

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
JUNE 28, 2004

The Wethersfield Zoning Board of Appeals held a public hearing on June 28, 2004 at 7:00 PM in the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
Frank A. Falvo, Jr.
Steven F. Clarke
Gina P. DeAngelo, Alternate
D. Bruce Johnston, Alternate

ABSENT: Morris R. Borea, Chairman
Craig S. Pinney, Alternate

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

Vice Chairman Vaughan, Jr. opened the meeting. 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. 5861-2004 Janet & Peter Leombruni seeking to appeal the decision of the Chief Building Official to allow a lot to be subdivided without the required frontage at 226 Broad Street, east side, A Residence Zone (§167-75). - Applicant withdrew this application.

APPLICATION NO. 5862-2004 Noreen a. Dillman seeking a variance to erect a free standing sign at 251 Main Street, west side, Business No. 2 Zone (§167-136).

Noreen A. Dillman, home address, 370 Main Street, business address, 251 Main Street, Wethersfield, CT appeared before the Board seeking a variance to erect a free standing sign. Ms. Dillman stated that this sign is already present due to the fact that she was not aware that the building code prevented her from having a detached sign.

Ms. Dillman stated that she is an Attorney and her business is almost directly across from the First Church of Christ. She stated that her business is in a duplex building with her business on one side and Allstate Insurance on the other, adding that this is the reason that two signs are needed. She stated that without this sign her business would not be seen from the street and this would be detrimental to her business. She added that if she were to have an attached sign it would not be as visible as the free standing sign. She clarified that the pole of the sign is 6'3" the height of the sign is 2'10" and the width is 2'5".

Commissioner Falvo, Jr. questioned if this sign was approved by the Historic District. Ms. Dillman stated that she has not done that as of yet because she did not realize that there was a problem with the sign. She added that now that she is aware of the problem she will get the necessary paperwork and go before the Historic District.

Commissioner Johnston confirmed that the hardship is that her business is in a duplex building. Ms. Dillman stated that this was correct.

Commissioner Clarke questioned the sign on the side of the building. Ms. Dillman stated that if this is a problem she can take the sign down. Mr. O'Connor stated that this sign is small and therefore in compliance with the regulations.

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. 5863-2004 Pastor Hugh R. B. Haffenreffer seeking a variance to erect a 3' x 15" attached banner twice a year for a ten-day period at 371 Wolcott Hill Road, west side, A Residence Zone (§167-136).

Brian Beckwith, 605 Wolcott Hill Road, Wethersfield, CT appeared before the Board on behalf of Pastor Hugh R. Haffenreffer seeking a variance to erect an attached banner twice a year for a ten-day period. Mr. Beckwith stated that the banner will be used for the membership drive to draw attention and to attract people.

Vice Chairman Vaughan, Jr. questioned when the banners would be used. Mr. Beckwith stated their membership drives are in the fall and the spring.

Vice Chairman Vaughan, Jr. questioned the regulations for banners. Mr. O'Connor stated that banners are prohibited and that is why the variance is needed.

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. 5864-2004 Maryanne Senecal seeking a variance to erect an addition a portion of which will extend into the rear yard at 159 Cedar Street, west side, A Residence Zone (§167-75).

Maryanne Senecal and Peter Campinella, 159 Cedar Street, Wethersfield, CT appeared before the Board seeking a variance to erect an addition a portion of which will extend into the rear yard. Mr. Campinella stated that this is a small ranch and they would like to erect an addition that is 38' in width, adding that they will be encroaching on the building line by a 2'x2' margin. He stated that they are looking for no more than a 3 1/2' variance adding that this will take into account any overhang.

Vice Chairman Vaughan, Jr., verified that the 3 1/2' variance is for the westerly corner only. Mr. Campinella stated that this was correct.

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. 5865-2004 Debra F. Gould & P. Damon Herring seeking a variance 1) to erect a pool not in the required yard, 2) a portion of which will be over the building line, 3) to erect a fence higher and denser than permitted over the building line and 4) to erect an accessory structure not in the required yard at 65 Griswold Road, west side, A Residence Zone (§167-7, §167-83 & §167-115).

Debra F. Gould & P. Damon Herring, 65 Griswold Road, Wethersfield, CT appeared before the Board seeking a variance to erect a pool not in the required yard, a portion of which will be over the building line, to erect a fence higher and denser than permitted over the building line and to erect an accessory structure not in the required yard.

