



**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, JUNE 26, 2024
REGULAR MEETING
MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Chair: D'Amato; Vice Chair: Harris; Commissioners: DiMatteo, Thompson, and Kalvaitis; Staff: Robert Gosselin, Zoning Enforcement Officer; Robert Isner, Assistant Zoning Enforcement Officer.

The Zoning Board of Appeals met in Room 314, 50 South Main Street, West Hartford on Wednesday, June 26, 2024, at 7:00 p.m., to act on the following items:

NEW BUSINESS/PUBLIC HEARING:

#07-24 98 Walbridge Road – Petition of Amy Charney, (RO), requesting a Special Exception approval for a customary home occupation to operate a counseling/psycho-therapy office as an accessory use to the residence for a period of one (1)-year per section 177-49 (C) of the zoning ordinances and per plans on file. **R-10 Zone**

The application was represented by Amy Charney & Attorney Lewis Wise, R.O. At the public hearing the following members of the public spoke to the application:

C. Huckman, R.O. of 107 Walbridge Road, spoke in opposition of the application.

D. Covello, R.O. of 125 Walbridge Road, spoke in opposition of the application.

R. Kuhe, R.O. of 86 Walbridge Road, spoke in opposition of the application.

J. Rossol, R.O. of 89 Walbridge Road, spoke in opposition of the application.

J. (Burke) Doar, R.O. of 9 Walbridge Road, spoke in opposition of the application.

V. Van Dyk & J. Wilcox, R.O. of 58 Walbridge Road, spoke in opposition of the application.

M. Smith, R.O. of 62 Walbridge Road, spoke in opposition of the application

By motion of Commissioner DiMatteo and seconded by Commissioner Thompson, **Public Hearing Closed; Vote 5-0**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Harris made a motion to grant the petition; Second by Commissioner DiMatteo. In reaching its decision, the Board determined the application is in harmony with the purpose and intent of the West Hartford Code of Ordinances and as such granted the petition with the following conditions:

1. This permission is granted for a period of one (1) years. At that time, the applicant will be notified of the requirement to renew this permit. Failure to renew will render this approval void.

2. The hours of operation shall be: **Monday:** 8:00 a.m.-5:00 p.m., **Tuesday:** 9:00 a.m. – 12:00 p.m., **Wednesday:** 9:00 a.m. – 3:00 p.m., **Thursday:** 9:00 a.m. – 1:00 p.m., **Friday:** 8:00 a.m. – 11 a.m.
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Customer parking is to be on-site at the property.
5. Non-resident employees are not permitted.
6. Signage for the home occupation is not permitted.
7. Clients will be required to have an appointment prior to visiting the property.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, Thompson, and Kalvaitis

Opposed: none

VOTE: 5-0; Petition granted.

#08-24 55 Arnoldale Road - Petition of Vanessa Justice (R.O.) requesting a Special Exception renewal in order to establish a customary home occupation to operate an Alexander Technique, an alternate therapy type, business as an accessory use to the residence for a period of three (3)-years per section 177-49 (C) of the zoning ordinances and per plans on file. **R-6 Zone**

To address a procedural issue with the posting of the public hearing sign on the property this public hearing was opened and immediately continued to the Zoning Board of Appeals Regular Meeting on July 24, 2024. **Motion: Harris; Second: Thompson; Vote 5-0.**

#09-24 2 Boswell Road - Petition of Kasey LaFlam & Evan Wilner (R.O.), requesting three variances to Section 177-20 Obstructions in yards. Requesting a +/- 7.7-foot variance to the required rear yard setback from the North property line and a +/- 1 foot variance to the required side yard setback off of the East property line. Request is to construct a 2 story addition with a first floor garage and second floor finished area off of the North-East corner of the house. Separately requesting a +/- 1 foot variance to install a heat pump at the Northwest corner of the house, per plans on file **R-10 Zone**

The application was represented by Kasey LaFlam (R.O.). The third variance request for the heat pump was removed from the application. At the public hearing no public comment in support or opposition was made and no written letters of support or opposition were received.

By motion of Commissioner Harris and seconded by Commissioner Thompson, **Public Hearing Closed; Vote 5-0**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Thompson made a motion to approve the variance; Second by Commissioner Kalvaitis. During its discussions and deliberations on this matter, the board made the following findings:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.

2. The variance request will not adversely impact neighboring properties. The side yard encroachment is very minor in nature and the rear yard encroachment is in character with the house and neighborhood.
3. This property demonstrates unique hardship as it is more heavily restricted by setbacks as a corner lot and also faces challenging topography. Attempting to move the existing legal non-conforming garage forward on the property would create access issues for cars entering the driveway. Additionally, the house is very close to both building line setbacks off of each road and so the buildable area of the lot is restricted.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, Thompson, and Kalvaitis

Opposed: None.

VOTE: 5-0; Petition granted.

#10-24 3115 Albany Avenue – Petition of Deercliff Land Preservation Trust, Inc. (R.O.), requesting two variances to Section 177-6D, Standards for the One-Family Residence District. Requesting a variance to create an additional story on top of an existing two and a half story building to expand and create habitable space in an existing observatory. Additionally building previously received a variance to have a height of 42.17’, above the 35’ height requirement, however due to the proposed expansion a new variance is required as the building height will increase to 42.34’, per plans on file. **R-80 Zone**

The application was represented by Attorney Lewis Wise and Arnold Chase principle of Deercliff Land Preservation Trust, Inc. R.O. Additional photos were provided to include as part of the record. At the public hearing no public comment in support or opposition was made and no written letters of support or opposition were received.

By motion of Commissioner Thompson and seconded by Commissioner Harris, **Public Hearing Closed; Vote 5-0**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner DiMatteo made a motion to approve the variance; Second by Commissioner Thompson. During its discussions and deliberations on this matter, the board made the following findings:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. The variance request will not adversely impact neighboring properties as the request is minor in nature. Additionally, and as demonstrate, the addition would not be visible by directly neighboring properties.
3. The applicant was able to demonstrate hardship. The residence itself is uniquely constructed compared to others in town and due to the unique elevation of the property, it faces atypical weather conditions. Additionally, the property is substantially unique in terms of its large size.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, and Thompson.

Opposed: Commissioner Kalvaitis

VOTE: 4-1; Petition Granted.

1. Approval of minutes from the regular meeting held on May 29, 2024
 - Motion: D'Amato; Second: Thompson; (Commissioner Harris abstained) Approved: 4-0
2. Adjournment at 9:32 p.m.