

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

July 27, 2009

The Wethersfield Zoning Board of Appeals held a public hearing on July 27, 2009 at 7:00 PM in the Police Department Community Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
George McKee
Matthias DeAngelo
Frank Dellaripa, Alternate
Daniel M. Logan, Alternate
Sheila Hennessey, Alternate

ABSENT: Morris R. Borea, Chairman

Also Present: Brian O'Connor, Chief Building and Zoning Officer

Vice Chairman Vaughan, Jr. opened the meeting at 7:04PM. There was no one from the audience who wished to speak.

APPLICATION NO. 6022-09 Wei Ng seeking a variance to construct a sunroom not having the required rear yard setback at 21 Parkview Drive, west side, B Residence Zone (§3.7).

Mr. John Doris, Patio Enclosures, 30 Sebethe Drive, Cromwell, CT and Ms. Wei Ng, 21 Parkview Drive, Wethersfield, CT appeared before the Board seeking a variance to construct a sunroom.

Vice Chairman Vaughan, Jr. questioned how much of a variance is needed. Mr. O'Connor stated that there is an existing deck which is conforming. He stated that they wish to go out the full 12' so 5.2' will be over the rear yard setback.

Mr. Doris stated that because there was already an existing deck; Ms. Ng thought she could just enclose it without a variance. Mr. Doris stated that the only other option would be to go out 6' instead of the 12', adding that he feels this would be less attractive.

Commissioner Bockstael questioned if they tried a furniture layout with the 12'. Mr. Doris stated that because there is an existing deck already there would not be a problem with the layout.

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Commissioner Dellaripa questioned if the deck is going away. Mr. Doris stated that the enclosure will be placed on top of the deck, confirming that the deck will not be taken down.

Mr. O'Connor stated that the existing deck is conforming; but because they wish to build on top of the deck, now it is non-conforming by 5.2'.

Commissioner DeAngelo questioned if it is visible from the street. Mr. Doris stated that it is not; adding that there are apartment buildings behind this property.

Vice Chairman Vaughan, Jr. questioned if the neighbors were informed. Ms. Ng stated that she has spoken with many of her neighbors and no one was opposed to this application.

Mr. O'Connor informed the Board that if this sunroom were to be screened then it would be conforming; but because it is fully enclosed it is considered a permanent structure and that is why it is non-conforming.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

APPLICATION NO. 6023-09 Kapil Taneja seeking a variance install a Walk in Freezer that will be over the side yard setback at 770 Silas Deane Highway, east side, Regional Commercial Zone (§3.7).

Mr. Kapil Taneja, 1090 Silver Lane, East Hartford, CT appeared before the Board seeking a variance to install a Walk in Freezer over the side yard setback. Mr. Taneja stated that they chose this location for the walk in freezer so that they may use the existing door. He stated that the hardship for this application is where the building is placed on the property.

Commissioner Bockstael questioned if the walk in could be moved so that it is further to the east. Mr. Taneja stated that it would require more moving around inside the building; he stated that he wanted to take advantage of the existing door so that there would be no need for any further structural changes. Mr. Taneja stated that because the way the building is situated this is the least visible to people.

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Commissioner Dellaripa questioned what is in the back there now. Mr. Taneja stated that it is empty; there are only hedges in the back, no fencing, etc.

Vice Chairman Vaughan, Jr. questioned if it can be seen from the other side. Mr. Taneja stated that the hedges are pretty high; he does not think it can be seen.

Vice Chairman Vaughan, Jr. confirmed that he posted the sign on the property and questioned if there were any comments. Mr. Taneja stated that he did post the sign and he did not hear anything from anyone.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

APPLICATION NO. 6024-09 Ridge Road LLC seeking a variance to display temporary signage which exceeds the maximum permitted at 295 Ridge Road, west side, A-1 Residence Zone (§6.3.G.5).

There was no one present for this application.

Mr. O'Connor stated that he does not know why this applicant is not here tonight. He stated that they installed a banner type sign stuck on each stockade fence. He stated that this is way over what is allowed. He stated that 64 square feet is allowed and this sign is over 400 square feet. He stated that when it came to the Building Department's attention they ordered a cease and desist order.

Commissioner Bockstael stated that he is a little miffed that this applicant is not here tonight. He stated that if they table this application that would give them another month to leave the sign up. He stated that he feels they should have to take the sign down because they are not here to be heard and they are in violation.

Mr. O'Connor stated that if this Board denies this application then he is only allowed 64 square feet of signage and must take these signs down.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of this application.

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The following audience member wished to speak in opposition to this application:

1. Mr. Donald Williams, 25 Griswold Road, Wethersfield, CT – He stated that he passes by this location everyday and feels sorry for the people who live in this neighborhood. He feels this is a real eye sore. He stated that no where else in Town does anyone have anything that large on their property.

