

AGENDA
 CHESHIRE ZONING BOARD OF APPEALS
 Monday, January 4, 2021 – 7:30 p.m.
 Via Video Teleconference

Public access made available through live streaming on YouTube at
https://www.youtube.com/channel/UC4_xey3QjJmwe57R_6K94Dw

Public comments accepted at Comments@cheshirect.org and by voice mail message at 203 271-6638.
 Video will be available on Channel 14 and on demand at www.cheshirect.org as soon as possible

- I. CALL TO ORDER
- II. ROLL CALL
- III. DETERMINATION OF QUORUM
- IV. PLEDGE OF ALLEGIANCE
- V. ACCEPTANCE OF MINUTES – Public Hearing/Regular Meeting - 10/5/2020
- VI. ELECTION OF OFFICERS
- VII. APPROVAL OF 2021 MEETING DATES

VIII. PUBLIC HEARING

- 1. Paul DeClement 2021-01-01 P.H. 01/04/2021
 38 Cherrywood Circle MAD 03/10/2021
 Requesting a 24.9' foot sideline variance of the required 30' foot side line
 setback in an R-40 zone.
 For a garage
 The resulting side line setback requested is **5.1' feet**

IX. DECISION MAKING

- 1. Paul DeClement 2021-01-01 P.H. 01/04/2021
 38 Cherrywood Circle MAD 03/10/2021
 Requesting a 24.9' foot sideline variance of the required 30' foot side line
 setback in an R-40 zone.
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- X. Other Zoning Board of Appeals business

- XI. ADJOURNMENT

TOWN OF CHESHIRE

Zoning Board of Appeals
84 South Main Street
Cheshire, Connecticut 06410
203-271-6670 • Fax 203-271-6688



ZONING BOARD OF APPEALS MEETING DATES FOR 2021

The Cheshire Zoning Board of Appeals meets the first Monday of the month at 7:30 p.m. Until otherwise noted, the meetings will be Virtual.

January 4, 2021

February 1, 2021

March 1, 2021

April 5, 2021

May 3, 2021

June 7, 2021

July 7, 2021 (Wednesday)

August 2, 2021

September 8, 2021 - Wednesday

October 4, 2021

November 1, 2021

December 6, 2021

January 3, 2022

CHAIRMAN

Date _____



MEMORANDUM
TOWN OF CHESHIRE
"The Bedding Plant Capital of Connecticut"

84 SOUTH MAIN STREET, CHESHIRE, CONNECTICUT 06410
(203) 271-6670 Telephone (203) 271-6688 FAX

December 21, 2020

TO: Members of the Zoning Board of Appeals

SUBJECT: Application 2021-01-01

RE: 37 Cherrywood Circle

No other variance found for this location.

DEC 14 2020

DATE 12/14/2020

APPLICATION FOR VARIATION OF ZONING ORDINANCE REQUIREMENTS;

Applicant Paul DeClement Telephone 203 401 1571

Address 37 Cherrywood Cir Cheshire Ct 06410

Location of Property (if different) _____ Zone R-40

Deed to this property located on Cheshire Land Records: Volume: 1306 Page 191

Assessor's Map Plate # 85 Lot # 156

Signature of Applicant Paul DeClement

Signature of Property Owner Paul DeClement

(As recorded on deed)

Variance requested show number of pertinent sections of zoning regulations and variance desired): Current side setback for R-40 is 30'. I am requesting a setback of 5.1 on my southern property border for a garage addition

(The resulting front/side/rear line setback requested is 5.1 feet).

Reason for Variance (i.e. pool, addition, etc.) Garage

A. Strict application of the regulations would produce undue hardship because lot is undersized for zoning R-40 calls for a minimum of 40K sq.ft. I have less than 19K sq.ft.

B. The hardship created is unique and not shared by all properties alike in the neighborhood because All other homes of equal or larger size are 2 story homes using a smaller footprint. My home is the only 1 level home on my street.

C. The variance would not change the character of the neighborhood because All homes except for 1 have had addition(s)

Is an A-2 survey enclosed? yes Is a waiver of an A-2 survey requested? _____

Agent, if different than applicant _____ Phone _____
(NAME)

(ADDRESS) (CITY) (STATE)

The application must be received 17 days before the hearing accompanied by a filing fee. Fees (including state fees and required Public Hearing fee) is ~~\$310.00~~ for residential and \$385.00 for commercial; industrial. Disclaimer: Additional information may be required, please contact the Planning office for complete application packets. Rev. July 2013

pdeclement@yahoo.com

APPLICATION FOR SANITATION CERTIFICATE (To Be Completed by Applicant)

If Chesprocott has a map on file for the location of septic and/or well for the property listed on your variance application, please attach a copy of the map showing the septic and/or well location with your variance application.

