

**TOWN OF WINDSOR  
ZONING BOARD OF APPEALS**

**Regular Meeting  
Sept. 18, 2019  
Approved Minutes**

**PRESENT:** Chairman Joe Breen, Loretta Raney, George Bolduc, Max Kuziak. Alternate Dawn Kirkwood. Excused Absence: Robert Griffiths. Unexcused Absence: Theresa Tillett. Staff: Robert Ruzzo

**I. CALL TO ORDER – PUBLIC HEARINGS:**

The meeting was called to order at 7:15 P.M. by Chairman Breen in the Council Chambers of Town Hall, 275 Broad Street, Windsor, Connecticut.

**1. LEGAL NOTICE:**

The Legal Notice submitted by Max Kuziak, Secretary, which appeared in The Hartford Courant was read by Commissioner Raney and included the following:

- 19-06 - 750 Marshal Phelps Rd. Section 8.1 Area, Bulk, Density, and Yard Standards Front yard setback
- 19-07 - 76T Three Rod Rd. Section 4.1.3 Single Family R-13 Minimum lot width

**2. PROCEDURES:**

Commissioner Bolduc read the procedures for presentation of a variance application and appeals. Hearing no comments, the hearings proceeded.

Commissioner Breen recessed the meeting at 7:17 for 10 minutes

The meeting was called to order at 7:25 P.M.

**ESTABLISHMENT OF QUORUM:**

Chairman Breen announced the five board members who were present. Four regular members and Alternate Kirkwood were seated and a quorum was established. He reminded the audience that 4 affirmative votes were needed to approve a variance or an appeal, not just a simple majority. Hearing no objection, he declared the hearings proceed.

**II. PUBLIC HEARINGS**

1. #19-06 750 Marshal Phelps Rd. Section 8.1 Area, Bulk, Density, and Yard Standards Front yard setback

**DISCUSSION:** Yves Oulette presented for Fischer Technologies. The original building was built in 1969. At that time the regulation for front set back was 35 ft. It has changed to 50 ft. Fischer

Technologies plans to add a handicap accessible vestibule to the front of the building. This vestibule will increase the existing non-conformity. The addition of the ADA vestibule requires an 8 ft. variance. The hardship is the change of zoning regulations and the pre-existing non-conforming building.

ZEO Ruzzo commented that the ADA Requirements necessitated the variance.  
The Commission had no questions

**PUBLIC COMMENT:**

Three members of the audience raised their hands' in support of the variance.

2. #19-07 76T Three Rod Rd. Section 4.1.3 Single Family R-13 Minimum lot width

**DISCUSSION:** Eric Cezus, 770 Matianuck Ave. represented his father, Vincent Cezus, owner of 76T Three Rod Rd. This lot has been taxed as a buildable lot for at least the last 3 generations the family has owned the property. Currently the regulations require 85 ft. of frontage for the R13 lot. The lot 1.3 acres and is very long. The lot is 83 ft. wide. Mr. Cezus is seeking a 2 ft. width variance. The hardship is the pre-existing non-conforming building lot.

**PUBLIC COMMENT:**

Abutting owners at 78 Three Rod Rd came in and reviewed the application and they have no objections.

Abutting owners at 375 Matianuck Ave. came in and reviewed the application and they have no objections.

Email correspondence with owner at 62 Three Rod resulted with the statement against the variance. No reason given.

**III. CLOSE OF PUBLIC HEARINGS:**

Chairman Breen CLOSED the Public Hearings

**IV. COMMENCE REGULAR BUSINESS MEETING**

**1. Cases heard during Public Hearing/Application**

- a. #19-06 750 Marshal Phelps Rd. Section 8.1 Area, Bulk, Density, and Yard Standards Front yard setback

**MOTION:** Commissioner Raney made a motion for purpose of discussion to approve #19-06 750 Marshal Phelps Rd. Section 8.1 Area, Bulk, Density, and Yard Standards Front Yard variance of 8 ft. to allow a 42 ft. front yard setback.

**SECONDED:** Commissioner Kirkwood

**DISCUSSION:** The Commissioner were in agreement that this the hardship is the pre-existing non-conforming building.

**VOTE: Approved 5-0-0**

- b. #19-07 76T Three Rod Rd. Section 4.1.3 Single Family R-13 Minimum lot width

**MOTION:** Commissioner Kirkwood made a motion for purpose of discussion to approve #19-07 - 76T Three Rod Rd. Section 4.1.3 Single Family R-13 Minimum front yard lot width a variance of 2 ft. to allow width of 83 ft.

**SECONDED:** Commissioner Bolduc

**DISCUSSION:** The Commissioner were in agreement that the hardship is the pre-existing non-conforming building lot.

## **2. New Business**

- a. **Communications from the Public** – None

- b. **Minutes Acceptance**

**MOTION:** Commissioner Raney made a motion, seconded by Commissioner Kuziak to APPROVE the **June 19, 2019 minutes**

**VOTE: Approved 5-0-0**

- c. **Communications from Board Members** – None

- d. **Communications from Staff Liaison** - Zoning Officer and Building Official, Robert J. Ruzzo, gave a brief report on construction projects underway in Windsor. Recording Secretary will order a Revised Town of Windsor Zoning Regulations for commissioners.

## **3. Old Business** - None

## **V. ADJOURNMENT:**

**MOTION:** Commissioner Kirkwood made a motion, seconded by Commissioner Bolduc to ADJOURN the meeting at 7:50 PM.

**VOTE: 5-0-0**

Respectfully submitted,

I certify that these Minutes were accepted  
On

---

Lori Hartmann, Recording Secretary

---

Max R. Kuziak, Secretary  
Zoning Board of Appeals