE LA	BOLTON, CT 06043
ZALEWSKI GREGORY E & ZALEWSKI SARAH L	1020 BOSTON TPKE	BOLTON, CT 06043
SIMPSON WILLIAM C &	972 BOSTON TURNPIKE	BOLTON, CT 06043
JEWELL RICHARD E & JEWELL ROCHELLE A	20 LAKESIDE LANE	BOLTON, CT 06043
MORTENSEN GARY & MORTENSEN KAREN	922 BOSTON TPKE	BOLTON, CT 06043
BOLTON TOWN OF	222 BOLTON CENTER RD	BOLTON, CT 06043
BRYK DANIEL T	61 STONEHEDGE LA	BOLTON, CT 06043
PLUMMER DAVID	17 LAKESIDE CIRCLE	BOLTON, CT 06043
BODMAN EDITH & DALE & SURV	442 GOODWIN ST	EAST HARTFORD, CT 06108
SIMPSON WILLIAM & LYNN	972 BOSTON TPKE	BOLTON, CT 06043
GAWLIK ELIZABETH M	10 LAKESIDE LANE	BOLTON, CT 06043