APPLICATION NO. 6025-09 Town of Wethersfield seeking a variance to display temporary signage in three locations in Town 1) 222 Main Street, Village Business Zone, 2) 156 Prospect Street, A-1 Residence Zone, and 3) Town owned property at the Intersection of Somerset Street & Silas Deane Highway, B Residence Zone, (§6.3G.12).

Mr. Douglas Sacks, 116 Ox Yoke Drive, Wethersfield, CT appeared before the Board on behalf of the Town of Wethersfield seeking a variance to display temporary signage in three locations in Town. Mr. Sacks stated that he is a member of the Economic Development and Improvement Commission. He stated that they started a Farmer's Market this year which is doing very well. He stated that they would like to keep up this momentum, adding that this is not just about the Farmer's Market, but a larger concept, to have people get into Old Wethersfield going to the shops, dining establishments, etc.

He stated that this Farmer's Market takes place from May to the last week of October from 4 – 7 every Thursday. He stated that as people have been going to the Market staff have asked how they heard about it, many ways was from word of mouth and by seeing signs posted. He stated that this is why they would like to keep the signs up until October 22 or 23, 2009.

Vice Chairman Vaughan, Jr. questioned if these signs have been up already. Mr. Sacks stated that they have smaller signs that they put up 24 hours before the Market opens. He stated that the signs in this application are more like banners, 4' x 8' and 3' x 6'.

Vice Chairman Vaughan, Jr. questioned if he would like these banners up everyday until October. Mr. Sacks stated that this was correct; until October 22 or 23, 2009.

Vice Chairman Vaughan, Jr. questioned why this application was put under the Town of Wethersfield. Mr. O'Connor stated that the Farmer's Market is made up of Town Committees also because the site is on Town owned property.

Vice Chairman Vaughan, Jr. questioned if there were any site problems where these signs will be posted. Mr. O'Connor stated that there is not. He stated that the Town Manager has given them temporary approval to have these signs up right now.

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Commissioner McKee questioned that he is only asking for this year. Mr. Sacks stated that he believes so; although he does think that because this Market was such a success they will be having it again next year.

Mr. Sacks stated that the hardship for this application is that they are a temporary market; they do not have a brick and mortar place of business to put up signs.

There were no further questions or comments from the Board.

There was no one in the audience who wished to speak in favor of or in opposition to this application.

WETHERSFIELD ZONING BOARD OF APPEALS
Vice Chairman Vaughan, Jr.

Commissioner Bockstael, Clerk

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PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
George McKee
Matthias DeAngelo
Frank Dellaripa, Alternate
Daniel M. Logan, Alternate
Sheila Hennessey, Alternate

ABSENT: Morris R. Borea, Chairman

Also Present: Brian O'Connor, Chief Building and Zoning Officer

DECISIONS FROM PUBLIC HEARING

Voting Members: Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner McKee, Commissioner DeAngelo, and Commissioner Logan.

APPLICATION NO. 6022-09 Wei Ng seeking a variance to construct a sunroom not having the required rear yard setback at 21 Parkview Drive, west side, B Residence Zone (§3.7).

Upon motion made by Commissioner Bockstael seconded by Commissioner McKee and a poll of the Board it was unanimously voted that the above application **BE APPROVED.**

Voting Members: Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner McKee, Commissioner DeAngelo, and Commissioner Hennessey.

APPLICATION NO. 6023-09 Kapil Taneja seeking a variance install a Walk in Freezer that will be over the side yard setback at 770 Silas Deane Highway, east side, Regional Commercial Zone (§3.7).

Upon motion made by Commissioner McKee seconded by Commissioner DeAngelo and a poll of the Board it was unanimously voted that the above application **BE APPROVED.**

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Voting Members: Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner McKee, Commissioner DeAngelo, and Commissioner Dellaripa.

APPLICATION NO. 6024-09 Ridge Road LLC seeking a variance to display temporary signage which exceeds the maximum permitted at 295 Ridge Road, west side, A-1 Residence Zone (§6.3.G.5).

Upon motion made by Commissioner Bockstael seconded by Commissioner Dellaripa and a poll of the Board it was unanimously voted that the above application **BE DENIED**.

Voting Members: Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner McKee, Commissioner DeAngelo, and Commissioner Logan.

APPLICATION NO. 6025-09 Town of Wethersfield seeking a variance to display temporary signage in three locations in Town 1) 222 Main Street, Village Business Zone, 2) 156 Prospect Street, A-1 Residence Zone, and 3) Town owned property at the Intersection of Somerset Street & Silas Deane Highway, B Residence Zone, (§6.3G.12).

Upon motion made by Commissioner Bockstael seconded by Commissioner McKee and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as submitted until the end of October 2009.

APPROVAL OF MINUTES

Upon motion made by Commissioner McKee seconded by Commissioner DeAngelo and a poll of the Board it was unanimously voted that the minutes of June 22, 2009 **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 7:45 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN BOREA

Commissioner Bockstael Clerk

I hereby certify that the above is a true copy of the minutes of the Zoning Board of Appeals on

Commissioner McKee, Acting Clerk