

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
March 27, 2006

The Wethersfield Zoning Board of Appeals held a public hearing on March 27, 2006 at 7:00 PM in the Police Department Community Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Morris R. Borea, Chairman
Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
Gina P. DeAngelo
George McKee
Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT:

Also Present: Brian O'Connor, Chief Building Inspector

Chairman Borea opened the meeting at 7:00PM. Before the meeting started, the public was welcomed to speak regarding anything except specific cases in the past or on the night's agenda. There was no one present who wished to speak.

APPLICATION NO. 5943-06 Richard & Deborah Henault seeking a variance to construct a garage addition not having the required side yard setback at 59 Burwood Road, south side, A Residence Zone (§3.7).

Richard and Deborah Henault, 59 Burwood Road, Wethersfield, CT appeared before the Board seeking a variance to construct a garage addition not having the required side yard setback. They presented pictures of the home presently and plans of the way the home would look with the addition. Mr. Henault stated that he feels the addition would look nice and it is also for functionality as they have two cars and the double bay garage is needed. He stated that if the garage were put somewhere else it would not be feasible; adding that if it were put in the rear it would take up the yard and his children's playing area.

Chairman Borea questioned what the side yard is supposed to be in this zone. Mr. O'Connor stated that they need to hold 11'9" on that side; he stated that the survey is showing 13', however, it should be 11'9", adding that they will be encroaching 2'.

Chairman Borea confirmed that a 2' variance is needed. Mr. O'Connor stated that this was correct.

Mrs. Henault stated that there are other homes in the area that have this type of addition with a 2 bay garage. Mr. Henault stated that the neighbor that this would affect has written a letter in favor of this application.

Chairman Borea stated that the letter was never signed. Commissioner Bockstael confirmed the address of this neighbor as 51 Burwood Road.

Chairman Borea confirmed the reason for the addition going over the line is because it could not be put anywhere else. Mrs. Henault stated that to put it somewhere separately in the yard would really not be as functional.

Commissioner DeAngelo questioned if the roof will be flush. Mrs. Henault stated that this is their intent; for it to look like it has always been there.

There were no further questions from the Board.

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

APPLICATION NO. 5944-06 Peter Carbonell - Computer Resources seeking a variance 1) for less than the required parking spaces, and 2) to permit retail use in an Office Zone (renewal) at 365 Silas Deane Highway, west side, Office Zone (§6.2 & 5.2).

Mr. Brian Inkel, Computer Resources, 365 Silas Deane Highway, Wethersfield, CT appeared before the Board seeking two variances; one for less than the required parking spaces and one to permit retail use.

Chairman Borea questioned if there were any stipulations from the last time the variance was granted. Mr. O'Connor stated that he believes that the original stipulation was that when the retail left the use would go back to office. Chairman Borea confirmed that this was correct; adding that the stipulation reads that if at anytime the Computer Store ceases operation or changes ownership then the retail use shall become null and void; adding that this originally went back to 1994 and was then renewed in 1999. He stated that it is now 2006 and questioned why the applicant did not come back in 2004. Mr. O'Connor stated that they did not come back because his office is behind in their records; adding that this is his office's mistake.

Chairman Borea questioned what Mr. Inkel's relationship is with Computer Resources. Mr. Inkel stated that he is the Sales Manager.

Chairman Borea questioned if the business has changed at all since the last variance was granted. Mr. Inkel stated that the ownership has changed but the business model is exactly the same. Chairman Borea questioned when the ownership changed. Mr. Inkel stated that it changed in 2001. Chairman Borea questioned how the ownership changed. Mr. Inkel stated that it was a transfer of owners. Chairman Borea questioned if it is still Computer Resources, Inc; Mr. Inkel stated that it was. Chairman Borea questioned if they just sold the stock; Mr. Inkel stated that this was correct. Chairman Borea questioned if they own or lease the space. Mr. Inkel stated that they rent the space.

