

**TOWN OF SOMERS  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
Monday, November 11<sup>TH</sup>/2014  
7:30 PM TOWN HALL**

**APPROVED Minutes**

**CALL TO ORDER**

The 11/11/14 ZBA meeting was called to order at 7:31 P.M. by Chairman Minch.

**ROLL CALL**

PRESENT: Mr. Doug Stebbins, Mr. Robert Minch - Chairman, Mr. Dean Hills - Secretary,  
Mr. Lenard VanWingerden, Ms. Barbara Flebotte – Vice Chairman

ABSENT: Mr. Jerome Young, Mr. B.J. Ferro III

Audience: Mr. Steve Simolari (Applicant)

**PUBLIC HEARING**

The Legal Notice was read into the record by Secretary Hills:

Steve Simolari of 52 Highland View Drive is seeking a variance of 10 Ft. from the required 25 Ft. of Somers Code Section 214-98 concerning side yard setbacks for accessory structures to build a shed.

Mr. Simolari presented the board with proof of notification of abutters and then gave a brief presentation of his proposal. Mr. Minch questioned the need for a variance when there is a large open space available to put this shed on that wouldn't require a variance. Mr. Simolari stated the other available locations on his property were inconvenient and accessibility would be a problem. This Variance would allow easy accessibility and convenience of storage for Mr. Simolari.

Chairman Minch stated that in order for this variance to pass, Mr. Simolari would need to prove a hardship. Mr. Simolari conceded there is no hardship at this time. Chairman Minch stated that since there is no hardship, this variance could not be approved at this time. There was some discussion on if the shed was located within existing setback guidelines it might interfere with the scenic view of the subject property and its neighboring properties. It was the consensus of the board that this would not constitute a hardship. Mr. Minch asked if there were any further questions for Mr. Simolari. There were no further questions.

It was moved (Flebotte) and seconded (Stebbins) to end Public Discussion and enter the Public Hearing Discussion/Decision phase of the meeting.  
Motion carried unanimously.

## **PUBLIC HEARING DISCUSSION/DECISION**

Suggestions were made to Mr. Simolari to change the location of his shed which may help alleviate the need for a Variance. Mr. Van Wingerden suggested that Mr. Simolari contact Town Sanitarian, Steve Jacobs, to see if it would be feasible to locate part of the shed over the leach field as the shed would not have a permanent foundation, but a crushed stone foundation. There was other discussion regarding the leach field, location of shed, dimensions of shed and its usage. The board and Mr. Simolari agreed to delay acting on the proposal in order to give Mr. Simolari time to review and possibly propose an alternative plan.

It was moved (Stebbins) and seconded (Flebotte) to postpone voting on the existing proposal.

Motion carries unanimously. Move to Unfinished Business.

## **NEW BUSINESS**

None

## **UNFINISHED BUSINESS**

Chairman Minch gave a report on the progress of removing commercial signs from areas other than the physical site of the establishment. He stated that ZEO Michael D'Amato had removed a number of signs around town. He also stated that some new signs had reappeared.

Chairman Minch also formally informed the board of Mr. D'Amato's resignation from the town for a new position in Newington. Chairman Minch and the board thanked him for his service to the town and the ZBA and wished him well in his new position.

Chairman Minch reported that he had a discussion with the Building Inspector, John Collins, about what constitutes the difference between a shed and a garage. It was Mr. Collins' understanding that the zoning regulations did not specifically differentiate between the two.

## **CORRESPONDENCE**

None

## **MINUTES APPROVAL**

Section V New Business

Paragraph III, last sentence: Change to, “. . . discuss *with* Mr. D'Amato.”

Paragraph IV, first sentence: Change to, “Vice-Chairman *Flebotte* brought . . .”

It was moved (Stebbins) and seconded (Hills) to accept the 9/9/2014 ZBA meeting minutes as amended.

Motion carries unanimously.

## **ADJOURNMENT**

It was moved (Stebbins) and seconded (Van Wingerden) to adjourn the 11/11/14 ZBA meeting at 8:10 P.M.

Motion carries unanimously.

Respectfully Submitted,  
Janice Bergeron – Recording Secretary