

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
August 22, 2005

The Wethersfield Zoning Board of Appeals held a public hearing on August 22, 2005 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
Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT:

Also Present: Brian O'Connor, Chief Building & Zoning Official

Chairman Borea opened the meeting at 7:25PM. 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. 5923-05 Liberty Tax Service seeking a variance to display a detached moving sign in front of business at 798 Silas Dane Highway, east side, Regional Commercial Zone (§6.3).

Glen and Heidi Parchmann, 55 Peria Drive, Rocky Hill, CT appeared before the Board on behalf of Liberty Tax Service seeking a variance to display a detached moving sign. Mr. Parchmann stated that it is their Franchise obligation to have a person dressed in a costume to advertise their service. He stated that they do this to attract attention to their business. He stated that it is their Corporate Franchise requirement to do this during their primary time; this being the 2nd week of January thru at least February 15th. ; the latest being April 15th. They would like to do this Monday thru Friday from 9:00 to 5:00. Mr. Parchmann distributed local articles from the Hartford Courant about other Liberty Tax locations that do this same type of advertising. He also showed pictures of the costumes which are of the Statute of Liberty and Uncle Sam. He stated that no other towns have had an issue with this type of advertising.

Chairman Borea questioned if there will be a problem with their Franchise if this is not done. Mr. Parchmann stated that this is a requirement of their Franchise Agreement.

Commissioner Cholewa questioned what the regulation states for this type of advertising and he questioned the hardship for this application. Mr. O'Connor stated that this application falls under "moving detachable sign". Mr. Parchmann stated that their hardship is related to the business and a requirement of their Franchise Agreement more so than a zoning or a legal hardship.

Chairman Borea questioned if there is a sign out in front of the building. Mr. Parchmann stated that there is a sign on the building. Mrs. Parchmann stated that the costume only has a sash around it that says "Liberty Tax Service".

Chairman Borea questioned if they plan on using the sash with the costume. Mr. Parchmann stated that ideally they would like the sash on the costume.

Chairman Borea questioned if they have used this type of advertising before. Mr. Parchmann stated that they have a New Britain office in which they used this type of advertising and there were no problems. He stated that they did try and use this type of advertising last year at their Wethersfield Office and they were told to stop and that a variance

was needed.

Vice Chairman Vaughan, Jr. questioned that if the sash was not worn would it still be considered a sign. Mr. O'Connor stated that it would because the costume is calling attention to the business. Chairman Borea stated that he has a hard time considering this a sign.

Mr. O'Connor also stated that he spoke with the Department of Transportation and they do not have an objection as long as there is no site obstruction.

There were no further questions from the Board.

The following audience member wished to speak in favor of this application:

1. Mr. Tom Lombardo, 798 Silas Deane Highway, Wethersfield, CT - he stated that he is the landlord for this property and would appreciate this Board's cooperation to help his tenant; otherwise they may have to seek another location out of town.

There were no audience members who opposed this application.

APPLICATION NO. 5924-05 AJ Funaro seeking a variance to display a 20' X 4' real estate sign attached to the front of the building larger than permitted (renewal) at 1000 Silas Deane Highway, east side, Regional Commercial Zone (§6.3).

Mr. Albert Scafati, Press Cuozzo, 1000 Silas Deane Highway, Wethersfield, CT appeared before the Board seeking a variance to display a sign larger than permitted. He stated

that they would like to continue to use the sign for marketing purposes.

Chairman Borea questioned if this is the same sign that was previously approved. Mr. Scafati stated that it is.

Chairman Borea questioned if there have been any changes since the last variance was granted. Mr. Scafati stated that there have been no changes.

Commissioner Cholewa questioned the hardship of this application. Mr. Scafati stated that they need enough verbiage to market the property properly, and this cannot be done without this larger sign. Chairman Borea stated that the property is also set off the road.

Commissioner Bockstael stated that the sign has been up for a year and questioned if there has been any interest in the property. Mr. Scafati stated that there have been several agreements made, however during the negotiation process the deals have fallen through for one reason or another.

Commissioner DeAngelo questioned if the sign had an impact on drawing these potential buyers. Mr. Scafati stated that the sign definitely had an impact.

Commissioner Munroe questioned that if the sign has been displayed for 2 years and it has not help sell the building why continue with this sign. Mr. Scafati stated that he feels they need to state the size of the building; square footage, etc. in order to draw potential buyers and this can only be done with the larger sign.

