

ZONING BOARD OF APPEALS

Telephone 860-435-5190
Fax 860-435-5172
Email landuse@salisburyct.us



TOWN OF SALISBURY CONNECTICUT

Town Hall
P O Box 548
27 Main Street
Salisbury, Connecticut 06068

APPLICATION TO THE ZONING BOARD OF APPEALS

Date: 07/22/24
Property Address: 264 Taconic Road
Zoning District: RR-1 Assessor's Map#: 23 Lot#: 23-50
Name of Applicant: AREK FEREDJIAN Telephone#: 201-919-8652
Mailing Address: 264 Taconic Road Salisbury CT 06068
Email Address: arekbf@gmail.com

If the applicant is not the owner, please provide the following information:

Name of Owner: _____ Telephone#: _____
Mailing Address: _____
Owner Email Address: _____

NATURE OF RELIEF SOUGHT:

(I/We) hereby apply for a variance relating to section(s) 305.1 of the Salisbury Zoning Regulations.

(I/We) are appealing a decision of the Zoning Enforcement Officer relating to (Please refer to State Statute § 8-7, regarding the deadline to file an appeal):

(I/We) hereby apply for a certificate of approval of the location for a motor vehicle sales or repair business.

INSTRUCTIONS – Read the following instructions so that you are aware of the requirements of the Zoning Board of Appeals (ZBA) and the process for an appeal. Incomplete applications or inaccurate information may result in an application being denied.

1. Procedure

- a. Applications may be obtained from the Land Use Office in the Town Hall or are available online at www.salisburyct.us/zoning-board-of-appeals. An application must be completed and submitted, with supporting materials to the ZBA or to the officer from whom the appeal has been taken, in the Land Use Office at the Salisbury Town Hall. All applications must comply with the provisions of the Connecticut General Statute Section 8-7.
- b. If the space provided on this form is not sufficient for your needs, please use attachments.
- c. Completed applications must be submitted by noon the Thursday prior to a meeting of the ZBA in order to be placed on the agenda. The schedule of meetings and hearings for the ZBA is posted with the Town Clerk and are available at www.salisburyct.us/calendar/
- d. All meetings of the ZBA are open to the public. ZBA hearings are advertised public hearings at which the Board hears testimony from the applicants or their representatives and all other interested parties who may wish to be heard. Once the hearing has been closed, no additional comments from the public or an applicant will be accepted.
- e. The ZBA will render a decision as soon as practicable after the close of a public hearing.

2. Variance Criteria – The ZBA will consider the following factors in determining whether to grant a variance:

- a. The variance power should be exercised sparingly and only under exceptional circumstances.
- b. The variance must be shown not to affect substantially the comprehensive zoning plan; and adherence to the strict letter of the zoning ordinances must be shown to cause unusual hardship, unnecessary to the carrying out of the general purposes of the zoning plan.
- c. Proof of hardship must be due to unique circumstances to the land, not created by the applicant or predecessors-in-title. Special conditions and circumstances must exist which are peculiar to the land or structure involved and which are not applicable to other land or structures in the same district. It must also be demonstrated that the property cannot reasonably be developed for another permitted use or that compliance with the regulation will be confiscatory or arbitrary.
- d. Economic hardship such as financial loss or disappointment in the use of property does not constitute a basis for granting a variance. Variances cannot be based on what makes better practical sense or what is more convenient for the property owner.
- e. The fact that a requested variance might be very, very minor in scope does not make it a legal hardship sufficient to support the grant of a variance.

3. Required Supportive Materials – Five (5) copies of plans and maps are required.

- \$360 Fee (Includes \$60 State Fee) is required for all requests - check made payable to the 'Town of Salisbury'
- One copy of the deed and/or a legal description of the property - obtained from the Land Records with the Town Clerk (not required for appealing a decision of the Zoning Enforcement Officer).
- Letter of authorization - in the event that the applicant does not represent himself/herself at the public hearing, the applicant must provide a letter, which authorizes an agent to represent him/her at such meeting.
- Current A-2 Survey (not required for appealing a decision of the Zoning Enforcement Officer)- required unless waived by the Board for good cause shown.
- Two (2) copies of large maps or site plans are required. They must show all data pertinent to the application which shall include at least the following:
 - Date of drawing
 - Scale
 - North arrow
 - Name of person/firm who drew the plan
 - Locations and dimensions of property lines, rights-of-way, easements, setbacks, off-street parking, proposed landscaping, existing and proposed structures, and location of any wetlands or watercourses
- A list of all abutting property owners and their mailing addresses. This information may be obtained from the Town Assessor's Office in person or by using their online resources. www.salisburyct.us/assessor

Variance Requests - statement of exceptional difficulty or unusual hardship because of peculiar characteristic of the parcel of land. (Not financial, self-created, or created by predecessor in title. Economic hardship, financial loss, or disappointment in the use of a property are not a proper basis for granting a variance)

Appeals of a decision of the Zoning Enforcement Officer - summary of facts, and copies of all relevant documents and plans relating to the decision being appealed.

