

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
December 19, 2005

The Wethersfield Zoning Board of Appeals held a public hearing on December 19, 2005 at 7:00 PM in the Police Department Community Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Gina P. DeAngelo
Matt Cholewa, Alternate
Earle R. Munroe, Alternate
Frank Dellaripa, Alternate

ABSENT: Morris R. Borea, Chairman
Bruce T. Bockstael, Clerk

Also Present: Fred Valente, Building & Zoning Official

Vice Chairman Vaughan, Jr. 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. 5937-05 Charles Robert Kleza Jr. seeking a variance to construct stairs into the required side yard on the street side at 82 Cotwell Drive, southside, A Residence Zone (§3.7).

Mr. Charles Robert Kleza, Jr., 82 Cotwell Drive, Wethersfield, CT appeared before the Board seeking a variance to construct stairs into the required side yard. Mr. Kleza, Jr. stated for the record that due to an oversight on his part these stairs have already been erected. He stated that this was noticed on the final inspection of the stairs by the Town's Building Department.

Vice Chairman Vaughan, Jr. questioned how much of a variance is needed. Mr. Kleza, Jr. stated that he is over by about 2 feet, maybe less. Mr. Valente stated that he believes the stairs are over by no more than 36".

Commissioner Dellaripa questioned if a contractor built the stairs. Mr. Kleza, Jr. stated that he did the construction himself.

Commissioner DeAngelo read into the record a letter from Mr. & Mrs. Wayne Sassano stated that they have no objection to the stairs.

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. 5935-05 Douglas Buck seeking a variance to 1) change the use of the accessory buildings from non-conforming storage rental to business use private arts academy, 2) to permit off site parking on HELCO Right-away 300' from site at 411 Hartford Avenue, west side, B Residence Zone (§10.4.F).

Vice Chairman Vaughan, Jr. explained to Mr. Buck that because this hearing was continued from last month and only four members from last months hearing are present this evening he will need an unanimous vote for this application to **BE approved**. Because of this he explained to Mr. Buck that he does have the option of continuing the hearing tonight and having it voted on tonight or he can postpone the hearing until next month at no additional cost. Mr. Buck decided to proceed this evening.

Mr. Douglas Buck, 411 Hartford Avenue, Wethersfield, CT appeared before the Board continuing his hearing from last month. He stated that because of his neighbors concerns he has decided to withdraw the second part of his application which is the off site parking. He stated that because of this they will only develop the first 3 structures as a private arts academy. They will no longer be developing the largest barn into a performing arts assembly hall.

Commissioner Cholewa questioned what that structure would be used for. Mr. Buck stated that it would stay as it currently is which is a storage facility. Commissioner Cholewa stated that the plan calls for 67 parking spaces and questioned if the majority of these spaces was for the assembly hall. Mr. Buck stated that this was correct, they now only need between 22-24 spaces which they will have without needing the off site parking.

Vice Chairman Vaughan, Jr. read into the record a letter from the Planning and Zoning Commission which stated the following concerns:

1. The variety of uses proposed for the site.
2. The intensity of the proposed use for the site.
3. The parking configuration in a residential zone
4. The proximity to numerous historic residences in a historic district.
5. Whether or not the property would receive tax exempt status.

Commissioner Cholewa questioned if Planning and Zoning knew of the change in this application prior to writing this letter. Mr. Valente confirmed that Planning and Zoning did not know about the change. Their letter is based on the 1st. proposal with the Assembly Hall included.

Vice Chairman Vaughan, Jr. read into the record a letter from Mike Turner, Director of Public Works/Town Engineer. In that letter Mr. Turner states that this application requires approval from 1) Planning and Zoning Commission for site review, 2) Historic District Commissioner, 3) Design Review Committee and 4) from the Inland Wetlands & Watercourses Commission. He also stated in the letter that since this application is dependant on a separate parcel of land owned by HELCO, written evidence of their permission to file the land use application and a long term lease or contract for sale would be needed. He stated that it is his opinion that this applicant may be premature in submitting to the Zoning Board of Appeals, adding that after any modifications this applicant may need to go before this Commission again.

