



TOWN OF AVON

60 West Main St. Avon, CT 06001-3719
www.avonct.gov

**POLICE, FIRE & MEDICAL
EMERGENCY - 911**

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Tel. (860) 409-4300
Fax (860) 409-4368

ASST. to the TOWN MANAGER
Tel. (860) 409-4377
Fax (860) 409-4368

ACCOUNTING
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BUILDING DEPARTMENT
Tel. (860) 409-4316
Fax (860) 409-4321

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Fax (860) 677-8428

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PLANNING & ZONING
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POLICE DEPARTMENT
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PROBATE
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TOWN CLERK
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TDD-HEARING IMPAIRED
Tel. (860) 409-4361

LEGAL NOTICE TOWN OF AVON

The Zoning Board of Appeals of the Town of Avon will hold a virtual Public Hearing on Thursday, June 18, 2020, at 7:00 p.m. **via GoToMeeting**
Join by web: <https://global.gotomeeting.com/join/868520493>, or
Dial by phone: +1 (646) 749-3122; Access Code: 868-520-493#; on the following:

Application of Susan Castonguay, owner, and Charles Castonguay, applicant; requesting from Avon Zoning Regulations, Section IV. A.6, a 13-foot variance to the 25-foot side yard setback requirement for a 12' x 20' proposed shed/garage, located at 43 Sheffield Lane in an R-40 Zone.

Application of Derek S. Green, owner/applicant; requesting from Avon Zoning Regulations, Sections IV. A.6 and IV. A.2, a 10-foot variance from the 15-foot side yard setback requirement, a 9-foot variance from the 40-foot front yard setback requirement, a 400 square foot variance from the 1,000 square feet permitted for accessory buildings, and a variance to allow 17% lot coverage which exceeds the 15% lot coverage allowed, to build a detached two-story storage garage, covered staircase, second story rear deck and open carport, located at 129 Secret Lake Road in an R-15 Zone.

All interested persons may join and be heard and written communications will be received. Copy of this notice is on file in the Office of the Town Clerk, Town Hall. Dated at Avon this 6th day of June, 2020.

ZONING BOARD OF APPEALS

Eileen Carroll, Chair
Christy Yaros, Vice-chair

**TOWN OF AVON
ZONING BOARD OF APPEALS
THURSDAY, JUNE 18, 2020, 7:00 P.M.**

**Virtual Public Hearing
VIA GOTOMEETING**

**Join by web: <https://global.gotomeeting.com/join/868520493>;
or Dial by phone: +1 (646) 749-3122, Access Code: 868-520-493#**

AGENDA

(scroll downward to see application materials)

I. PUBLIC HEARING:

Application of Susan Castonguay, owner, and Charles Castonguay, applicant; requesting from Avon Zoning Regulations, Section IV. A.6, a 13-foot variance to the 25-foot side yard setback requirement for a 12' x 20' proposed shed/garage, located at 43 Sheffield Lane in an R-40 Zone.

Application of Derek S. Green, owner/applicant; requesting from Avon Zoning Regulations, Sections IV. A.6 and IV. A.2, a 10-foot variance from the 15-foot side yard setback requirement, a 9-foot variance from the 40-foot front yard setback requirement, a 400 square foot variance from the 1,000 square feet permitted for accessory buildings, and a variance to allow 17% lot coverage which exceeds the 15% lot coverage allowed, to build a detached two-story storage garage, covered staircase, second story rear deck and open carport, located at 129 Secret Lake Road in an R-15 Zone.

II. OTHER BUSINESS:

III. NEXT REGULARLY SCHEDULED MEETING: July 16, 2020

TOWN OF AVON
ZONING BOARD OF APPEALS
THURSDAY, JUNE 18, 2020, 7:00 P.M.

**Virtual Public Hearing
VIA GOTOMEETING**

**Join by web: <https://global.gotomeeting.com/join/868520493>;
or Dial by phone: +1 (646) 749-3122, Access Code: 868-520-493#**

(scroll downward to see application materials)

Items contained in the agenda packets sent to the Board via electronic submission, and posted on the Town's website avonct.gov, Boards & Committees, Zoning Board of Appeals:

Application of Susan Castonguay, owner, and Charles Castonguay, applicant; requesting from Avon Zoning Regulations, Section IV. A.6, a 13-foot variance to the 25-foot side yard setback requirement for a 12' x 20' proposed shed/garage, located at 43 Sheffield Lane in an R-40 Zone.

- Application page.
- Letter of application description signed by owner and applicant.
- Image of proposed/similar structure.
- GIS map of abutting properties; (ZBA public hearing notification sent to abutting owners via postal mail).
- GIS aerial view of subject property.
- Multiple views of subject property; photographs by Town staff.
- Subject property plot plan showing proposed structure, proposed location, and proposed variance of yard setbacks.
- No neighbor communications have been received regarding the zoning variance proposal, as of 6/4/2020.

A full hardcopy set of the application, with supplemental administrative information, is on file and will be retained in the Department of Planning and Community Development.

TO THE ZONING BOARD OF APPEALS
Avon, Connecticut

PLEASE PRINT LEGIBLY

APPLICATION FEE \$160

Date 18 May 2020

OWNER Susan Castonguay

Address 43 Sheffield Lane

APPLICANT Charles Castonguay

Address Avon, CT 06001

TELEPHONE NO (860) 966-1052

Daytime Phone No (860) 966-1052

Email: Charlie Castonguay1@gmail.com

LOCATION OF AFFECTED PREMISES

ON THE E SIDE OF STREET IN AN R40 ZONE

ASSESSOR'S MAP NO. 10 PARCEL ID. 6000043 VOLUME 580 PAGE 178

Previous appeals have been made with respect to these premises as follows: Date:

This APPEAL () Use () Area (☒) Yards () Lot Width () Signs
relates to: () Building Lines () Lot Area () Other

1. SPECIFIC DESCRIPTION OF VARIANCE REQUEST - (MUST BE SHOWN ON PLOT PLAN)

IV-A-6 13' VARIANCE TO 25' SIDE YARD REQUIREMENT

2. VARIANCE of the following section(s) of the Zoning Regulations is/are requested

FOR 12' X 20'
PROPOSED SHED/
GARAGE

(a) Why will strict application of the regulations produce UNDUE HARDSHIP?
SEE ATTACHED (MAY 17, 2020).

b) Why is this hardship UNIQUE to these premises and not shared by other premises in the neighborhood?
SEE ATTACHED (MAY 17, 2020).

c) This variance would not change the CHARACTER OF THE NEIGHBORHOOD because:
SEE ATTACHED (MAY 17, 2020)

3. I HEREBY APPEAL from the decision of the Building Inspector for (denying/issuing) permit.

N/A

4. The undersigned warrants the truth of all statements contained herein and in all supporting documents to the best of his knowledge and belief. Furthermore, the applicant agrees that submission of this application constitutes permission for and consent to Board and Town Staff inspections of the site of proposed activity.

