

**MINUTES OF THE WOODBRIDGE ZONING BOARD OF APPEALS
REGULAR MEETING OF FEBRUARY 13, 2023**

A regular meeting of the Zoning Board of Appeals (ZBA) for the Town of Woodbridge was held In the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut on Monday, February 13, 2023.

ROLL CALL

PRESENT: Hank Nusbaum ~ Chairman, Cynthia Gibbons, Robert Wiznia, Shawn Flynn, and Celia Waters

EXCUSED: Joi Prud'homme (alternate)

ABSENT: Aldon Hynes (alternate) and Frank Ciarleglio (alternate)

The regular meeting of the Woodbridge Zoning Board of Appeals was called to order at 7:03 pm by Chairman Nusbaum in the In the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

PUBLIC HEARING

Eric and Andrea Polinsky: 4 Oak Hill Lane

Application for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, where a 75' front yard setback from Oak Hill Lane is required a 48' setback for a variance of 27' for the construction of a new barn

Project Engineer, John Paul Garcia was present for the public hearing on behalf of Eric and Andrea Polinsky regarding their application for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, where a 75' front yard setback from Oak Hill Lane is required a 48' setback for a variance of 27' for construction of a new barn on the applicant's property at 4 Oak Hill Lane.

Mr. and Mrs. Polinsky was also in attendance at the public hearing. For the hearing record, and in response to questions from Board members Mr. Garcia noted:

- The property is a corner lot on the corner of Rimmon Road and Oak Hill Lane.
- Being a corner lot, the property has two "front yards".
- The applicants would like to construct a 24' by 24' barn to provide additional storage.
- Because the property has two "front yards", a large amount of the property is within the two front yard setbacks.
- The property at the rear of the house has steep topography.
- The majority of the property facing Oak Hill Lane is other occupied by the septic system or would be the location of the reserve septic system.
- The property frontage along Rimmon Road contains wetlands.
- The proposed barn would be "hogged" into the slope so that only 2 to 3 feet of the structure's wall and the roof would be visible from Oak Hill Lane.
- The existing half circle driveway off Oak Hill lane would have a short extension made to provide access to the barn.
- The front doors for the barn would face Rimmon Road.
- Currently the only storage area on the property is in the existing two car garage.

- The variance is not financial or self-inflicted, but rather due to the two front yards of the property and the site’s topography.

Mr. Polinsky noted for the hearing record that:

- A previous variance was granted for the construction of the retaining walls in the front yard of the property.
- As noted by Mr. Garcia, the intent is to build the barn into the existing slope of the property.
- The area where the barn would be located is slightly wooded, so between that and building the structure partially into the hillside, only a “little” of the structure would be visible from Oak Hill Lane.
- To locate the barn further back out of the front yard setback would require relocating the septic system.
- A vehicle might be stored in the barn since the family does own a quad.

Barbara Joyce Simpson, abutting property owner at 5 Oak Hill Lane was present and noted the following for the hearing record:

- She lives across the road from where the barn would be.
- Asked what the barn would be used to store.
Note: Mr. Polinsky responded that no animals would be stored in the structure
- Had been concerned about the height of the structure but did not have any objections if it was “sunk” into the ground.
- The design of the building looks nice.
- Asked if the large “glacier rock” would be removed.
Note: Mr. Polinsky responded it will not be moved.
- Asked if blasting would be done, and if so that she would be opposed to the project.
Note: Mr. Garcia responded that is not anticipated that blasting would be necessary.

In the course of the public hearing the Board members also discussed with the applicant the potential of relocating the barn to the side of the house where the patio is located. Mr. Polinsky noted that is the only “backyard” that they have.

The Board members also discussed why the Town Zoning Regulations identify corner lots as having two front yards, when other municipalities in the area only stipulated that one of the road frontages should be considered a front yard. The requirement of “two” front yards for corner lots has repeatedly been the basis for an application for a variance to the Board. Staff noted that the Board could send a letter to the Town Plan and Zoning Commission about the issue, and recommending that the requirement for two front yards for corner lots be changed to provide that only one frontage would be considered a front yard, and the other frontage a “side yard” as is done in other municipalities such as Bethany.

There being no further comments from the public and no further comments by Mr. Garcia or members of the Zoning Board of Appeals the public hearing was closed at 7:08 based on the following motion:

- *** **Mr. Flynn moved to close the public hearing at 7:43**
- *** **Mr. Wiznia seconded**
- *** **In favor: Nusbaum, Waters, Wiznia, Flynn, and Gibbons**
- *** **Opposed: No One**

*** **Abstain: No One**
Unanimous approval.

After the close of the public hearing, Board members acted on the application as follows:

*** **Mr. Nusbaum moved to approve the application of Eric and Andrea Polinsky for a variance of Table 4.1 Bulk Requirements of the Zoning Regulations for the Town of Woodbridge, where a 75' front yard setback from Oak Hill Lane is required a 48' setback for a variance of 27' for construction of a new barn on the applicant's property at 4 Oak Hill Lane.**

In granting the variance, the Board found that the site being a corner lot and having two front yard setbacks, as well as the septic location, topography of property, and onsite wetlands necessitated the granting of the requested variance.

*** **Mr. Wiznia seconded**

*** **In favor: Nusbaum, Waters, Wiznia, Flynn, and Gibbons**

*** **Opposed: No One**

*** **Recused: No One**

*** **Abstained: No One**

Unanimous approval.

APPROVAL OF MINUTES

*** **Ms. Gibbons moved to approve the minutes of the ZBA's regular meeting on January 9, 2023, as submitted.**

*** **Mr. Wiznia seconded**

*** **In favor: Nusbaum, Waters, Wiznia, Flynn, and Gibbons**

*** **Opposed: No One**

*** **Abstain: No One**

Unanimous approval.

ADJOURNMENT OF MEETING

*** **Mr. Flynn moved to adjourn the meeting at 7:58 pm.**

*** **Ms. Waters seconded**

*** **In favor: Nusbaum, Waters, Wiznia, Flynn, and Gibbons**

*** **Opposed: No One**

*** **Recused: No One**

*** **Abstained: No One**

Unanimous approval.

Accordingly, the meeting was adjourned at 7:58 pm.

Respectfully submitted,

Kristine Sullivan, Staff