Commissioner DeAngelo questioned if he needs this approval before going to the other Boards. Mr. Valente stated that this applicant needs to come here first for the use variance before he could go before any other Board.

Vice Chairman Vaughan, Jr. stated that last month there were quite a few people who opposed this application and asked Mr. Buck if he has spoken to them about his changes. Mr. Buck stated that the neighbors who voiced their concern were opposed to the north parking; which is why he changed the application to eliminate the Assembly Hall and the north parking however, he has not spoken to his neighbors about this change.

Commissioner DeAngelo questioned what the three primary buildings would be used for. Mr. Buck stated that this would be for artist's offices; studies and one classroom. There would also be one residence artist apartment.

Commissioner Dellaripa questioned if this would still be considered an art school. Vice Chairman Vaughan, Jr. stated that it would as the only item that was withdrawn from this application is the Performance Assembly Hall. Mr. Buck stated that this was correct.

Vice Chairman Vaughan, Jr. questioned if the parking he now has is suitable for this plan and questioned the hours of operation. Mr. Buck stated that the parking is suitable and stated that he was hoping to be open until 10:00 PM on weeknights and 12:00 midnight on weekends.

Vice Chairman Vaughan, Jr. confirmed that there would not be a Performing Assembly Hall. Mr. Buck stated that this was correct; this would strictly be for the artists and what they do.

Vice Chairman Vaughan, Jr. stated that, if approved, there maybe stipulations as to no on street parking, signage and hours. Mr. Buck stated that he is fine with this.

There were no further questions or comments from the Board.

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

1. Mr. Gary Nilsap, 464 Pratt Street Ext., Meriden, CT - he stated that the inspiration of an area like this is unbelievable. He stated that artist's prefer quiet so there should not be any concerns over noise, etc.
2. Mr. Jack McNamara, 182 Broad Street, Wethersfield, CT - he stated that it is his opinion that this would be a real plus for the Town of Wethersfield and that he does not feel traffic would be a problem.
3. Mrs. Paula McNamara, 182 Broad Street, Wethersfield, CT - she stated that she is not an artist but does understand the business aspect of art. She stated that she feels the setting for this is ideal being in a Historic District. She stated that these types of studios say a lot about a community and feels this would be a tremendous asset to the Town.

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

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN VAUGHAN, JR

Commissioner DeAngelo, Acting Clerk

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DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5937-05 Charles Robert Kleza Jr. seeking a variance to construct stairs into the required side yard on the street side at 82 Cotwell Drive, southside, A Residence Zone (§3.7).

Upon motion made by Commissioner Dellaripa seconded by Commissioner Cholewa and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulation:

1. variance is for no more than 36".

All members voted on the above application.

APPLICATION NO. 5935-05 Douglas Buck seeking a variance to 1) change the use of the accessory buildings from non-conforming storage rental to business use private arts academy, 2) to permit off site parking on HELCO Right-away 300' from site at 411 Hartford Avenue, west side, B Residence Zone (§10.4.F).

Upon motion made by Vice Chairman Vaughan, Jr. seconded by Commissioner Cholewa and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulations:

1. may only be used for the intended use of an Arts Academy
2. with hours at the discretion of the Planning and Zoning Commission
3. all parking will be on property; no off site parking
4. approved with the exception of the West Barn being used as a Performing Arts Academy

It is noted for the record that the applicant withdrew the 2nd variance request.

All members except Commissioner Munroe voted on the above application.

Commissioner DeAngelo read into the record a legal notice, Application No.2005-30, to the Town of Wethersfield from the Town of Rocky Hill.

APPROVAL OF MINUTES

No minutes for approval.

ADJOURNMENT

The meeting was adjourned at 7:45 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN VAUGHAN, JR

Commissioner DeAngelo, Acting Clerk