

**TOWN OF KENT  
ZONING BOARD OF APPEALS**

41 Kent Green Boulevard  
P.O. Box 678  
Kent, CT 06757

**MAY 8, 2018 REGULAR MEETING MINUTES**

RECEIVED FOR RECORD  
KENT TOWN CLERK  
2018 MAY 10 A 11: 18  
BY *D. Brady*  
TOWN CLERK

The Town of Kent Zoning Board of Appeals held a regular meeting on May 8, 2018 at 7:00 p.m. in the Kent Town Hall.

- 1) Call to Order and Roll Call

Mr. DiPentima opened the meeting at 7:00 p.m.

Board Members Present: Anthony DiPentima, Chairman; Anne Bisenius, Nick Downes, Dan Murray, Mike Van Valkenburg

Board Members Absent: John Noneman, Patricia Oris

Staff Absent: Donna M. Hayes

- 2) Appointment of Alternates(s) to Voting Status.

Mr. DiPentima elevated Ms. Bisenius to voting status

- 3) Acceptance or Revision of Agenda

*Mr. Murray moved to accept the agenda as prepared. Mr. Downes seconded and the motion carried unanimously.*

- 4) Reading and Approval of Regular Meeting Minutes of April 10, 2018.

*Mr. Downes made a motion to approve with a minor correction on the vote on Application 02-18, that the votes read Yes instead of Yeah and No instead of Nah. Mr. Murray seconded and the motion carried unanimously.*

- 5) Recess Meeting. Convene Hearing:

The meeting was recessed at 7:04 pm and the hearing convened.

- 5.1. Application #03-18, Dolores Schiesel, Esq. for Edward Schullery, 53B Elizabeth Street, relief from Section 5.5, Rear and Side Yard Setback, for the construction of a detached 2 car garage, Map19 Block 13 Lot 12.

Attorney Schiesel presented the application to construct a 20' x 20' detached 2 car garage within the rear and side setback. She pointed out that this is smaller than the original 20' x 24' structure presented previously, and that it is positioned in alignment with the front of the house, taking note that the regulations state that the structure cannot be in front of the primary residence. This placement helped decrease the rear encroachment, but created the need for a sideline setback variance. However, on that side there is an existing septic easement, creating a further buffer

---

TOWN OF KENT ZONING BOARD OF APPEALS  
REGULAR MEETING MINUTES FOR MAY 8, 2018

These are draft minutes and corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

to the adjoining property owner. Attorney Schiesel stated that the building setback would be 11.39' from the rear lot line and 8.39' from the side lot line. All property owners were notified, and Attorney Schiesel presented the certified mail receipts.

Mr. Schullery presented a brochure showing the style of garage, noting that the roof pitch on the garage would run side to side, not front to back, eliminating concern about snowfall or rainfall onto the adjoining property. Attorney Schiesel presented pictures of the rear setback and fence area, and Mr. Schullery provided commentary on the pictures, noting that the existing fence hides what he feels is abandoned vehicles and an old woodpile on the neighboring Watts property, so he has not asked that the fence come down, as he feels it shields clutter from view.

There was discussion about how far the proposed building would be from the existing fence, and Attorney Schiesel estimated about 6 feet, and reminded the commission that the status of the existing fence must be determined by law and may not to be considered by the commission.

Abutting property owner William Watts and his niece, Stacy Rennia, were present and reviewed the revised map and the proposed garage design. Mr. Watts took exception to the comments regarding the storage of items on his property. Ms. Rennia stated that these items are relevant to his business. Mr. Watts asked again about the distance between the proposed building and the existing fence. He also asked about the height of the proposed garage, and Mr. Schullery estimated it would not exceed 11'. Mr. Watts stated he still had concerns that the new construction might impact his property by being so close to the property line. No other adjoining property members submitted written or verbal comment.

Attorney Schiesel reiterated that the neighborhood was created under Fire District regulations, making the majority of the lots pre-existing non-conforming under today's regulations, and therefore creating a hardship. She pointed out that the construction of a garage was in keeping with other properties on the street and did not go against the Plan of Development. She felt Mr. Schullery had made adjustments to his proposal to address Mr. Watts' concerns.

6) Close Hearing. Brief Recess

The hearing closed at 7:17 pm.

7) Reconvene Meeting. Action on Appeal(s) Heard

There was no recess and the meeting reconvened.

With regard to Application 03-18, the following motion was made:

*Mr. Downes made a motion to approve application #03-18. Dolores Schiesel, Esq. for Edward Schullery, 53B Elizabeth Street, relief from Section 5.5, Rear and Side Setback, for the construction of a detached 2 car garage, Map 19 Block 13 Lot 12. Mr. Downes stated that he believed the pre-existing lot size created a hardship, and that the proposal was in keeping with the Plan of Development and would not negatively impact existing property values. Mr. Van Valkenburg seconded and Mr. DiPentima suggested that the motion should state that the new garage should not be larger than 20' x 20' and be no taller than 11'. Mr. Downes accepted the amendment to the motion, as did Mr. Van Valkenburg.*

*The Board voted as follows:*

---

TOWN OF KENT ZONING BOARD OF APPEALS  
REGULAR MEETING MINUTES FOR MAY 8, 2018

These are draft minutes and corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

*Mr. Downes, Mr. Van Valkenburg, Mr. Murray and Mr. DiPentima voted Yes.  
Ms. Bisenius voted No.*

*The application was approved by majority vote.*

8) Old Business

No action taken.

9) New Business

No action taken.

10) Communications

**10.1.** Monthly Financials, July -March, 2018.

No action taken.

**10.2.** *Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter*, Spring 2018

Briefly reviewed. No action taken.

11) Adjourn

*Mr. DiPentima moved to adjourn at 7:35 pm. Mr. Van Valkenburg seconded and the motion carried unanimously.*

Respectfully Submitted,

Anne Bisenius  
Acting Secretary

RECEIVED FOR RECORD  
KENT TOWN CLERK  
2018 MAY 10 A 11:18  
BY *D. Brady*  
TOWN CLERK

---

TOWN OF KENT ZONING BOARD OF APPEALS  
REGULAR MEETING MINUTES FOR MAY 8, 2018

These are draft minutes and corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.