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.

APPLICATION NO. 5925-05 Sharon Silbo for Wethersfield United Methodist Church seeking a variance to display a sign at various times during the year at 150 Prospect Street, south side, A-1 Residence Zone (§6.3).

Ms. Sharon Silbo, 150 Prospect Street, Wethersfield, CT appeared before the Board on behalf of Wethersfield United Methodist Church seeking a variance to display signs at various times throughout the year. She stated that these signs are 6' long by 2' wide. She showed the sign that they would like to use which was received from First Church of Christ, stating that they used this sign last year. She stated that the signs will usually be white with black or blue lettering. She stated that they usually use the Bulletin Board in the front of Town Hall to advertise their events; however, this Bulletin Board can no longer be used.

Chairman Borea questioned why the variance is needed. Mr. O'Connor stated that this variance is needed because it is additional signage.

Commissioner Cholewa questioned if the Planning and Zoning Commission are reviewing the regulations for banners and signs. Mr. O'Connor stated that they have begun to discuss the banner and sign regulations for the Historic District.

Vice Chairman Vaughan, Jr., questioned if similar variances were granted for St. Paul Lutheran Church. Chairman Borea stated that he thinks this is correct and that variances have also been granted for schools.

Ms. Silbo stated that these signs will not be up all the time; just at certain times of the year and for certain events.

Vice Chairman Vaughan, Jr. questioned if she has spoken with any of the neighbors. Ms. Silbo stated that as far as she knew no neighbors have a problem with this application.

There were no further questions or comments from the Board.

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

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

1. Mrs. Marie Mora, 141 Prospect Street, Wethersfield, CT - she stated that she feels there are enough signs in that area now. Stating that there are signs for the Nature Center, Millwoods, etc. She stated that at looking at the dates that the sign will be displayed it seems like the banner will be out for quite a long period of time. She stated that with these many signs she feels that she is no longer living in a residential zone.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA

Commissioner Bockstael, Clerk

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Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT:

Also Present: Brian O'Connor, Chief Building & Zoning Official

Voting Members are: Chairman Borea, Vice Chairman Vaughan, Jr., Commissioner Bockstael, Commissioner DeAngelo, and Commissioner Cholewa.

DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5923-05 Liberty Tax Service seeking a variance to display a detached moving sign in front of business at 798 Silas Dane Highway, east side, Regional Commercial Zone (§6.3).

Upon motion made by Vice Chairman Vaughan Jr., seconded by Commissioner DeAngelo and a poll of the Board it was voted by a vote of 3-2 that the above application be approved with the following stipulations:

1. Limit time to January 15 to February 15.
2. Limit number of days to 3 weekdays.
3. No obstruction to the pedestrian traffic on the sidewalk.

Therefore this application was **DENIED** by a vote of 3-2 (four affirmative votes are required for approval) with Commissioner Bockstael and Commissioner Cholewa opposed.

APPLICATION NO. 5924-05 AJ Funaro seeking a variance to display a 20' X 4' real estate sign attached to the front of the building larger than permitted (renewal) at 1000 Silas Deane Highway, east side, Regional Commercial Zone (§6.3).

Upon motion made by Commissioner Bockstael seconded by Vice Chairman Vaughan, Jr. and a poll of the Board it was voted by a vote of 4-1, with Commissioner Cholewa opposed that the above application **BE APPROVED** for a period of one (1) year.

APPLICATION NO. 5925-05 Sharon Silbo for Wethersfield United Methodist Church seeking a variance to display a sign at various times during the year at 150 Prospect Street, south side, A-1 Residence Zone (§6.3).

Commissioner Bockstael abstained from voting; Commissioner Dellaripa voted.

Upon motion made by Commissioner Cholewa, seconded by Commissioner Dellaripa and a poll of the Board it was voted by a vote of 4-1 with Commissioner DeAngelo opposed that the above application **BE APPROVED** with the following stipulation:

1. Shall not be displayed for more than 2 weeks per event which was applied for.

APPROVAL OF MINUTES

Upon motion made by Vice Chairman Vaughan, Jr. seconded by Commissioner Bockstael and a poll of the Board, with Commissioner DeAngelo abstained, it was unanimously voted that [the minutes of July 25, 2005](#) **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 8:22 PM.

**WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN BOREA**

Commissioner Bockstael, Clerk