

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

September 23, 2013

The Wethersfield Zoning Board of Appeals held a public hearing on September 23, 2013 at 7:00 PM at Town Hall, Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Chairman
Daniel Logan, Vice Chairman
Morris Borea
Eugene Ziurys, Jr
David Gustafson, Alternate

ABSENT: Mark Rudewicz, Clerk
Paul J. Leblanc, Alternate
Robert Cobb, Alternate

Also Present: Fred Valente - Building Official

Chairman Vaughan, Jr. opened the meeting at 7:00PM. He explained the procedures of the Meeting and Hearing and asked if anyone wanted to speak on something other than what was on tonight's Agenda. There was no one from the audience who wished to speak.

Application No. 6130-13 Christina Brine, seeking a variance to extend the front stairs with a roof addition 88" without having the required front yard setback at 53 State Street, South Side, B Zone, (§3.7) (§7.3B)

Christina Brine, 53 State Street, Wethersfield, CT appeared before the Board requesting to extend her front stairs with a roof addition. Ms. Brine stated that she has been approved for an arch over the doorway and while doing this she wanted to move the stairs as they are not centered. In doing this she found that the stairs are not in compliance with CT codes and the stairs need to be widened. In order to widen the stairs they need to be bumped out. She stated that basically this is all for aesthetics and to be historically correct.

Chairman Vaughan, Jr. questioned if anything she did would need a variance. Mr. Valente stated anything she does is non-conforming and would need a variance. Mr. Valente questioned how far along she is with the Historic District. Ms. Brine stated that she needs to go before the Historic District Commission tomorrow night; however they did already approve the arch.

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Vice Chairman Logan questioned if she was going to go with stone for the stairs. Ms. Brine stated that she is not; she is going with the same as she has for the side porch which was approved by the Historic District Commission. She added that this Commission knows about the arch but not about the pillars yet.

Commissioner Gustafson questioned if there were stipulations from the Historic District Commission. Ms. Brine stated that she was approved for stone steps, not wood steps; however, because it would mimic the side porch so she does not foresee a problem with the wood steps.

There were no further questions from the Board.

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

Application No. 6131-13 Robert and Nancy Jones, seeking a variance for change of use from café/coffee house to an insurance agency at 7 Railroad Place, East Side, B Residential Zone, (§3.2) (§7.3A).

Robert Jones, 5 Broad Street, Wethersfield, CT appeared before the Board seeking a use change from café/coffee house to an Insurance Agency. Mr. Jones stated that he is looking to move his small Insurance Agency from Rocky Hill back to Wethersfield.

Commissioner Vaughan, Jr. confirmed that there is a variance on this property with stipulations.

Mr. Jones stated that it would be a 9:00AM to 5:00PM type of business with 2 employees and him. He added that there would not be a lot of traffic as this is a small Agency.

Commissioner Vaughan, Jr. questioned if there is enough parking – 3 spaces for employees and 4 or 5 extra spaces for clients. Mr. Jones stated that there is more than enough parking.

Commissioner Vaughan, Jr. stated that Planning and Zoning has submitted a letter recommending there be a stipulation clearly limiting zone use of a more extensive use.

Commissioner Borea questioned what the maximum number of employees he feels he could grow into at this location. Mr. Jones stated that he does not feel this location could accommodate more than 6 employees.

There were no further questions from the Board.

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

Application No. 6132-13 Brian and Constance Morin, seeking a variance to install a standby generator in the side yard having less than the required side yard at 134 Boulter Road, East side, A-1 Residential Zone (§3.7).

Brian Morin, 134 Boulter Road, Wethersfield, CT appeared before the Board seeking a variance to install a standby generator. Mr. Morin stated that this application is somewhat self-explanatory. He stated that he has 14' to his property line. He stated that there is no other location to put the generator because of the way his land drops and because of the location of windows. He stated that he has a letter in favor of this application, from his neighbor that would be most affected.

Chairman Vaughan, Jr. questioned how much of a variance is needed. Mr. Valente stated that a 5' 6" variance is needed.

Commissioner Gustafson questioned the neighbor's address that is in favor. Mr. Jones stated that the letter is from 140 Boulter Road; they are the neighbor most affected.

Commissioner Gustafson questioned if the generator would be visible from the street. Mr. Jones said only if you go between the houses would you be able to see the generator.

There were no further questions from the Board.

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

Application No. 6133-13 Dennis Brewer, seeking a variance to permit retail use in an office zone and having less than the required parking spaces (renewal) at 365 Silas Deane Hwy, West side, O Zone, (§6.2 (d))

Dennis Brewer, 128 Blueridge Drive, Vernon, CT appeared before the Board seeking a variance to permit retail use in an office zone.

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Chairman Vaughan, Jr. confirmed that there is a variance on this property. Mr. Valente stated that there are a lot of variances on this property, but there have been no complaints to his knowledge. This property is short two (2) parking spaces.

Mr. Brewer stated that the variances were for the previous tenant; they are trying to lease the property now.

Chairman Vaughan, Jr. questioned if this is a retail business. Mr. Brewer stated that his business is mostly online right now; however they would like to expand to retail use.

Chairman Vaughan, Jr. questioned what type of business. Mr. Brewer stated that he sells children's playing cards. It is mostly done online; however, one major supply requires that they be a retail business establishment.

Commissioner Gustafson questioned if this were an office; would there be enough parking where no variance would be needed. Mr. Valente stated that there is still is not enough parking for the building.