Signatures

Owners

Applicants

Susan Castonguay

Charles Castonguay

Charles and Susan Castonguay

43 Sheffield Lane
Avon, CT 06001
CharlieCastonguay1@gmail.com

May 17, 2020

Zoning Board of Appeals
Town of Avon
60 West Main Street
Avon, CT 06001

RECEIVED
MAY 19 2020
Planning Department
Town of Avon

Dear Board Members,

In accordance with Avon Zoning Rules and Regulations we are applying for a zoning variance to our residence at 43 Sheffield Lane.

1. Description of Variance Request

We would like to add a garage/shed at the end of our driveway and are contemplating a building of approximately 12 ft x 20 ft. Although it might be wider, any increase would be toward the south and away from the side yard. The estimate of 20ft in length is a maximum estimate. Because our driveway already lies within the north side yard offset boundary, almost any proposed structure would violate the 25 ft zoning setback requirement.

Our property is subject to R-40 zoning. Our interpretation of current zoning regulations is that 35 ft is the requisite offset for a side yard, although our property may be grandfathered into a 25 ft side yard offset since it was built prior to 2007. The plot plan that we have from when the house was built in 2003, shows a 25 ft side yard which reinforces that interpretation.

2. Variance

- a) The layout of our property is such that shifting the proposed garage further away from the northern side yard, in order to comply with the 25 ft zoning regulation, would put it so close to the existing attached garage that access to the sidewalk which leads to the rear of the house would be restricted.

- b) A circumstance unique to our property is the existence of wetlands at the rear of our lot. These wetlands extend from the woods behind a stone wall which borders a brook, and projects into our yard to a small degree. These wetlands give rise to a 40 ft regulated area wherein construction is prohibited. The wetlands and the regulated area when combined, represent a significant constraint on the placement options for the garage.

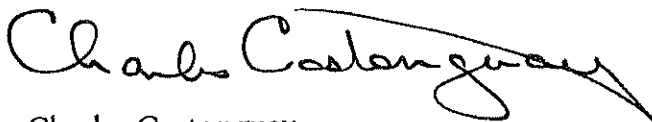
The last remaining option for building placement is so untenable that one could probably be forgiven for leaving it unmentioned. On the off chance that the ZBA is not in a forgiving mood at the hearing, we would like to point out that on the south side of our lot, a corner of the house itself is less than two feet from the 25 ft side yard offset and more importantly, the driveway is on the other (north) side.

- c) We do not believe that granting this variance would result in a change to the character of the neighborhood. If a variance is granted, we intend to hire an architect to help us design an attractive building that is in keeping with the colonial style of our house, which is similar to all the other houses in our neighborhood. The resulting design will not only show what the building will look like, it will also specify the exact dimensions and placement of the proposed structure. We would be happy to share those plans with the ZBA prior to construction if a variance is granted.

Sincerely yours,



Susan Castonguay



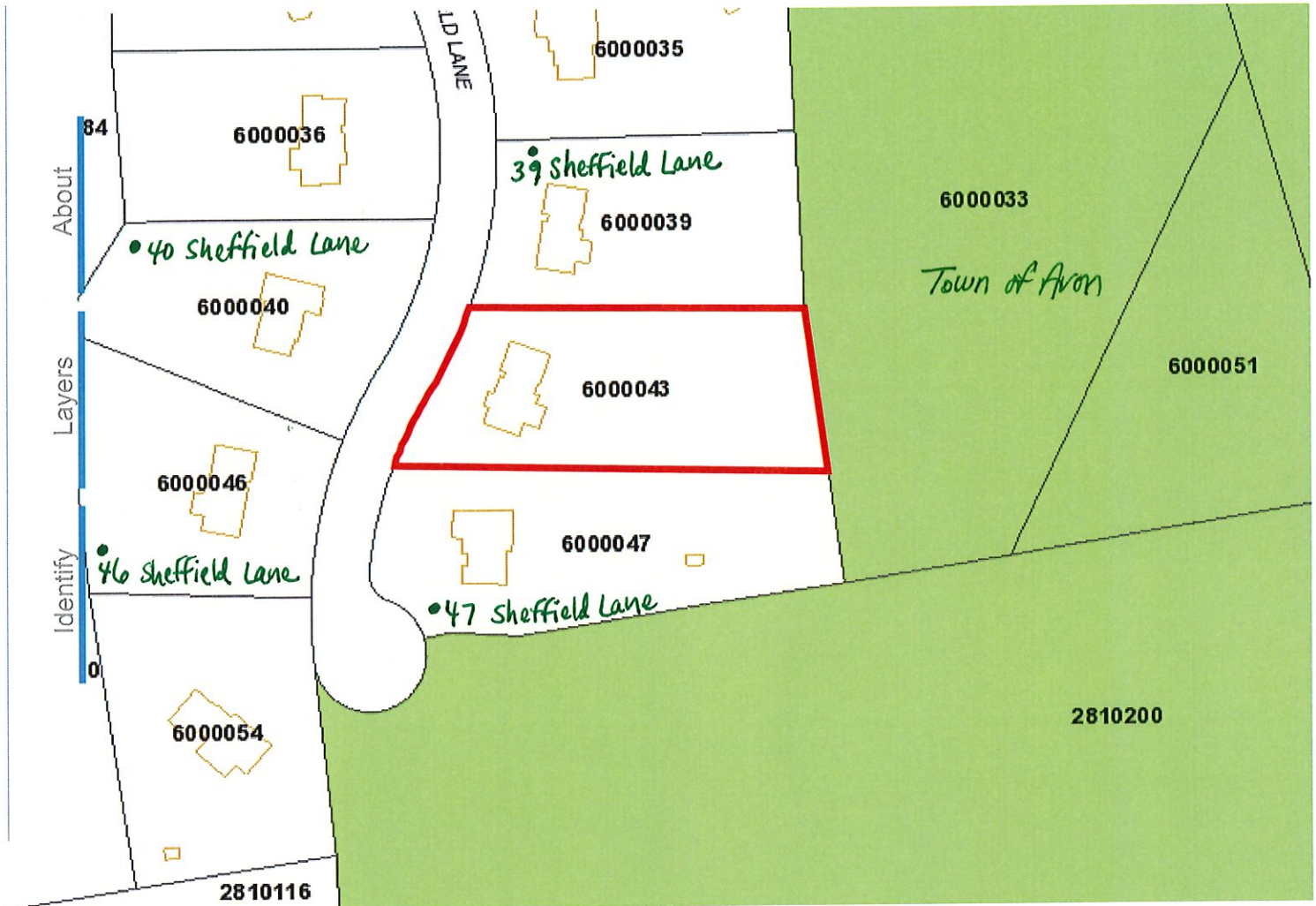
Charles Castonguay



"^{TD} SAMPLE SHED / GARAGE "