Chairman Borea questioned if there have been any problems with the parking situation. Mr. O'Connor stated that there should have been a letter from the Fire Marshall stating that there has been a problem with parking in the fire lanes. Mr. O'Connor stated that he has spoken with the owner of the property, Mr. Scott Keegan who has assured him that this problem will be rectified.

Commissioner Bockstael questioned if this is an issue with this applicant. Mr. O'Connor stated that he was not sure; he is not sure where they park. Mr. Inkel stated that at any given time they would use no more than six (6) parking spaces; they have three (3) employees and they have no more than ten (10) customers per day.

Chairman Borea stated that this is a long standing company; adding that this company has been there since 1994. Mr. O'Connor stated that this was correct.

Commissioner Dellaripa questioned if there are other businesses in this building and if so then the parking issue may not be because of this applicant. Mr. O'Connor stated that there are other businesses; however, he thinks that they can put a stipulation on this applicant to leave the fire lane open. He stated he feels this can be done because the owner is also a part of this application.

Chairman Borea confirmed that this is just one tenant. Mr. O'Connor stated that this is correct; tonight this is just for one tenant; for a use variance and a parking variance. Chairman Borea confirmed that this application was filed by the owner of the building and the owner of Computer Resources. Mr. O'Connor stated that this was correct; and the owner of the building has a business upstairs.

Chairman Borea stated that the previous stipulation did state that anytime Computer Resources, Inc. ceases operation or changes ownership the retail use shall become null and void; however, we are past that, so we will just consider this going forward. Chairman Borea questioned if the business changed at all; Mr. Inkel stated that since they took ownership, if anything, the business has slowed down; sales have dropped about 50%. Chairman Borea questioned the

hours of operation. Mr. Inkel stated that they are open Monday thru Friday 9:00 to 5:00

Commissioner Dellaripa stated that he has a problem with the traffic pattern of the building, adding that it would be a very tight squeeze for a fire truck to get in the drive way from the Silas Deane Highway with a car parked in the spaces. Commissioner Bockstael stated that he feels that even if there were no parking there there would still be a problem. Mr. O'Connor stated that this was correct; and chances are the fire truck would have to stay out on the Silas Deane Highway because it is such a tight squeeze. Commissioner Bockstael stated that this is not a retail issue; but a site plan issue.

Chairman Borea questioned if the spaces are broken down by business. Mr. O'Connor stated originally that is what was done. Chairman Borea questioned if a variance would be needed then. Mr. O'Connor stated that the whole place needs a variance because of the original variance. Mr. O'Connor stated that there is about 10 variances on this property because way back when the building was built they were already short parking spaces.

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 opposition to this application.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA

Commissioner Bockstael, Clerk

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ABSENT:

Also Present: Brian O'Connor, Chief Building Inspector

DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5943-06 Richard & Deborah Henault seeking a variance to construct a garage addition not having the required side yard setback at 59 Burwood Road, south side, A Residence Zone (§3.7).

Upon motion made by Commissioner Bockstael seconded by Vice Chairman Vaughan, Jr. and a poll of the Board it was unanimously voted that the above application **BE APPROVED** for a 3' variance.

APPLICATION NO. 5944-06 Peter Carbonell - Computer Resources seeking a variance 1) for less than the

required parking spaces, and 2) to permit retail use in an Office Zone (renewal) at 365 Silas Deane Highway, west side, Office Zone (§6.2 & 5.2).

Upon motion made by Chairman Borea seconded by Commissioner Bockstael and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulations:

1. There shall be no parking in fire lanes.
2. If there is a change in use or ownership space must revert back to office space.
3. For a period of two (2) years.

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 February 27, 2006](#) **BE APPROVED**.

HANDOUTS/DISCUSSION

1. Appeal filed by Attorney Odell on behalf of Barbara Clancy.
2. Letter from Attorney Jack Bradley regarding expectations of the Boards.

ADJOURNMENT

The meeting was adjourned at 7:40PM.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA

Commissioner Bockstael, Clerk