Commissioner Borea questioned where his business is located now. Mr. Brewer stated that he currently works out of his home doing online business only. He needs the retail space to order from this particular supplier.

Commissioner Borea questioned if this would be an actual retail space or if customers come by appointment. Mr. Brewer stated that during the day he would be doing his online business and would not be open to the public, however, he would like to open to the public from 5:00 PM to 10:00 PM.

Commissioner Gustafson confirmed that during the day it would be used as office space. Mr. Brewer stated that this was correct. He would use the daytime to get shipments ready from the previous day's orders.

Commissioner Borea confirmed that the only reason for the retail space is because of this supplier. Mr. Brewer stated that the major suppliers require a retail store front. Commissioner Borea questioned if they require the store front to be open so many hours. Mr. Brewer stated that he would like to be open from 5:00 PM to 10:00 PM; however he stated that he does not wish to be open a lot of hours. He stated that he mainly wants to sell online.

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Chairman Vaughan, Jr. stated that if this were to be approved they may put stipulations on it as to the hours of operation. Mr. Brewer stated that he would work around what the Board stipulates.

Chairman Vaughan, Jr. questioned the amount of foot traffic he expects to get. Mr. Brewer stated that he is only expecting a few people in an evening; however, when a new product comes out there should be a few more people than normal.

There were no further questions from the Board.

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

The following audience members wished to speak in opposition to this application.

1. Robert and Maria Pizzanello, 139 Nott Street, Wethersfield, CT – stated that they own their home adjacent to this property. They stated that there is only 5' of side yard. They stated that their bedroom is close to the parking lot and concerned of having a lot of traffic in the parking lot at night. They stated that this is a very busy corner anyway. They stated that they feel this type of business so close to them is detrimental to their property value.

Chairman Vaughan, Jr. questioned if there is any type of fencing or shrubbery. Mrs. Pizzanello stated that there is a fence but it is only a chain link fence.

Commissioner Gustafson questioned if there were any issues with the prior tenant. Mrs. Pizzanello stated that there was not however, they were only there during the day, not in the evenings.

Chairman Vaughan, Jr. asked the applicant to come back up.

Commissioner Gustafson questioned why the evening hours. Mr. Brewer stated that this works into his schedule. He stated that he would do online orders and get shipments ready during the day and then in the evening he would sell to the card collectors when they get out of work.

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Commissioner Borea questioned if it would be feasible to put a gate on the back driveway so no one could use it at night. Mr. Brewer stated that he does not have a problem with that but he does not own the building. Mr. Valente stated that this is the fire lane so that cannot be done.

WETHERSFIELD ZONING BOARD OF APPEALS
Chairman Vaughan, Jr.

Vice Chairman Daniel Logan, Acting Clerk

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PUBLIC MEETING**

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The Wethersfield Zoning Board of Appeals held a public meeting on September 23, 2013 at 7:00 PM at Town Hall, Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Chairman
Daniel Logan, Vice Chairman
Morris Borea
Eugene Ziurys, Jr.
David Gustafson, Alternate

ABSENT: Mark Rudewicz, Clerk
Paul J. Leblanc, Alternate
Robert Cobb, Alternate

Also Present: Fred Valente - Building Official

DECISIONS FROM PUBLIC HEARING

Application No. 6130-13 Christina Brine, seeking a variance to extend the front stairs with a roof addition 88” without having the required front yard setback at 53 State Street, South Side, B Zone, (§3.7) (§7.3B)

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

Application No. 6131-13 Robert and Nancy Jones, seeking a variance for change of use from café/coffee house to an insurance agency at 7 Railroad Place, East Side, B Residential Zone, (§3.2) (§7.3A).

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

1. Maximum of six (6) employees.

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It is noted for the record that this Commission feels it is inappropriate for Planning and Zoning to submit a letter with recommendations. This Commission feels it is against the Connecticut State General Statutes.

Application No. 6132-13 Brian and Constance Morin, seeking a variance to install a standby generator in the side yard having less than the required side yard at 134 Boulter Road, East side, A-1 Residential Zone (§3.7).

Upon motion made by Commissioner Borea, seconded by Commissioner Gustafson and a poll of the Board it was unanimously voted that the above application **BE APPROVED** as presented for a 5' 6" variance

Application No. 6133-13 Dennis Brewer, seeking a variance to permit retail use in an office zone and having less than the required parking spaces (renewal) at 365 Silas Deane Hwy, West side, O Zone, (§6.2 (d))

Upon motion made by Commissioner Borea, seconded by Vice Chairman Logan and a poll of the Board it was voted by a vote of 4 to 1 with Commissioner Ziurys, Jr. opposed that the above application **BE APPROVED** with the following stipulations:

1. No retail hours after 7:00 PM.
2. Only allow customers to use front entrance.
3. For a period of one (1) year.

APPROVAL OF MINUTES

Upon motion made by Commissioner Borea, seconded by Commissioner Gustafson and a poll of the Board it was unanimously voted that the minutes of August 26, 2013 **BE APPROVED**.

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ADJOURNMENT

The meeting was adjourned at 7:50 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
CHAIRMAN VAUGHAN, JR.

Vice Chairman Daniel Logan, Acting Clerk

I hereby certify that the above is a true copy of the minutes of the Zoning Board of Appeals on

Vice Chairman Daniel Logan, Acting Clerk