43 SHEFFLED
LANE

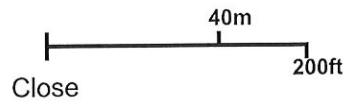
43 Sheffield



Email Map Link

• Town of Avon notice to abutting property owners.

Copy and paste the following string into an email to link to the current map view:



Print Map

Size: Scale: 1" = ft. Title:

-->

Tighe & Bond

lat:41.8019, long:-72.9103



TOWN OF AVON

60 West Main St. Avon, CT 06001-3719

www.avonct.gov

NOTICE TO ABUTTING PROPERTY OWNERS

June 5, 2020

Dear Property Owner:

The Zoning Board of Appeals of the Town of Avon will hold a virtual public hearing on the following application, on Thursday, June 18, 2020, 7:00 p.m.,

VIA GOTOMEETING

Join by web: <https://global.gotomeeting.com/join/868520493>, or

Dial by phone: +1 (646) 749-3122; Access Code: 868-520-493#

Owner/Applicant: Susan Castonguay, owner; Charles Castonguay, applicant

Property located at: 43 Sheffield Lane

Requesting variance from the Avon Zoning Regulations: Sections IV. A.6.

For: a 13-foot variance to the 25-foot side yard setback requirement for a 12' x 20' proposed shed/garage, located at 43 Sheffield Lane in an R-40 Zone.

Maps showing the proposed variance request will remain on file with Planning and Community Development, located in Building 6 at the Avon Town Hall.

All interested persons may be heard at the virtual public hearing. Prior to the virtual public hearing on the date noted above, written comments may be sent electronically to sguimaraes@avonct.gov as soon as possible, and received at a minimum of 24 hours prior to the meeting; or mailed to the Chair of the Zoning Board of Appeals, c/o Avon Town Hall, 60 West Main Street, Avon, CT 06001, as soon as possible, and received at a minimum of 24 hours prior to the meeting.

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

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TDD-HEARING IMPAIRED
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TOWN OF AVON ZBA

Variance Requested:

Application of Susan Castonguay, owner, and Charles Castonguay, applicant; requesting from Avon Zoning Regulations, Section IV. A.6, a 13-foot variance to the 25-foot side yard setback requirement for a 12' x 20' proposed shed/garage, located at 43 Sheffield Lane in an R-40 Zone.

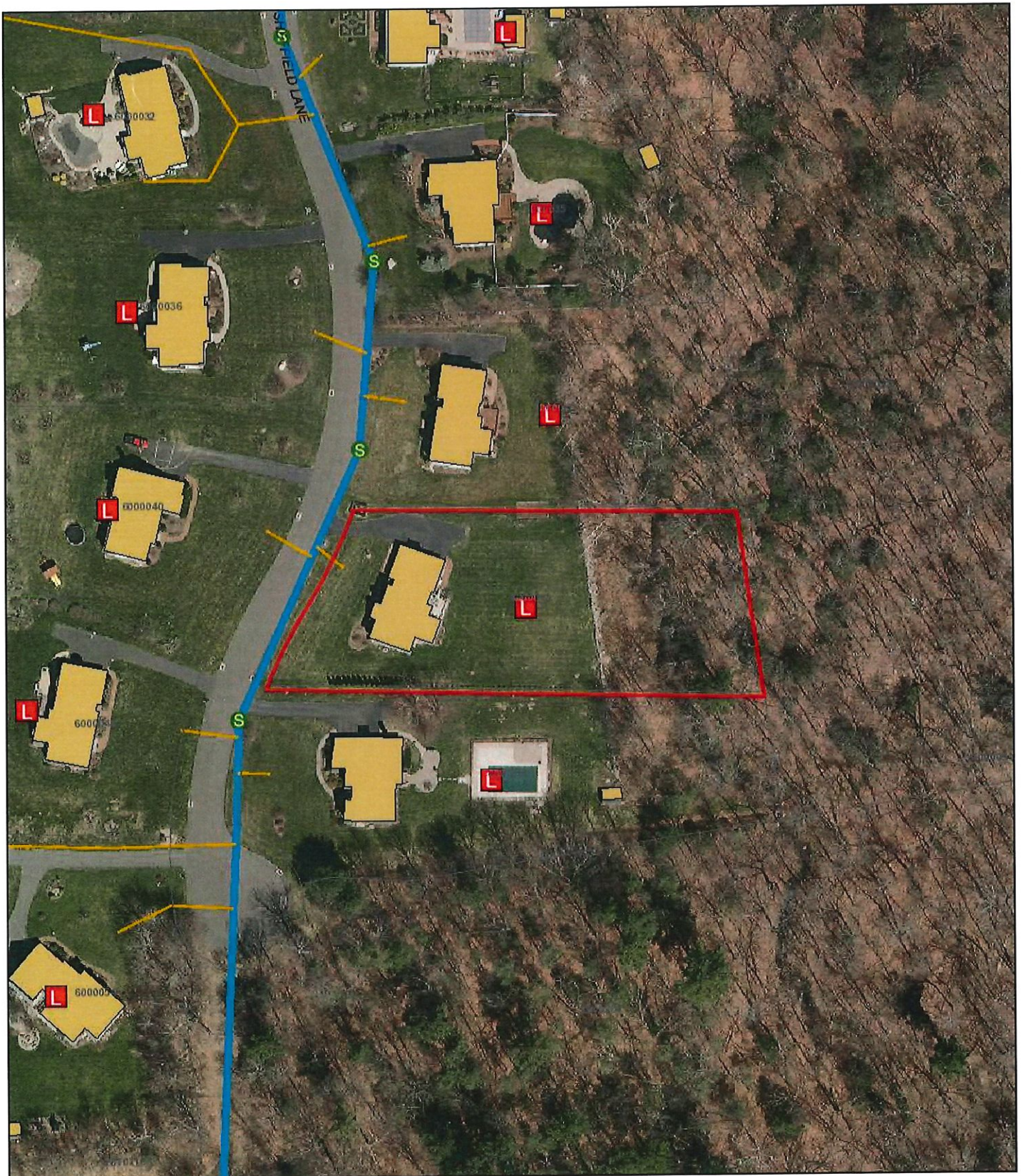
NOTICE TO ABUTTING PROPERTY OWNERS MAILED 6/5/2020:

39 Sheffield Lane

40 Sheffield Lane

46 Sheffield Lane

47 Sheffield Lane



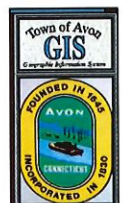
The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

43 Sheffield Lane

5/26/2020 12:40:18 PM



1:1200
1"=100'





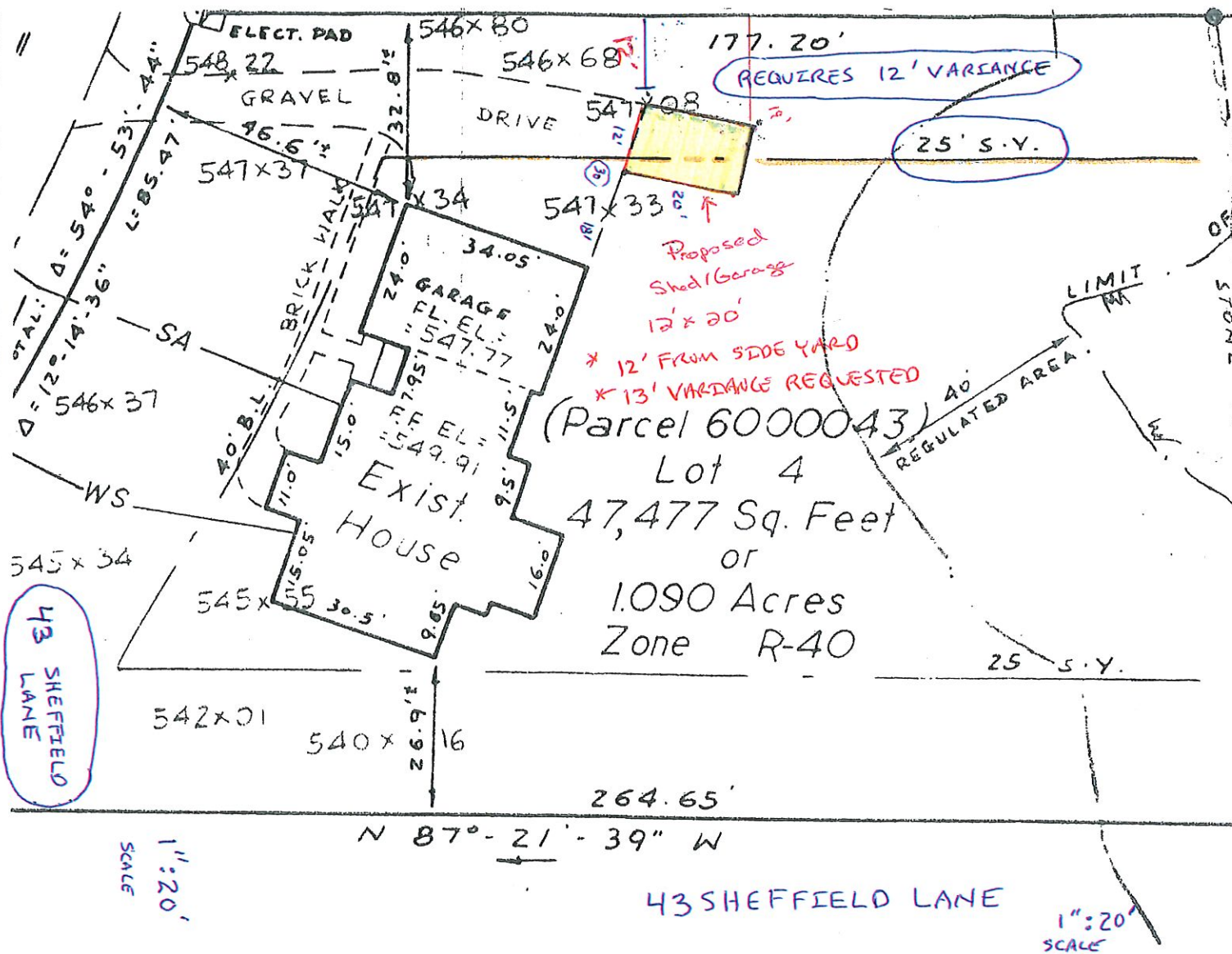
43 SHEFFIELD LANE



43 SHEFFIELD LANE



43 SHEFFIELD LANE



TOWN OF AVON
ZONING BOARD OF APPEALS
THURSDAY, JUNE 18, 2020, 7:00 P.M.

**Virtual Public Hearing
VIA GOTOMEETING**

**Join by web: <https://global.gotomeeting.com/join/868520493>;
or Dial by phone: +1 (646) 749-3122, Access Code: 868-520-493#**

(scroll downward to see application materials)

Items contained in the agenda packets sent to the Board via electronic submission, and posted on the Town's website avonct.gov, Boards & Committees, Zoning Board of Appeals:

Application of Derek S. Green, owner/applicant; requesting from Avon Zoning Regulations, Sections IV. A.6 and IV. A.2, a 10-foot variance from the 15-foot side yard setback requirement, a 9-foot variance from the 40-foot front yard setback requirement, a 400 square foot variance from the 1,000 square feet permitted for accessory buildings, and a variance to allow 17% lot coverage which exceeds the 15% lot coverage allowed, to build a detached two-story storage garage, covered staircase, second story rear deck and open carport, located at 129 Secret Lake Road in an R-15 Zone.

- Application page.
- Images of proposed/similar structure.
- GIS map of abutting properties; (ZBA public hearing notification sent to abutting owners via postal mail).
- GIS aerial view of subject property.
- Multiple views of subject property; photographs by Town staff.
- Photographs of neighborhood carports, at 101 Secret Lake Road and 103 Secret Lake Road, similar to the application's proposed carport; photographs by Town staff.
- Subject property plot plan images showing proposed structure, proposed location, and proposed variance of yard setbacks.
- No neighbor communications have been received regarding the zoning variance proposal, as of 6/4/2020.