NAME OF DEVELOPMENT OR PROJECT: _____

STREET ADDRESS: 37 Cherrywood Cir Cheshire Ct

APPROX. NO. OF ACRES _____ ZONE _____ NO. OF LOTS _____

SOURCE OF WATER SUPPLY:

Public Water Supply X
Community Well _____
Individual Wells _____

METHOD OF DISPOSAL OF SANITARY WASTE:

Connect to Public Sanitary Sewer System X
Project is Located in Class _____ District _____
Report by Water Pollution Control Authority Attached _____
Install Dry Sanitary Sewers for Future Connection and
On-site Sub-Surface _____
Sanitary Disposal Systems for Immediate Short-term Use _____
Install On-Site Sub-surface Sanitary Disposal
System for Long-term Use _____

NAME OF APPLICANT: Paul DeClement
(Print or Type)

SIGNATURE OF APPLICANT: [Signature]

NAME OF OWNER: Paul DeClement
(Print or Type)

SIGNATURE OF OWNER: [Signature]

(Chesprocott Health District To Complete This Section)

SANITATION CERTIFICATE (Please include map and/or written statement from Chesprocott confirming location of septic/well)

This property is served by public water + municipal sewer. Proposed garage does not impact either water line or sewer lateral going into the house

[Signature]
Sanitarian, Chesprocott Health District
J Burdacki Krugel, RS

12/10/2020
Date

14 Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available

15 List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents

16 List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides

17. Describe any wastes generated and their means of disposal _____

18 Contact Information:

Name: Paul DeClement

Company _____

Address: 37 Cherrywood Cir
Cheshire Ct 06410

Phone: 203 401 1571

Email: pdclement@yahoo.com

Paul DeClement Paul DeClement 12/9/2020
Name of Person Completing Form Signature Date

~ Regional Authority

1 Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2 Project address 37 Cherrywood Cir Town Cheshire Ct

3 Application for: Planning and Zoning Inland Wetlands Zoning Board of Appeals

4 Project Description: Detached garage

5 Waste Water Disposal: Septic System Public Sewer None

6 Water Supply: Private Well Public Water

7 Heating Fuel: Oil Gas Other _____

Applications involving additions or modifications to single family residences or applications with no site disturbance and no storage or use of hazardous chemicals skip to item 18.

8 Total acreage of project site _____

9 Total acreage of area to be disturbed including structures, additions, paving and soil disturbance

10 Percent of existing impervious surfaces including buildings, roads and pavement _____

11. Proposed increase in impervious surfaces _____

12 Number of existing and proposed floor drains or sump pumps and their point of discharge
e.g. sanitary sewer, holding tank, or ground

13 Are there any wetlands or watercourses on the property? If so, describe

THE FOLLOWING IS A CHECK LIST TO ENSURE THAT ALL NECESSARY APPLICATIONS HAVE BEEN FILED WITH THE PLANNING OFFICE

(Please check one)

- | | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|-------------------------------------|
| 1. Have any variances previously been granted or denied on this property?

If so, when? _____ | () | <input checked="" type="checkbox"/> |
| 2. Are you requesting a waiver of the Class A-2 Survey?
If so, this must be in writing.) | () | <input checked="" type="checkbox"/> |
| 3. Are there any wetlands on the property? | () | <input checked="" type="checkbox"/> |
| 4. Is the property within the watershed area?
(If so, has an application been submitted To the Regional Water Authority?) | <input checked="" type="checkbox"/> | () |
| 5. Is the property located within the aquifer zone? | <input checked="" type="checkbox"/> | () |
| 6. Is the property located within a public water supply Aquifer protection area or watershed area?
(If yes, notification is required to the CT Dept. of Public Health per Public Act 06-53) | <input checked="" type="checkbox"/> | () |
| 7. Has Chesprocott submitted a written statement and/or Map confirming the location of septic/well location on the property? | <input checked="" type="checkbox"/> | () |
| 8. It is suggested that you submit photos of the area where you are requesting the variance. (This will allow the ZBA members to review the area when they are unable to see the area from the street). Photos submitted. | <input checked="" type="checkbox"/> | () |

The following items must be submitted with each application:

- ✓ Application Form
- ✓ Survey (3 copies)
- ? Notarized letter to Chairman regarding abutters notification
- ? Applicable Fee

By signing this checklist, I hereby acknowledge full responsibility that the information provided is true and accurate.

