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*By Darlene Brady at 9:28 am, Nov 16, 2022*

**TOWN OF KENT  
ZONING BOARD OF APPEALS  
41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757**

**SPECIAL MEETING MINUTES**

The Zoning Board of Appeals held a special meeting on Tuesday, November 15, 2022, via zoom beginning at 7:00 p.m.

1) Call to Order and Roll Call

Ms. Bisenius called the meeting to order at 7:07 p.m.

Board Members Present: Anne Bisenius, Chair, Daniel Murray, Nick Downes, John Johnson, Steve Pener, and Richard Barber, Alternate (7:11 pm).

Staff Present: Tai Kern, Land Use Administrator

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

No Alternates were elevated.

3) Acceptance of Agenda

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

4) Reading and Approval of Meeting Minutes

**4.1. Regular Minutes of June 14, 2022.**

Mr. Pener corrected the double negative on page 3 to “would cause much”.

*Mr. Pener moved to approve the Regular Minutes of June 14, 2022 as amended. Mr. Johnson seconded and the motion carried unanimously.*

5) Recess Meeting. Convene Hearing

The meeting was recessed at 7:11 p.m. and the hearing convened.

**5.1 Application #02-22, Paul and Angela Yagid, 38 Davis Rd., Map 16 Block 23 Lot 5, relief from Section #3240, Area and Dimensional Standards, for the construction of a 12’x12’ study.**

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**TOWN OF KENT ZONING BOARD OF APPEALS  
SPECIAL MEETING MINUTES FOR NOVEMBER 15, 2022**

These are draft minutes and reflect a summary of discussions and respective motions. 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.

It was confirmed that the public hearing was properly noticed and certified mail receipts to abutting property owners were received for the record. Applicant Paul Yagid came forward and reviewed the proposal to add a 12x12 study to this existing one-bedroom dwelling that was converted from a former one room school house. He explained that they purchased and renovated the structure to maintain its historic character. The proposed addition is situated the furthest possible from any of the setbacks. He explained that if the lot was larger, there would not be an issue. He stated that the constraints of the lot are really their hardship. The lot is a little over 7000 square feet or less than .2 acres.

The members reviewed the application and site plan sketches provided. John Johnson noted that the existing coverage is 9.6 percent and the proposed is 11.6 percent. The allowable lot coverage is 10 percent; therefore, this should be added to the request for variance in addition to relief from setbacks. Chair Biseneus agreed that this is an unusual property. Mr. Johnson noted that the proposed addition appears to be located as far from the setbacks as possible.

The floor was opened to the public for comment:

The owner Kim Sandquist and John Fierberg of abutting property at 355 Segar Mountain Road came forward and reported that the documents submitted as part of this application do not make sense. Mr. Fierberg questioned whether there should be a more detailed drawing with surveyor provided measurements. He stated that feels that the addition to a tiny building on a tiny lot decreases from the historic value. Mr. Fierberg explained that an official survey is important since this property is elevated above his well. He stated he would like a water test to understand the quality of his water.

LUA Tai Kern reported that, with regard to the well and septic concerns by the abutter, this plan was approved by the Torrington Area Health Department in June of 2022. The abutting neighbor questioned the location of the fence previously installed by the applicant noting that there is no survey on file for this property. Chair Bisenius explained the process with regard to the request for variance for this application and advised that the Health Department has purview with regard to the septic and well.

Steve Pener stated that he feels there are some discrepancies with the measurements provided. The members agreed that an A2 survey would be better to clarify the distances from the lot lines. It was agreed that the meeting should be held open to receive further information with regard to setbacks in the form of an A2 survey.

#### 6) Close Hearing. Brief Recess

*Mr. Johnson moved to continue the public hearing to the December Regular meeting for the receipt of an A2 survey. Mr. Downes seconded and the motion carried unanimously.*

#### 7) Reconvene Meeting. Action of Appeal(s) Heard

The meeting reconvened at 7:50 p.m.

- 7.1.** Application #02-22, Paul and Angela Yagid, 38 Davis Rd., Map 16 Block 23 Lot 5, relief from Section #3240, Area and Dimensional Standards, for the construction of a 12'x12' study.

Tabled

#### 8) Approval of 2023 Regular Meeting Schedule

*Mr. Downes moved to accept the 2023 Regular Meeting Schedule as presented. Mr. Johnson seconded and the motion carried unanimously.*

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9) Election of Officers

*Mr. Downes moved to elect Anne Bisenius as Chair and Daniel Murray as Vice Chair to serve as the 2023 ZBA Officers. Mr. Pener seconded and the motion carried unanimously.*

10) Communications

- 10.1 Monthly Financials – July 2021 through August 2022 – confirmed received
- 10.2 CT Federation of P&Z Quarterly Newsletter – Fall 2022 – confirmed received

11) Adjourn

*Mr. Johnson moved to adjourn at 7:55 pm. Mr. Pener seconded and the motion carried unanimously.*

Respectfully submitted,

*Tai Kern*

Tai Kern  
Land Use Administrator

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