

**Notice of Decision**

**Town of Chester Zoning Board of Appeals**

**July 30, 2018**

**7:15 p.m.**

John Baldasaro opened the Zoning Board of Appeals hearing for Lewis Magni, East River Rd., who is looking to ask for a variance of the front setback requirements/intensity. Mr. Magni had applied for a variance some months before and due to incorrect information on the town's part, spent quite a bit of money building a porch. When it was discovered that the information he had was incorrect, he was ordered to stop. He is now back asking again for a variance based upon financial hardship aspect. While the Board did not look unfavorably upon his request, due to a publishing error, the meeting will have to be continued to Monday, August 13, 2018 at 7:00 p.m. for final decision. So moved. Unanimous to continue.

**Continuance August 13, 2018**

Magni Zoning Board of Appeals hearing continued from July 30, 2018 opened on August 13, 2018 at 7:01 p.m. Discussion had been held at the 7/30 meeting. Art Lawler, building inspector, attended and explained that when Mr. Magni came in originally for his variance, Art had made a mistake, and given him the wrong information. Based upon that information Mr. Magni had invested time and monies on a porch (accessory use) and that now the variance was one of "hardship" (financial). There was discussion of the size of the porch, setbacks, etc. There were three residents from the neighborhood in attendance who were in favor of granting the variance and stated that Mr. Magni had fixed up the property nicely and saw no problem. There were two residents from the neighborhood in attendance that were not in favor of the variance being given due to the process. Barbara asked Art what his recommendation would be. Art responded that he thought the Board should vote in favor of the petitioner, Mr. Magni, due to the fact that his hardship was due to an error made by the town. Rene agreed that mistakes do happen, and it would still be a hardship issue. Rene Senecal moved to grant the variance. John Baldasaro seconded. Unanimous decision to grant the variance to Mr. Magni.

Respectfully submitted,

Patricia D. Carlino

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Barbara Huntoon, Chairman

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John Baldasarao, Vice Chairman

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Rene Senecal, Clerk