R. D. Gut
Applicant's Signature

12/19/2020
Date

12/17/2020

RECEIVED
Town of Cheshire
DEC 18 2020

Planning Dept

Marion Nero, Chair
Cheshire Zoning Board of Appeals
Town Hall Planning Department
84 South Main Street
Cheshire, CT 06410

RE: Variance
37 Cherrywood Circle

Dear Chairwoman Nero:

Enclosed please find a copy of the Notice of Public Hearing which was sent to the following list of affected property owners in reference to the above mentioned application:

CT Real Estate / Southwick
50 Southwick Ct
2nd Floor
Cheshire, Ct 06410

Jonathan Swinchatt
52 Cook Hill Rd
Cheshire, Ct 06410

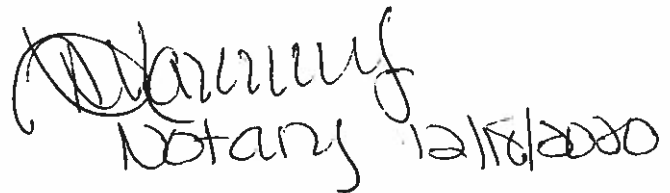
Rick Pellico
20 Cherrywood Cir
Cheshire, Ct 06410

Ken Wirtz
62 Cook Hill Rd
Cheshire, Ct 06410

Sincerely,



Paul DeClement



Notary 12/18/2020

Renee Maury
NOTARY PUBLIC
Commission Expires November 30, 2022

DEC 18 2020

Planning Dept

LEGAL NOTICE

(To Appear in the Cheshire Herald on 12/24/2020)

The Cheshire Zoning Board of Appeals will hold Public Hearings on Monday, January 4,
2021 Via Video Teleconference at 7:30 p.m.
(Per Executive Order of the Governor of Connecticut)

Public access made available through live streaming on YouTube at
https://www.youtube.com/channel/UC4_xey3QjJmwe57R_6K94Dw
Public comments accepted at Comments@cheshirect.org and by voice mail message at
203 271-6638. Video will be available on Channel 14 and on demand at
www.cheshirect.org as soon as possible

1. The application of Paul DeClement, 37 Cherrywood Circle, Cheshire CT 06410 requesting a variance of Section 32, Schedule B, Dimensional Requirements, requesting a 24.9' foot sideline variance of the required 30' foot side line setback for a garage. The resulting side line setback requested is 5.1' feet. The property is located at 37 Cherrywood Circle, Cheshire CT 06410, as generally shown on Assessor's Map No. 85, Lot No. 156, in an R-40 zone.. Packet information is available for review on the Town website home page under: *"..documents distributed or displayed during virtual meetings"*

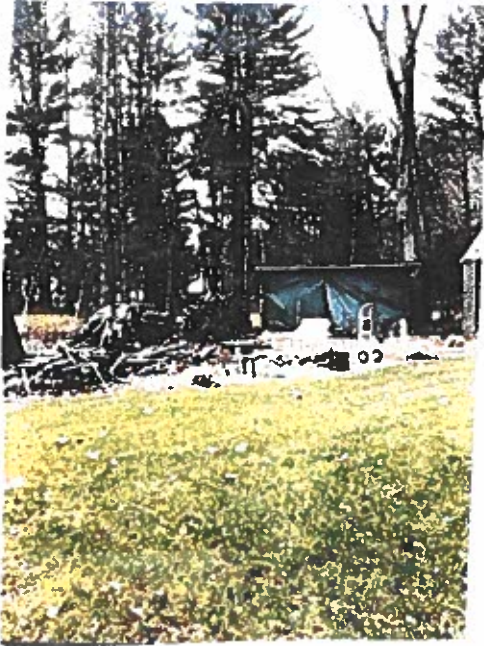
Respectfully submitted,

Jackie Cianci

Jackie Cianci, Secretary
Cheshire Zoning Board of Appeals

PO 21000851

First photo is driveway looking West from my property towards the Swinchatt property. This would be the street view.



The Swinchatt Property

Second photo is my property looking South to the Wirtz property. Garage would be between RV and concrete pad.

