

THE ZONING BOARD OF APPEALS OF THE TOWN OF AVON HELD A VIRTUAL REGULAR MEETING FOR A PUBLIC HEARING ON THURSDAY, MAY 20, 2021, AT 7:00 P.M., VIA GOTOMEETING:

By web: <https://global.gotomeeting.com/join/383026981>;

or dial by phone: United States: +1 (224) 501-3412, Access Code: 383-026-981#.

Present were regular Board members Christy Yaros (Vice-chair), Chet Bukowski, and Alternate members Tom McNeill (voting) and James Williams (voting). Absent were regular Board member Eileen Carroll (Chair), Ames Shea, Eileen Reilly, and Alternate member Vi Smalley. Also present was Planning and Community Development Specialist John McCahill.

Vice-chair Yaros called the meeting to order at 7:00 p.m.

Roll call for the Board was taken.

John McCahill facilitated the meeting. He read aloud the legal notice for the meeting. He stated that notice was provided in accordance with Town regulations, State Statutes, and recent COVID-19 related Executive Orders; and that the Town has notified the abutters to the subject properties as required. He stated that the Avon Zoning Board of Appeals was created as required by Section 8-6 of the Connecticut General Statutes, and functions in accordance with the powers and duties of Section X – Administration and Enforcement, C., of the Town of Avon Zoning Regulations. The public hearing will be closed after the application review is complete. Voting will follow after the close of the public hearing.

John McCahill stated for the record that due to the four-member board at the May 2021 meeting, a four-member unanimous vote would be required if an application were to be approved. The applicants for the May 2021 ZBA agenda were given the option to postpone their hearings. He stated that applicants would be given the option to reapply to the Board after six months if an application were to be denied by a four-member board. He further stated that the Zoning Board of Appeals (ZBA) had received a written statement from the applicant's attorney, related to the application for 22 Hillcrest Drive on the agenda that evening, requesting postponement of this application's hearing to the regularly scheduled meeting on June 17, 2021. John McCahill stated that there would be no discussion of this application that evening. He read aloud the legal notice and summarized the agenda for the meeting.

Present on behalf of the application for 146 Old Mill Road was Stephen J. McGuff, owner/applicant, and he acknowledged and agreed for the Board to hear his application at the meeting that evening.

#### PUBLIC HEARING:

Application of Stephen J. and Cheryl A. McGuff, owners/applicants; requesting from Avon Zoning Regulations, Section IV. A. 6., a 20-foot variance to the 25-foot westerly side yard setback for a detached two-car garage, located at 146 Old Mill Road in an R-40 zone.

John McCahill summarized the application materials and Town staff supplemental documents: Town of Avon ZBA application (one page), dated April 9, 2021; applicant's survey map, dated

November 1991, with Town staff notation; enlarged section of survey map, dated November 1991, showing proposed location of structure with distance details notated by Town staff; photograph of example for proposed garage style; Town of Avon Assessor's property card showing the number of actual bedrooms at subject property with Town staff notation of garage bays allowed by zoning regulation; TOA GIS map of 146 Old Mill Road and proximity to the wetlands of an abutting lot; Town of Avon list of abutting property owners who received notice of the ZBA public hearing, mailed 5/6/2021, and corresponding property locations on TOA GIS map; photographs of subject property taken by Town staff; and neighborhood communications received by the Town of Avon.

John McCahill read aloud a letter of support for the 146 Old Mill Road variance application from neighbor Ed Ryan, of 128 Henley Way, dated May 13, 2021. Another letter of support already reviewed by the Board was from Carter Burningham, of 134 Old Mill Road, dated May 5, 2021.

Stephen McGuff stated that the purpose of the proposed garage was to store classic cars. He stated that they wanted to keep a clearance distance between the proposed detached garage and the existing garage to allow for a pass-through for emergency vehicles, if ever necessary. He referenced the steep grade of the rear property and the existing conservation restriction.

Vice-chair Yaros asked if there were questions from the Board.

In response to Board member Bukowski's questions, Mr. McGuff stated that the proposed structure would be 624 square feet, and indicated that there was an existing shed on the property, measuring 80 square feet.

John McCahill stated that the square footage for the total accessory buildings on the property would be well below the threshold stated in the Town of Avon Zoning Regulations.

In response to Alternate member McNeill's question, Mr. McGuff stated that there exists a three-car attached garage. Mr. McGuff confirmed there would be enough space for driving around the structures and the pavement would be extended to the proposed garage.

Vice-chair Yaros inquired if there were any public comments or questions. There was none from the public.

Vice-chair Yaros motioned to close the public hearing and Alternate member McNeill seconded the motion. The following members voted unanimously in favor: Vice-chair Yaros, Board member Bukowski, and Alternate members McNeill and Williams. The motion carried.

Vice-chair Yaros motioned to approve the variance application as submitted. Alternate member McNeill seconded the motion. The following members voted unanimously in favor: Vice-chair Yaros, Board member Bukowski, and Alternate members McNeill and Williams. The motion carried.

John McCahill stated for the record that the granting of the variance will be in harmony with the purposes and intent of these regulations; will accomplish substantial justice; and will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, and welfare.

OTHER BUSINESS:

There was no other business.

NEXT REGULARLY SCHEDULED MEETING:

The next regularly scheduled virtual meeting and public hearing will be June 17, 2021, at 7:00 p.m.

Board member Bukowski motioned to adjourn the meeting and Alternate member McNeill seconded the motion. The following members voted unanimously in favor: Vice-chair Yaros, Board member Bukowski, and Alternate members McNeill and Williams. The motion carried and the meeting adjourned at 7:25 p.m.

Susan Guimaraes, Clerk  
Zoning Board of Appeals  
Town of Avon Planning and Community Development