If the applicant requesting a variance or location approval is not the owner, the owner should co-sign the application. Alternatively, the applicant should provide a letter from the owner stating that the owner has reviewed the application and consents to the filing of this application. The owner's signature on the letter must be notarized.

I, the undersigned applicant, understand that decisions of the Board are based on information, submitted by me and that falsification by misrepresentation, omission, or failure to comply with the conditions of approval shall render this permit null and void. I further understand that it is my responsibility as the applicant to obtain other required approvals prior to the commencement of work or use.

Applicant's Signature: [Signature] Date: 07/22/24

Owner's Signature: [Signature] Date: 07/22/24

I further authorize Town agents to enter the property during while the appeal is pending got the purpose of inspection with regard to this application.

Applicant's Signature: [Signature] Date: 07/22/24

Owner's Signature: [Signature] Date: 07/22/24

Please indicate below who should be contacted to coordinate inspections and the best method of contact:

Name and Title of Contact: _____

Preferred Method of Contact: _____

Note: Decision of Notice will be filed with the Town Clerk after approval/denial and APPLICANT is responsible for cost of filing fees. Fees are \$10 for first page and \$5 each additional page.

FOR OFFICE USE ONLY

\$360 Fee Payment Method: _____ Date: _____

Decision Date: _____ Approved Denied

Conditions or Comments: _____

APPLICATION TO THE ZONING BOARD OF APPEALS DATED JULY 16, 2024

SUPPORTING STATEMENT - 264 Taconic Road, Arek Feredjian, Elina Tunyan

We, Elina Tunyan and Arek Feredjian, are the owners of 264 Taconic Road, in Salisbury, CT. We purchased it in 2023, hoping to raise our family there and become a part of the Salisbury community for the long term. When searching for a home in the Salisbury region, we searched for a charming property with history to it, because we love the idea of inheriting and maintaining the integrity of a beautiful and historic, New England home. We fell in love with 264 Taconic, and have subsequently researched its history as much as possible. It is thought to have been built in the 1740's and has two and half thick, limestone masonry walls. After looking around the entire region, our architect came to the conclusion that most of the stone for it was probably quarried right from the site. The Mill House, along the creek was built in the 1890's, and was where the iron monger lived and worked for the Scoville Estate, located directly to the West. Our property, the carriage house across the street, and the powerhouse, next door to the South, were all part of that estate. They were built specifically to be proximate to the Schenob Brook, and thus, all sit within the Wetlands setbacks. It is thus extremely challenging to add on to our house outside of the wetlands setback, while simultaneously respecting the history of the house along with the historic committee rules, comply with Board of Health requirements, and finding suitable land to build on.

Currently, the Stone House, where we live, has 1 bathroom, 2 small bedrooms, and is roughly 1,250sf. The most challenging aspect is that the kitchen is in the basement, which has no hood ventilation causing the house to smoke up when cooking, no insulation resulting in a very cold space, and only 1 small window, and the dining area is at the rear dark corner. This along with other aspects makes the dwelling a poorly functioning and energy inefficient home. To remedy this, we'd like to create a small addition to make the house work, by moving the kitchen and dining room to the addition, and add a second full bath, laundry, and storage area, to the area where the existing kitchen and dining area are currently located. We are not proposing any new bedrooms.

Our entire goal is to create a properly functioning dwelling all while balancing the guidelines of Wetlands regulations, the Historic Committee parameters, and Board Of Health. To that end we've endeavored to be minimally invasive, preserve and respect the history of the property, fit within Zoning rules, but through this hardship we have made every effort to minimize any deviation from said guidelines and regulations.

We worked with the town Historic Committee to design an addition that would most minimally impact the existing Stone House, set the new structure behind it so as not to compete with it, blend it into the woodlands behind, as much as possible, and set nearly the entire new addition outside the Wetlands setback. So as not to damage the structure of the building in any way, we proposed to remove the sill of the Northwestern, rear window, lower it to the floor, and create a breezeway to connect to the new addition. The only suitable land to situate the new addition and have it hidden from the views of the road as much as possible, was behind and to the North. We

proposed a new driveway as well, up the hillock, near the new addition, to make a safer turnoff from the road, as it's currently very dangerous, especially with our 4 year old child.