Debra Gould stated that they would like to erect a pool for the family; however, she did not realize how many restrictions she had on their property. She stated that if she were to go according to the regulations her pool would have to go in the middle of her driveway. She stated that per Mr. O'Connor's suggestion she had a survey done of her property. This was done by Mr. Sheehy. She stated that Mr. Sheehy confirmed that this community was changed to a residential development in 1964 and a 40' setback was created in the back yard. She added that this is also a corner lot and due to that they have no privacy relative to the corner lot and therefore would like to put up a fence. She confirmed that she has spoken with Lt. Tom Dillon and he stated that there would be no sight problem with a 6' fence.

She entered into the record pictures of the property. She stated that the fence would go on the inside of the arborvitaes, so the fence will not be seen by the neighbors or on the street. She confirmed that her neighbor has no problem with the fence being erected. She stated that they would also like to add an accessory structure to house the pump relative to

the pool.

Vice Chairman Vaughan, Jr. confirmed that if this were not a corner lot then there would not be an issue. Mr. O'Connor stated that corner lot regulations state that the pool needs to be in the rear lot, which at this property would put the pool in the driveway.

Commissioner Bockstael questioned why a 6' fence is needed when there is a good growth of arborvitaes. Debra Gould stated that there is no privacy on the Burwood Road side of their property because those arborvitaes have died.

Commissioner Clarke questioned if on the west side of the property with the tall arborvitaes and a fence if there would be access to trim the arborvitaes. Debra Gould stated that there will be a gate with an archway so there will be access for trimming.

There were no further questions or comments from the Board.

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

1. Mr. Peter Gardow, 60 Griswold Road, Wethersfield, CT

There were no audience members who wished to speak in opposition to this application.

APPLICATION NO. 5866-2004 Wethersfield Shopping Center Merchant Association seeking a variance to conduct outdoor sales from July 11-18, 2004, August 7-15, 2004 & September 4-12, 2004 at 1039-1115 Silas Deane Highway, west side, Planned Development Business Zone. (§167-44).

Gayle Deneen, 1039-1115 Silas Deane Highway, Wethersfield, CT appeared before the Board on behalf of the Wethersfield Shopping Center Merchants Association seeking a variance to conduct three (3) outdoor sales. Gayle Deneen stated that a small percentage of the merchants will be involved in these outdoor sales. She confirmed that TJ Maxx and Bed, Bath and Beyond, if they should be open at these times, would not be participating in these sales.

Vice Chairman Vaughan, Jr. questioned if there have been any problems in the past. Mr. O'Connor stated that there have not been any problems.

Commissioner Falvo, Jr. questioned if this application can be approved for three (3) years with no dates. Gayle Deneen stated that that would be great if that could be done. Mr. O'Connor stated that it is up to the Board if that is what they would like to do.

Vice Chairman Vaughan, Jr. questioned if there were any concerns over obstructing the sidewalk. Mr. O'Connor stated that there were stipulations last time regarding this concern, and there were no problems last year.

There were no further questions or comments from the Board.

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

1. Ms. Debra Gould, 65 Griswold Road, Wethersfield, CT - stating that she looks forward to this sale each year, and feels it is good for the community.

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

1. Ms. Sara Vuoto, 166 Maple Street, Wethersfield, CT - stating that these sales attract too many people. Adding that people are going into her yard and jumping her fence to get into the plaza's parking lot. She stated that people are constantly cutting into her yard.

Vice Chairman Vaughan, Jr. stated that he hears her concerns, however, these sales takes place in the front of the stores and this Board does not address the issue of people going into her yard and perhaps she should call the Police regarding this problem.

There were no other audience members who wished to speak in favor of or in opposition to this application.

APPLICATION NO. 5867-2004 Antonio & Ann Bascetta seeking a variance to erect an accessory building not having the required setback at 36 Northbrick Lane, north side, B Residence Zone (§167-126).

This application was withdrawn by Applicant.

APPLICATION NO. 5868-2004 Dana Spicer & Karen Memmott seeking a variance to permit outdoor seating having less than the required parking at 221 Main Street, west side, Business No. 2 Zone (§167-126).

Karen Memmott, 221 Main Street, Wethersfield, CT, co-owner of Mainly Tea appeared before the Board seeking a variance to permit outdoor seating having less than the required parking at 221 Main Street. She stated that the business is open for serving on Thursday, Friday and Saturday and they would like to have a place for their customers to sit.

