

WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING
December 22, 2003

The Wethersfield Zoning Board of Appeals held a public hearing on December 22, 2003 at 7:00 PM in the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

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

ABSENT: Craig S. Pinney, Alternate

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

Chairman Borea opened the meeting. Chairman Borea stated for the record that every attempt was made to televise this meeting; however, they were unable to gain access to the equipment room. 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.

Commissioner Bockstael read the legal notice into the record.

APPLICATION NO. 5826-2003 Sapporo, Inc. seeking a special exception to permit the sale of alcoholic beverages service bar only (renewal) at 1295 Silas Deane Highway, west side, Planned Development Business Zone. (Article 28)

Attorney James C. Tsui, 39 New London Turnpike, Glastonbury, CT appeared before the Board on behalf of Charlie Chang, of Sapporo, Inc. seeking a special exception to permit the sale of alcoholic beverages service bar only at 1295 Silas Deane Highway.

Attorney Tsui stated that there have been no changes to the business. He stated that the last variance was granted for three years and that they would like to request it be granted for a longer period of time.

Commissioner Clarke questioned if there have been any problems.

Mr. O'Connor stated that there have been no problems.

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. 5827-2003 Richard Legnani seeking a special exception for a general repairer's license (renewal) at 1745 Berlin Turnpike, west side, Business No. 2 Zone. (Article 25)

Richard Legnani, 10 Burr Court, Southington, CT appeared before the Board seeking special exception for a general repairer's license at 1745 Berlin Turnpike. Mr. Legnani stated that this is strictly a renewal and that there have been no changes.

Chairman Borea stated that the previous variance was granted with stipulations. He questioned if Mr. Legnani has

stayed within those stipulations. Mr. Legnani stated that he has and that he does not have a problem with any of the stipulations.

Mr. Legnani questioned as to why this variance has to be renewed. Chairman Borea explained that there is a time frame to make sure that the stipulations are adhered to.

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. 5828-2003 Andrew J. Sywenkyj seeking a variance to enlarge a non-conforming structure at 32 Harding Street, east side, A Residence Zone (Section 167-103)

Mr. Brian O'Connor, 505 Silas Deane Highway, Wethersfield, CT appeared before the Board and spoke due to the fact that no one was present regarding this application. Mr. O'Connor stated that this property had fire damage and because of that they would like to take the structure down and rebuild on the existing foundation. Mr. O'Connor stated that the plot plan shows an 8" encroachment. Mr. O'Connor stated that they plan on expanding and building an upstairs.

Chairman Borea confirmed that they will be building on the foundation that is currently there and that the variance is needed because of the 8" encroachment and not because of the expansion. Mr. O'Connor 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. 5829-2003 Violet Frajko seeking a variance to conduct a business in a residential zone (renewal) at 190 Beverly Road, south side, B Residence Zone. (Article 5)

Violet Frajko, 190 Beverly Road, Wethersfield, CT appeared before the Board seeking a variance to conduct a business in a residential zone. Ms. Frajko stated that there have been no changes to her business and would like to request a permanent variance.

Commissioner Johnston questioned the prior length of time. Commissioner Bockstael stated that the previous variance was granted for a period of three years.

Commissioner DeAngelo questioned what type of business this was. Ms. Frajko stated that this is a hair design business.

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. 5830-2003 Eliot Gershman seeking a variance to erect a fence over the building line, higher and more dense than permitted at 241 Hang Dog Lane, north side, Special Residence AA Zone (Section 162-83).

Eliot Gershman, 241 Hang Dog Lane, Wethersfield, CT appeared before the Board seeking a variance to erect a fence over the building line, higher and more dense than permitted. Mr. Gershman stated that he replaced an existing fence that was also 6' high, however, he did bring the fence out to accommodate a playscape. He stated that he has a hearing impaired child and therefore needs the fence for safety reasons. Mr. Greshman stated that he has letters from neighbors and pictures of the fence. He also stated that he has a letter from he child's doctor stating her condition along with a letter from the Playscape Company stating that for safety reasons the fence needed to be moved further out.

Commissioner Falvo, Jr. questioned how far the fence was brought out. Mr. O'Connor stated that the fence is about 18'

out from the garage.

Chairman Borea asked for the pictures and letters for the record. Chairman Borea verified that this is a corner lot and the extra room is needed for the playscape for his child with special needs.

Mr. Gershman stated that this was correct.

There were no further questions or comments from the Board.

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

1. Salvatore Farinella, 124 Lantern Lane, Wethersfield, CT

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

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN MORRIS BOREA

Bruce Bockstael, Clerk

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PRESENT: Morris R. Borea, Chairman
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Bruce T. Bockstael
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Steven F. Clarke
D. Bruce Johnston, Alternate
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ABSENT: Craig S. Pinney, Alternate

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

DECISIONS FROM PUBLIC HEARING

APPLICATION NO. 5826-2003 Sapporo, Inc. seeking exception to permit the sale of alcoholic beverages service bar only (renewal) at 1295 Silas Deane Highway, west side, Planned Development Business Zone. (Article 28)

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 a period of five (5) years.

APPLICATION NO. 5827-2003 Richard Legnani seeking a special exception for a general repairer's license (renewal) at 1745 Berlin Turnpike, west side, Business No. 2 Zone. (Article 25)

Upon motion made by Commissioner Clarke, seconded by Chairman Borea and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulations for a period of five (5) years:

1. Not more than ten vehicles may be parked overnight on the premises.
 2. No parking of unregistered motor vehicles on the premise.
 3. No outside accumulation of parts or unused tires.
 4. No commercial parking.
 5. No motor vehicles to be offered for sale or sold.
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APPLICATION NO. 5828-2003 Andrew J. Sywenkyj seeking a variance to enlarge a non-conforming structure at 32 Harding Street, east side, A Residence Zone. (Section 167-103)

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** as presented.

APPLICATION NO. 5829-2003 Violet Frajko seeking a variance to conduct a business in a residential zone (renewal) at 190 Beverly Road, south side, B Residence Zone. (Article 5)

Upon motion made by Chairman Borea, seconded by Commissioner Clarke and a poll of the Board it was unanimously voted that the above application **BE APPROVED** with the following stipulations for a period of five (5) years:

1. There will be no on-street parking on Beverly Road.
 2. There will be no more than two customers at the business at any time.
 3. The present driveway shall not be expanded.
 4. The business shall not occupy more than 25 percent of the total building.
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APPLICATION NO. 5830-2003 Eliot Gershman seeking a variance to erect a fence over the building line, higher and more dense than permitted at 241 Hang Dog Lane, north side, Special Residence AA Zone. (Section 162-83)

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

APPROVAL OF MINUTES

Upon motion made by Commissioner Clarke, seconded by Chairman Borea and a poll of the Board it was unanimously voted that the [minutes of November 24, 2003](#) **BE APPROVED**.

ADJOURNMENT

The meeting was adjourned at 7:25 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN MORRIS BOREA

Bruce Bockstael, Clerk