A full hardcopy set of the application, with supplemental administrative information, is on file and will be retained in the Department of Planning and Community Development.

TO THE ZONING BOARD OF APPEALS

Avon, Connecticut

RECEIVED

PLEASE PRINT LEGIBLY

APPLICATION FEE \$160

MAY 27 2020

Date 5/27/2020

OWNER Derek Green

Address 129 Secret Lake Rd. Planning Department
Town of Avon

APPLICANT Derek Green

Address Avon, CT

TELEPHONE NO 860 916 8557

Daytime Phone No 860 916 8557

Email: GREENDS01@AOL.COM

LOCATION OF AFFECTED PREMISES

ON THE West SIDE OF STREET IN AN R15 ZONE

ASSESSOR'S MAP NO. 037 PARCEL ID. 3890129 VOLUME 707 PAGE 001

Unknown - no access to Books due to COVID

Previous appeals have been made with respect to these premises as follows: Date:

This APPEAL () Use () Area () Yards () Lot Width () Signs
relates to: (X) Building Lines () Lot Area (X) Other

1. SPECIFIC DESCRIPTION OF VARIANCE REQUEST - (MUST BE SHOWN ON PLOT PLAN)

I am requesting a side yard variance of 10' & a 15' side yard setback

2. VARIANCE of the following section(s) of the Zoning Regulations is/are requested IV-A.6 and

(a) Why will strict application of the regulations produce UNDUE HARDSHIP? IV-A.2

The rear area of the foundation borders the old septic system and is unsuitable to build on if placed within traditional setback

b) Why is this hardship UNIQUE to these premises and not shared by other premises in the neighborhood? The geography, existing large trees and nonconforming placement of neighbors (135 Secret Lake) garage limit placement

c) This variance would not change the CHARACTER OF THE NEIGHBORHOOD because:

This garage and carport are similar to existing carports nearby. Secret Lake is an eclectic collection of nonconforming buildings and this garage replaces an older structure and would improve the neighborhood in general

3. I HEREBY APPEAL from the decision of the Building Inspector for (denying/issuing) permit.

4. The undersigned warrants the truth of all statements contained herein and in all supporting documents to the best of his knowledge and belief. Furthermore, the applicant agrees that submission of this application constitutes permission for and consent to Board and Town Staff inspections of the site of proposed activity.

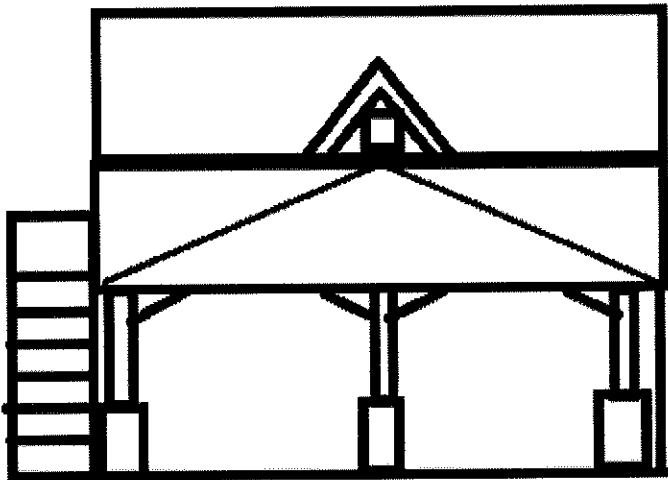
Signatures

Owners

Applicants



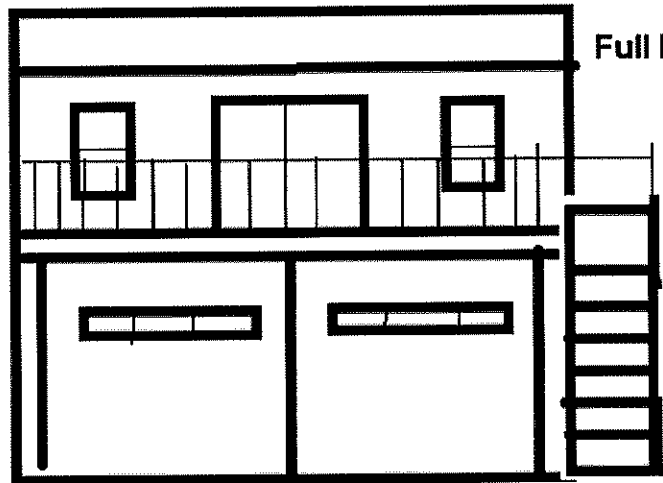
Front



36" stair

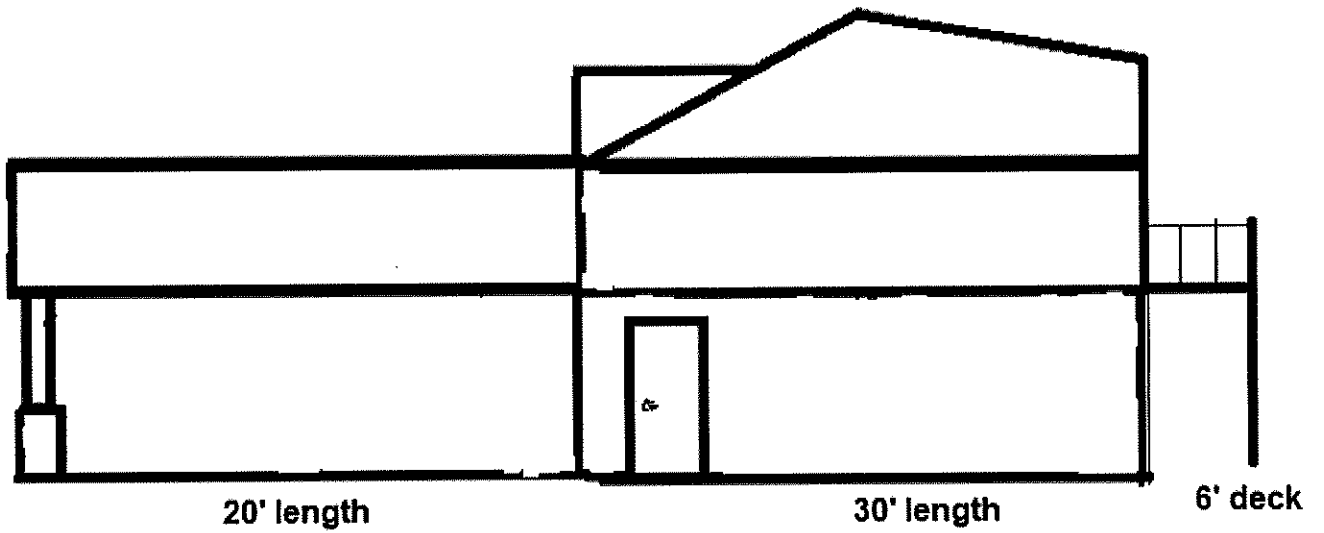
28'wide

Rear



Full Dormer

28 Wide



20' length

30' length

6' deck

129 SECRET LAKE

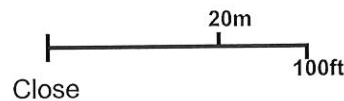
129 Secret Lake



Email Map Link

• Town of Avon notice to abutting property owners. *notice also provided to the president of the Secret Lake Association.