Vice Chairman Vaughan, Jr. verified that this is done for other businesses in this location. Mr. O'Connor acknowledged that this is correct.

Commissioner Bockstael questioned the dimension of this building. Karen Memmott stated that it is 21'.

Commissioner Clarke questioned the size of the tables. Karen Memmott stated that the tables are 24" x 30" and the benches are 42".

There were no further questions or comments from the Board.

There were no audience members who wished to speak in favor of or in opposition to this application.

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN THOMAS J. VAUGHAN, JR.

Bruce T. Bockstael, Clerk

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC MEETING
JUNE 28, 2004**

The Wethersfield Zoning Board of Appeals held a public meeting, immediately following the public hearing, on June 28, 2004 at 7:00 PM in the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael, Clerk
Frank A. Falvo, Jr.
Steven F. Clarke
Gina P. DeAngelo, Alternate
D. Bruce Johnston, Alternate

ABSENT: Morris R. Borea, Chairman
Craig S. Pinney, Alternate

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

DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5861-2004 Janet & Peter Leombruni seeking to appeal the decision of the Chief Building

Official to allow a lot to be subdivided without the required frontage at 226 Broad Street, east side, A Residence Zone (§167-75).

This application was withdrawn by Applicant.

APPLICATION NO. 5862-2004 Noreen a. Dillman seeking a variance to erect a free standing sign at 251 Main Street, west side, Business No. 2 Zone (§167-136).

Upon motion made by Commissioner Bockstael, seconded by Commissioner Falvo, Jr. and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulation:

1. Applicant must obtain Historic District approval.

APPLICATION NO. 5863-2004 Pastor Hugh R. B. Haffenreffer seeking a variance to erect a 3' x 15" attached banner twice a year for a ten-day period at 371 Wolcott Hill Road, west side, A Residence Zone (§167-136).

Upon motion made by Commissioner Falvo, Jr., seconded by Commissioner Bockstael and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as presented for a period of two (2) years.

APPLICATION NO. 5864-2004 Maryanne Senecal seeking a variance to erect an addition a portion of which will extend into the rear yard at 159 Cedar Street, west side, A Residence Zone (§167-75).

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** as submitted.

APPLICATION NO. 5865-2004 Debra F. Gould & P. Damon Herring seeking a variance 1) to erect a pool not in the required yard, 2) a portion of which will be over the building line, 3) to erect a fence higher and denser than permitted over the building line and 4) to erect an accessory structure not in the required yard at 65 Griswold Road, west side, A Residence Zone (§167-7, §167-83 & §167-115).

Upon motion made by Commissioner Falvo, Jr., seconded by Commissioner Clarke, and a poll of the Board it was unanimously voted that the above application **BE APPROVED**.

APPLICATION NO. 5866-2004 Wethersfield Shopping Center Merchant Association seeking a variance to conduct outdoor sales from July 11-18, 2004, August 7-15, 2004 & September 4-12, 2004 at 1039-1115 Silas Deane Highway, west side, Planned Development Business Zone. (§167-44).

Upon motion made by Commissioner Falvo, Jr., seconded by Commissioner Bockstael, and a poll of the Board it was unanimously voted that the above application **BE APPROVED** for three (3) outdoor sales per year for one week at a time, for a period of two (2) years, with the following stipulations:

1. Sales must be held in the front of the building.
2. No merchandise shall encroach on the 4' passage way.

APPLICATION NO. 5867-2004 Antonio & Ann Bascetta seeking a variance to erect an accessory building not having the required setback at 36 Northbrick Lane, north side, B Residence Zone (§167-126).

This application was withdrawn by Applicant.

APPLICATION NO. 5868-2004 Dana Spicer & Karen Memmott seeking a variance to permit outdoor seating having less than the required parking at 221 Main Street, west side, Business No. 2 Zone (§167-126).

Upon motion made by Commissioner Bockstael, seconded by Commissioner Clarke, and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as presented in site plans for a period of two (2) years.

APPROVAL OF MINUTES

Upon motion made by Commissioner Falvo, Jr., seconded by Commissioner Johnston and a poll of the Board it was unanimously voted that [the minutes of May 24, 2004](#) **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 7:50 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN THOMAS J.VAUGHAN, JR.

Bruce T. Bockstael, Clerk