The Wirtz property

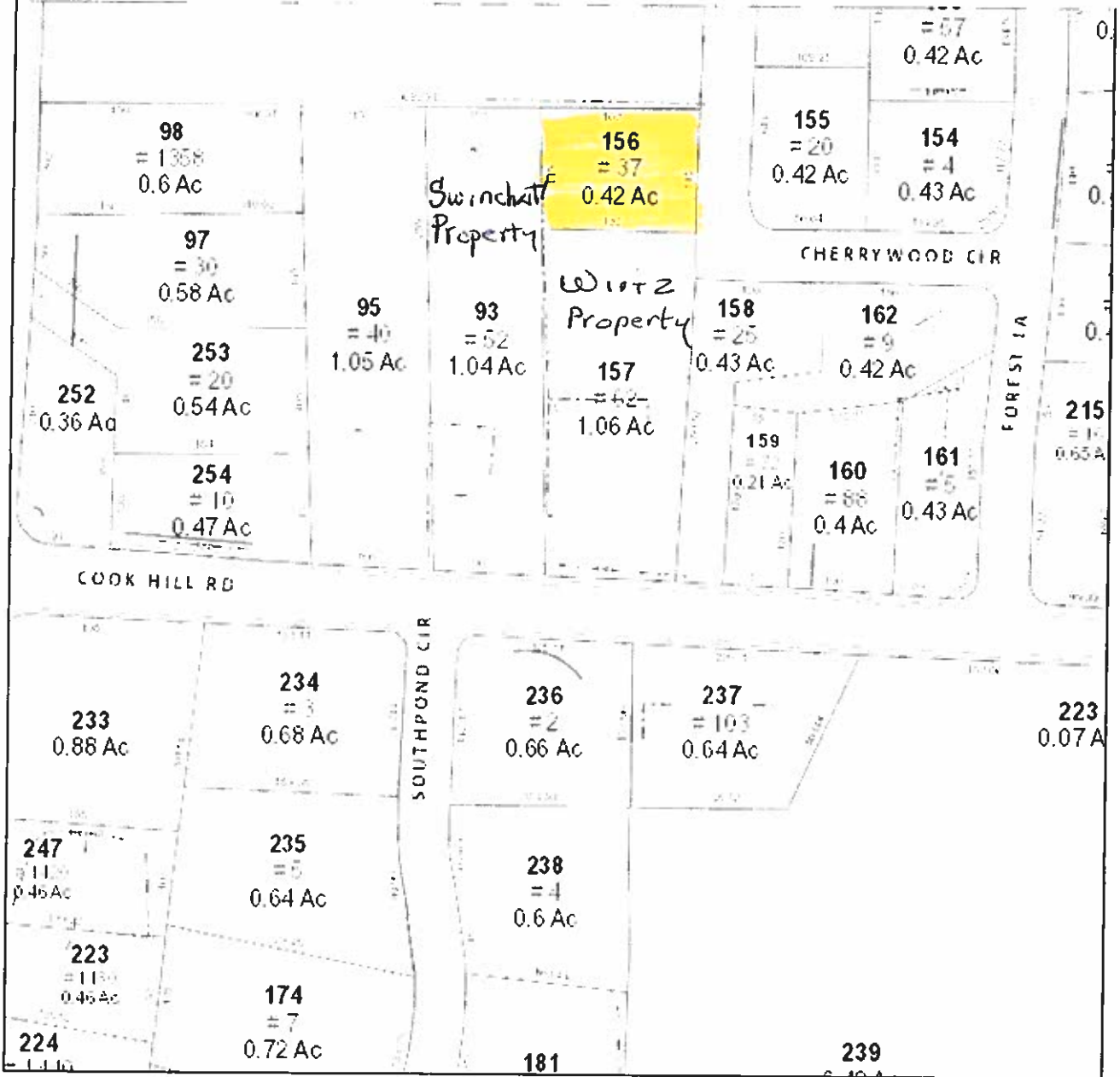


Town of Cheshire

Geographic Information System (GIS)



Date Printed: 12/18/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Cheshire and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 150 feet



South Central Connecticut Regional Water Authority
90 Sargent Drive, New Haven, Connecticut 06511-5966 203-562-4020
<http://www.rwater.com>

December 16, 2020

Mr. William Voelker, Town Planner
Cheshire Town Hall
84 South Main Street
Cheshire CT 06410

RECEIVED
Town of Cheshire
DEC 16 2020

Planning Dept

Dear Mr. Voelker:

Re: 37 Cherrywood Circle, variance for garage

The Regional Water Authority (RWA) has reviewed the above referenced proposal. The property is within the Mill River public water supply watershed and aquifer protection area. The applicant is requesting a variance for a detached garage. Based on the information submitted, we have no comment.

Thank you for the opportunity to comment on this application. If you have any questions, please email me at rwalters@rwater.com.

Sincerely,

REGIONAL WATER AUTHORITY



Ronald Walters
Senior Environmental Analyst

Cc Mr. Paul DeClement