Copy and paste the following string into an email to link to the current map view:



Print Map

Size: Scale: 1" = ft. Title:

-->

Tighe&Bond

lat:41.8113, long:-72.8787



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NOTICE TO ABUTTING PROPERTY OWNERS

June 5, 2020

Dear Property Owner:

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VIA GOTOMEETING

Join by web: <https://global.gotomeeting.com/join/868520493>, or

Dial by phone: +1 (646) 749-3122; **Access Code:** 868-520-493#

Owner/Applicant: Derek S. Green

Property located at: 129 Secret Lake Road

Requesting variance from the Avon Zoning Regulations: Sections IV. A.6 and IV A.2.

For: a 10-foot variance from the 15-foot side yard setback requirement, a 9-foot variance from the 40-foot front yard setback requirement, a 400 square foot variance from the 1,000 square feet permitted for accessory buildings, and a variance to allow 17% lot coverage which exceeds the 15% lot coverage allowed, to build a detached two-story storage garage, covered staircase, second story rear deck and open carport, located at 129 Secret Lake Road in an R-15 Zone.

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

N:\Planning\ZBA\AbutterLetters\129SecretLakeRd_AbuttersLetter_JUN2020.doc

TOWN OF AVON ZBA

Variance Requested:

Application of Derek S. Green, owner/applicant; requesting from Avon Zoning Regulations, Sections IV. A.6 and IV. A.2, a 10-foot variance from the 15-foot side yard setback requirement, a 9-foot variance from the 40-foot front yard setback requirement, a 400 square foot variance from the 1,000 square feet permitted for accessory buildings, and a variance to allow 17% lot coverage which exceeds the 15% lot coverage allowed, to build a detached two-story storage garage, covered staircase, second story rear deck and open carport, located at 129 Secret Lake Road in an R-15 Zone.

NOTICE TO ABUTTING PROPERTY OWNERS MAILED 6/5/2020:

127 Secret Lake Road

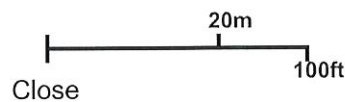
130 Secret Lake Road

135 Secret Lake Road

26 Sunset Trail (mailed to: Mary Stockman, President of the Secret Lake Association)

[Email Map Link](#)

Copy and paste the following string into an email to link to the current map view:

[Print Map](#)Size: Scale: 1" = ft. Title: [Close](#) [Print](#)

-->

lat:41.8114, long:-72.8788

Tighe&Bond



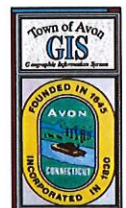
The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

129 Secret Lake

5/27/2020 9:36:58 AM



1:1200
1"=100'





