



# TOWN OF VERNON

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OFFICE OF THE  
ZONING BOARD OF APPEALS

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APPROVED Minutes September 21, 2011

Attendees: Bill Francis, Jim Ferguson, Carl Slusarczyk, Bruce Skivington.

Also present: Andy Marchese, Zoning Enforcement Officer, Harry Boyko, Building Official, and Jennifer Roy, Zoning Assistant/Recording Secretary

The meeting was called to order at 6:30 p.m.

Bill Francis advised applicants that since only 4 board members present, they may choose to postpone to next month's meeting, or be heard tonight, in which case they must receive all 4 votes. All applicants choose to proceed.

Jim Ferguson, Secretary read the agenda:

1. FRIEDA GRENIER, 29 LAWLER ROAD, seeking a variance from Section 4.3.1.4, ten (10) foot side yard setback to allow swimming pool 6 feet from side yard, in the R22 Zoning District.

Frieda Grenier present to speak on her application. She has lived in this house since 1968, and there has been a pool in the same location since 1975 or 1976. The next door neighbor has filed a complaint about this due to a dispute.

Ms. Grenier provided letters from neighbors, exhibit A & B; both in favor of Ms. Grenier, verifying that there has always been a pool on the property.

Jim Ferguson asked how many pools has she had. Ms. Grenier stated that this is the 3<sup>rd</sup> pool, in the same location. All 3 pools were installed by local, reputable pool companies. This last pool was installed by Poolman in 2005.

Rita Rhines of 25 Faith Drive, Vernon, present to speak in opposition of the application. She is the owner of 35 Lawler Road. Her daughter dated Ms. Grenier's son, the relationship ended a few years ago. She stated that she checked the file for permits, and there were none. She further commented that the kids harass her daughter.

Mrs. Rhines submitted photos of the pool, and the roof the kids jump off. Photos are marked exhibit C & D.

Seeing no one else present to speak in favor or opposition, the hearing was closed and a discussion was held.

Carl Slusarczyk made a motion to grant the variance due to the pre-existing pool/location for 30 years. Bruce Skivington seconded the motion, and the motion carried by unanimous vote.

2. KENNETH POLIQUIN, 73 VERNON CENTER HEIGHTS, seeking a variance from Section 4.4.1.5, twenty (20) foot rear yard setback, to allow construction of 12'x16' shed five (5) feet from the rear yard, in the R27 Zoning District.

Andy Marchese gave information regarding the application for 73 Vernon Center Heights. He did inspect the property, and the property is wooded along the rear; he doesn't see a problem with it.

Kenneth Poliquin present to speak on his application. He stated that there was an old shed in the same area, but he took it down about a year ago. Also, the shed he is building is larger, therefore he needs a variance.

No one present to speak in favor or opposition, the hearing was closed. A brief discussion was held.

Bruce Skivington made a motion to grant the variance due to previous shed in the same location, Carl Slusarczyk seconded the motion, and the motion carried by unanimous vote.

3. CARL DUCEY, JR, 39 SOUTH STREET, seeking a variance from Section 4.2.1.4, ten (10) foot side yard setback to allow installation of driveway one (1) foot from side yard, in the R15 Zoning District.

Andy Marchese gave information regarding the application for 39 South Street. He performed an inspection, there is a gravel area existing, which should be paved according to Zoning regulations.

Carl Ducey present to speak on his application. He intends on repaving his driveway, and would like to pave the gravel area as well. The gravel area has always been there. The paving contractor advised Mr. Ducey that he will need a variance from the side yard setback.

Andrew Curtis of 37 1/2 South Street to speak in favor of the application. He is the next door neighbor. He feels it would be helpful if it is paved. Mr. Curtis also verified that the gravel area has been there for at least the past 7 years that he has lived there.

No one else present to speak, the hearing was closed. A brief discussion was held.

Jim Ferguson made motion to grant the variance due to the gravel area has been in existence for many years, and that it would improve property and bring it into compliance. Bill Francis seconded the motion, and the motion carried by unanimous vote.

Next item on the agenda, approval of the August 17, 2011 meeting minutes.

Carl Slusarczyk made a motion to approve the August 17, 2011 meeting minutes. Bruce Skivington seconded the motion; the minutes were approved by unanimous vote.

Jim Ferguson made a motion to adjourn the meeting, Carl Slusarczyk seconded the motion; the meeting was adjourned at 7:15 p.m.

Submitted by: Jennifer Roy

