

**TOWN OF POMFRET
ZONING BOARD OF APPEALS
PUBLIC HEARING MINUTES
APRIL 18, 2022, @ 7:00 PM
COMMUNITY CENTER**

1. Public Hearing

- A. Bruce Simpson, 1 Fairview Circle,** request for variance of rear yard setback to build a deck. Mr. Simpson was present and submitted the certified return receipt cards from the abutter mailing he did. Would like to have a deck on his property but it would encroach upon the rear yard setback. R. Brais stated that this lot was created before zoning was established in Pomfret. There have been no complaints from anyone regarding this application. R. Brais recommended we close the public hearing. E. Semmelrock made a motion to close the public hearing. D. Kellaway seconded. All in favor.

2. Regular Meeting

- A.** Roll Call – Present: R. Galante, E. Semmelrock, D. Kellaway, D. Thompson, N. McNamara, and R. Brais ZEO. Absent: E. Cartier.
- B.** Seat Alternates – n/a
- C.** Citizen’s Comments – n/a
- D.** Items to add to the agenda – n/a
- E.** Approve minutes of November 15, 2021 – E. Semmelrock made a motion to approve the minutes as submitted. D. Kellaway seconded. All in favor.

3. New Business – Open Deliberation

- A. Bruce Simpson, 1 Fairview Circle,** request for variance of rear yard setback to build a deck. R. Brais mentioned again that the house was built prior to zoning, and it is close to the property line. With a 16’ wide deck, it would only leave 9’ from the property line. He drafted a motion to approve the application as follows: grant variance of rear yard setback to 5’, exclusively to construct a 16’x20’ deck. E. Semmelrock said that he sees no reason not to grant the variance, as there definitely is a hardship. He then made amotion to grant the

variance of the rear yard setback to 5', exclusively to construct a 16'x20' deck. D. Kellaway seconded. All in favor.

4. Current Business

- A. R. Brais said we need to state the hardship. This a hardship due to this house being constructed prior to zoning in Pomfret, leaving very little distance to the property. It left no room to construct a deck on the rear of the home.

5. Other Business

- A. Agenda items for next meeting – n/a
- B. Citizen's Comments – R. Brais mentioned that the variance can be filed after the 15-day appeal period is over.

- 6. **Adjournment** – N. McNamara made a motion to adjourn. D. Kellaway seconded. All in favor. Meeting adjourned at 7:30 pm.