129 SECRET LAKE

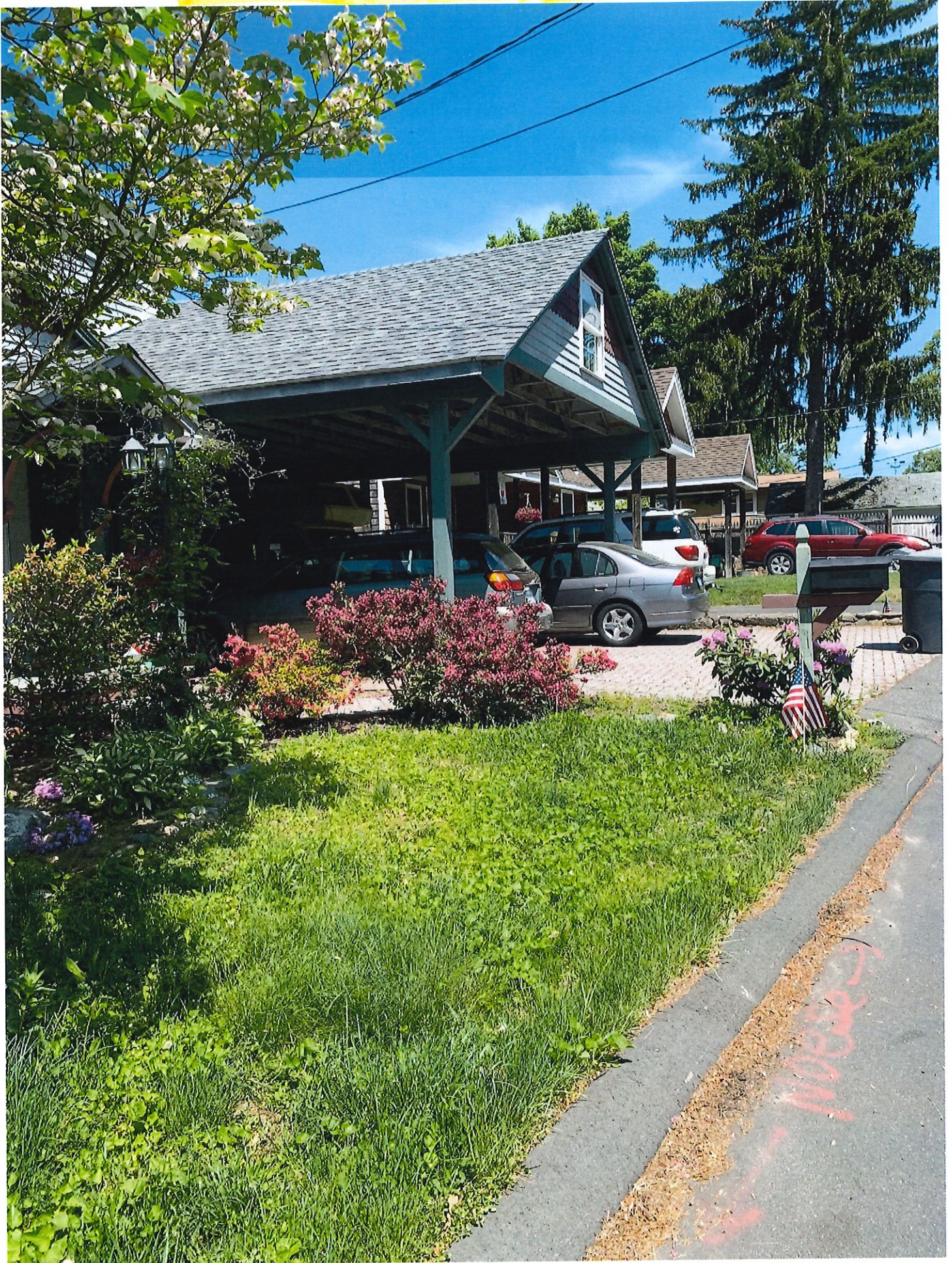


129 SECRET LAKE



129 SECRET LAKE

Similar Carport Proposed as in Neighborhood

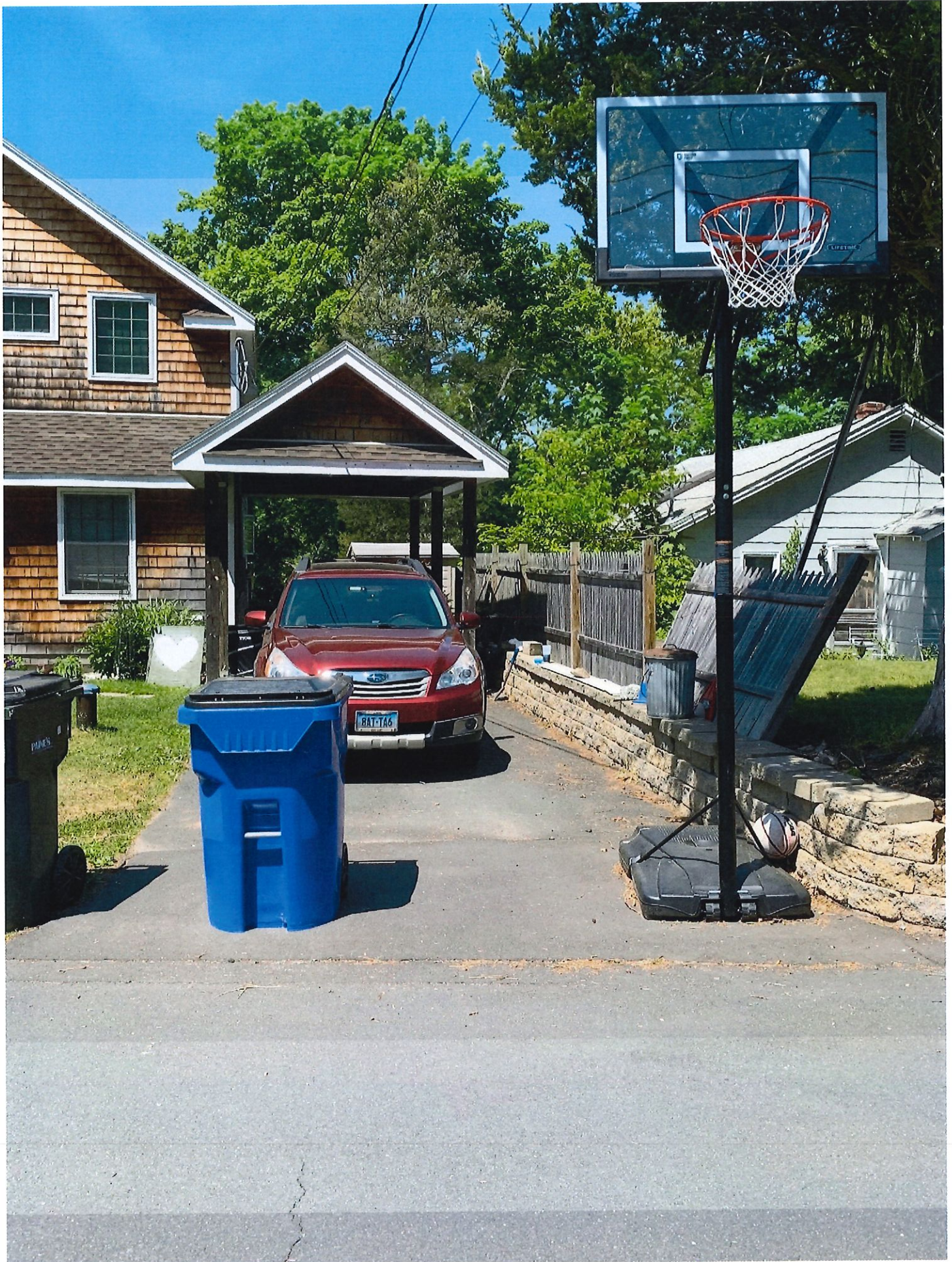


101 SECRET LAKE

Similar Car Port + Set back existing in
Neighborhood

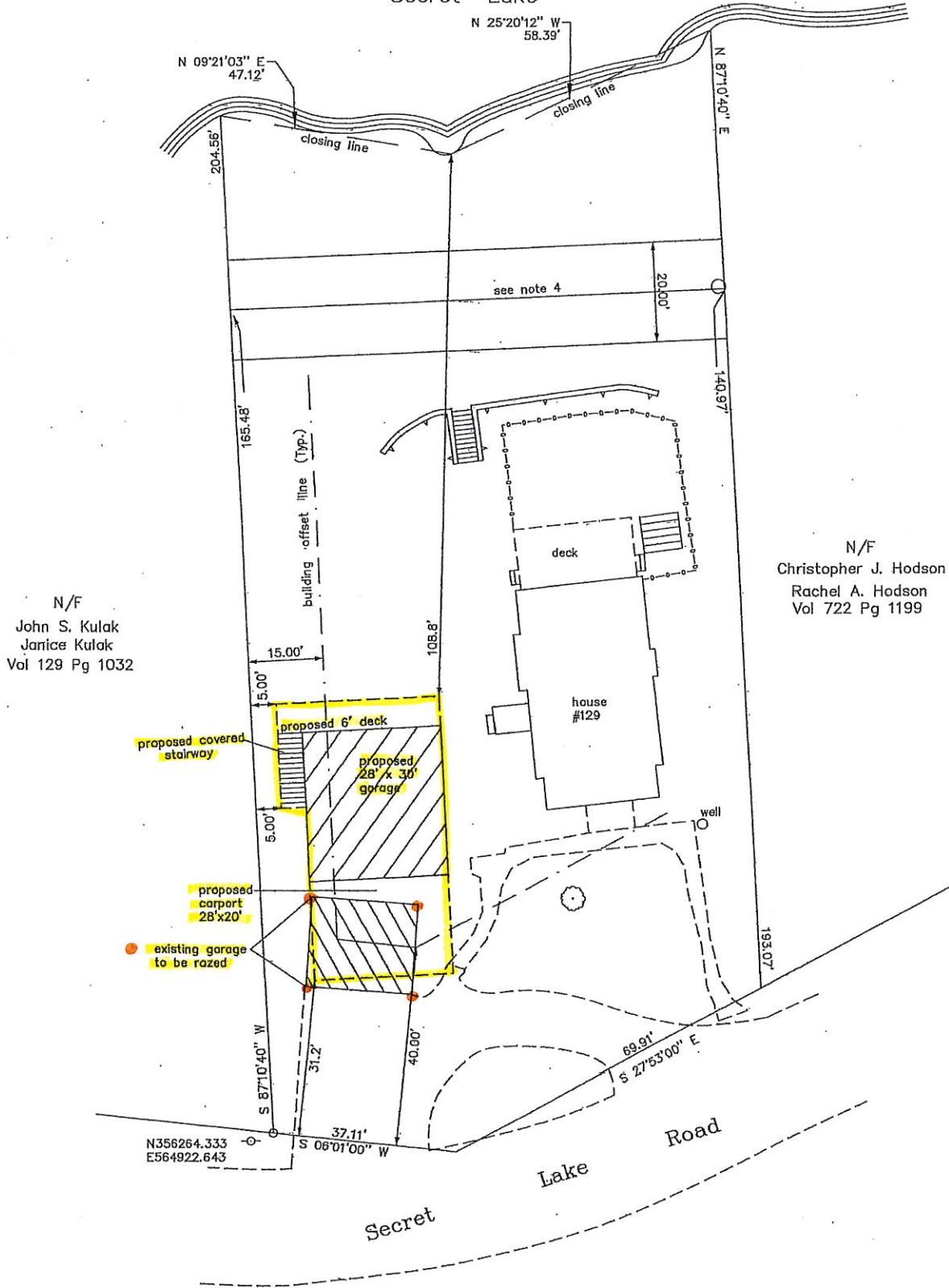


101 + 103 Secret Lake



103 Secret Lake

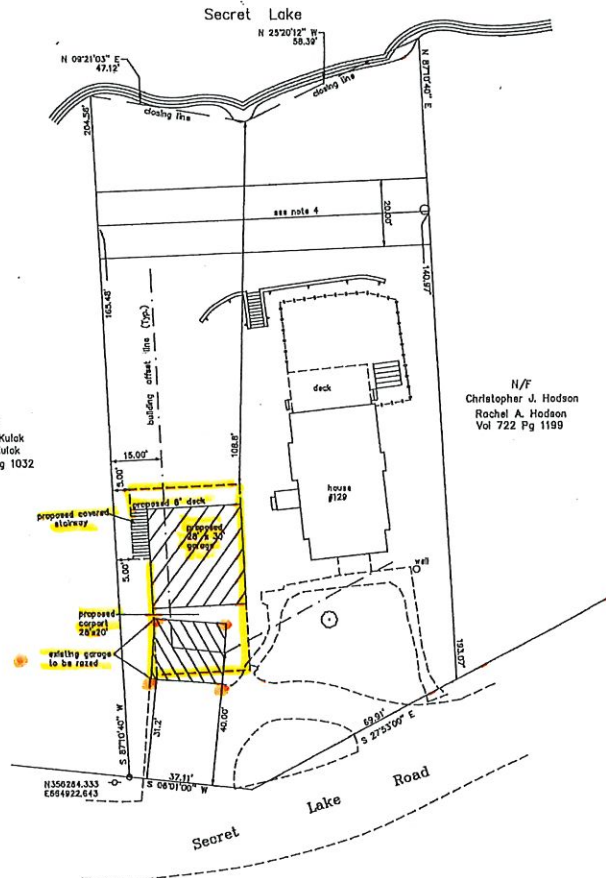
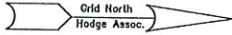
Secret Lake



N/F
Christopher J. Hodson
Rachel A. Hodson
Vol 722 Pg 1199

N/F
John S. Kulak
Janice Kulak
Vol 129 Pg 1032

0.455±Acre
Zoning Location Survey
Map Prepared For
Derek S. Green
129 Secret Lake Road
Avon, Connecticut
scale 1" = 20' May 2020



LEGEND

- Existing Iron Pipe ○
- Existing Iron Pin ●
- Existing Concrete Monument ■
- Existing Drill Hole ⊕
- Stonewall —x—x—x—
- Wire Fence //—//—//—
- Wood Fence —o—o—o—
- Chain Link Fence —x—x—x—
- Utility Pole —o—



Scale 1" = 20'

R-15 Zone

	Required	Existing
Min. Area	15,000 Sq Ft	19,822 Sq Ft
Min. Flgs.	100'	107.02'
Min. Setbacks	Required	Proposed
Front Yd	40'	31.2' **
Rear Yd	30'	108.8'
Side Yd	15'	5.00' **
Lot Cover	15%	18.3% **

** Variance Required

Notes

- 1) This map and survey have been prepared in accordance with section 20-300b through section 20-300b-20 of the Regulations of Connecticut State Agencies "Minimum Standards for Surveys and Maps" effective June 21, 1998 conforming to Class A-2 Standards for a Property Survey categorized as a Dependent Resurvey for boundary and Zoning Location Survey for proposed improvements.
- 2) Refer to maps by J.E.B. Lovell and Hodge Associates.
- 3) Parcel is located in R-15 Zone.
- 4) This 20' wide sewer easement shown as depicted on Map Showing Sanitary Sewer Rights of Way to Be Acquired By Town of Avon, Hodge Surveying Associates December 1977 Revised Sheet 37A obtained from Engineering Department. No record for this easement was found, but due to circumstances related to COVID 19, it may have been overlooked.



To my knowledge and belief, this map is substantially correct as noted herein.

Roy V. Cheney LLS # 18468
Bethlehem, Connecticut
MAP NOT VALID WITHOUT EMBOSSED SEAL