The addition will be situated with all proper setbacks accounted for, but for about a 3 feet encroachment at the rear of the addition, to 6 feet in the front, where we need to connect through the existing window. The actual setback is difficult to accurately describe due to the fact that setback line starts at a culvert from the Therefore, the variance we seek is solely for the small encroachment at the rear, which allows us to preserve the house, meet the design requirements of the Historic Committee, locate the structure on the bedrock behind the structure, not be located on any alternative septic field site, and be outside all local setbacks. Additionally of note, when compared to the two existing structures (Stone House and Millhouse), the small addition is actually the furthest away from the brook.

To note is that we could have put the entire structure outside of the Wetlands setback but for the rules of the Historic Committee, requiring that the addition not affect the original integrity of the historic building. This is why we ask for a variance to connect at the rear, which is slightly within the Wetlands setback. We appreciate your consideration.

When Recorded Return to:
Ackerly Brown, LLP
P.O. Box 568
Salisbury, CT 06068

STATUTORY FORM WARRANTY DEED

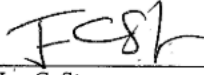
JON C. STEVENSON and SAVANNAH L. STEVENSON, of 130 Taconic Road, Salisbury, Connecticut 06068, for consideration paid in the amount of ONE MILLION ONE HUNDRED AND 00/100 (\$1,100,000.00) DOLLARS, grant to AREK BEDROS FEREDJIAN and ELINA ARMENOVNA TUNYAN, both of 448 Union Street, Hudson, NY 12534, as Joint Tenants with Rights of Survivorship, and with **WARRANTY COVENANTS:**

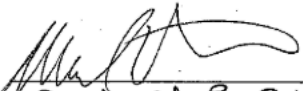
Certain pieces or parcels of land, together with all buildings and improvements thereon standing and appurtenances thereto belonging, situated in the Town of Salisbury, County of Litchfield and State of Connecticut, on Taconic Road, known as 264 Taconic Road, and more particularly described in Schedule A attached hereto and by this reference made a part hereof.

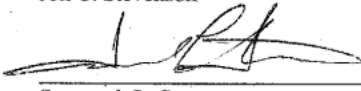
Signed this 27 day of March, 2023.

Witnessed by:


Rebecca M. Cahill


Jon C. Stevenson


Michael P. Citrin


Savannah L. Stevenson

STATE OF CONNECTICUT)

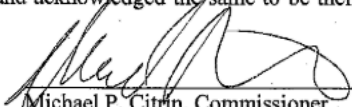
: ss. North Canaan

March 27, 2023

COUNTY OF LITCHFIELD)

Personally appeared JON C. STEVENSON and SAVANNAH L. STEVENSON, signers and sealers of the foregoing instrument, and acknowledged the same to be their free act and deed before me.

Michael P. Citrin, Esq.
Commissioner, Superior Court
Litchfield County, Connecticut
Juris # 431255


Michael P. Citrin, Commissioner
Superior Court

DRURY, PATZ
& CITRIN, LLP

ATTORNEYS AT LAW
7 CHURCH STREET
P.O. BOX 101
CANAAN, CT 06018
JURIS NO. 403825
(860) 824-7777
FAX (860) 824-7622

TOWN OF SALISBURY, CONNECTICUT

Thu Jul 18 2024 11:23:18 GMT-0400 (Eastern Daylight Time)

Parcel ID	Site Address	Owner Name	Mailing Address	Mailing City	Mailing State	Mailing Zip
23-50	264 TACONIC ROAD	FEREDJIAN AREK BEDROS SURV &	264 TACONIC RD	SALISBURY	CT	06068- 0000
69-07	261 TACONIC ROAD	CAVELL WILLIAM & SWANSON JUDY	261 TACONIC ROAD	SALISBURY	CT	06068- 0000
69-08	269 TACONIC ROAD	COHEN JOEL I + TERRY M	201 WEST 72ND STREET PH2B	NEW YORK	NY	10023- 0000
23-47	280+280A TACONIC ROAD	LORENZO PETER	81 PROSPECT MT RD	SALISBURY	CT	06068- 0000
23-49	272 TACONIC ROAD	GRAHAM ROBERT B SURV &	PO BOX 551	SALISBURY	CT	06068- 0000
23-51	260 TACONIC ROAD	SACKS SELIG	43 WEST 90TH ST	NEW YORK	NY	10024- 0000
23-52	70 BEAVER DAM ROAD	RACCARD PROPERTIES LLC	43 WEST 64TH ST APT 8D	NEW YORK	NY	10023-6731- 0000