

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
JANUARY 24, 2007**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Robert Schneider, Secretary
Robert Haley

ALTERNATES PRESENT: Edward Slegeski
Paul Harnois (sitting)
Susan Shanbaum

ABSENT: Albert Gionet

ALSO PRESENT: James Davis, Zoning Enforcement Officer
Mark Pellegrini, Director of Neighborhood
Services and Economic Development
Ginger MacHattie, Recording Secretary

The Chair opened the business meeting at 8:25 p.m.

1. CONSIDERATION OF PUBLIC HEARINGS

DRAKE PETROLEUM – application #2301 – request a variance of Article IV Section 5.03.03 to reduce front yard setback to 9’ (60’ required) and reduce side yard setback to 20’ (25’ required).

MOTION: Mr. Schneider moved to grant the variance to reduce the front yard setback to 9’ and reduce the side yard setback to 20’, Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was that it is an existing nonconforming structure with a long established use at the location and the variance will have minimal impact to the neighborhood.

DRAKE PETROLEUM – application #2301 – request a special exception under Article IV Section 5.01.02 to install a new canopy at 484 Middle Turnpike East, Special Design Commercial zone.

MOTION: Mr. Schneider moved to grant the special exception to install a new canopy, Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval the minimal impact on the neighborhood and the improved operation of the existing station.

MARIE TRI VU – application #2303 – request a variance to Article II Section 6.01.13 to permit use of first floor for a personal service business (hair care center) and retail sales at 168 Main Street, Residence C zone.

MOTION: Mr. Haley moved to deny the use variance to permit a personal service business, Mr. Stevenson seconded the motion and all members voted in favor.

The reason for the denial was the applicant should be able to use the property as currently zoned, and the negative impact a personal service shop would have on the neighborhood.

ROBERT F. CHOUTKA – application #2306 – request a variance to Article IV Section 5.03.02 to reduce side yard setback to 19.9 feet (25 feet required) at 86 Sanrico Drive, Industrial zone.

MOTION: Mr. Schneider moved to approve the variance to reduce the side yard setback to 19.9 feet, Mr. Haley seconded the motion and all members voted in favor.

The reason for the approval was that the structure for which the variance is requested is already in existence and conforming to the Industrial zone, and the use is appropriate for the building and location, and there is no negative impact to the neighbors due to the variance.

ROBERT F. CHOUTKA – application #2306 – request a special exception under Article IV Section 5.01, Article IV Section 5.03.02 and Article II Section 6.15.01(e) to open an automotive body repair business at 86 Sanrico Drive, Industrial zone.

MOTION: Mr. Schneider moved to approve the special exception with the condition that there be no outside storage, Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval is the suitable location for the use.

ROBERT F. CHOUTKA – application #2306 – request site location approval under Section 14-54 of the Connecticut General Statutes for an automotive body repair business at 86 Sanrico Drive, Industrial zone.

MOTION: Ms. Maffe moved to approve the site location, Mr. Schneider seconded and members voted in favor.

The reason for the approval is the suitable location of the site for the use.

CARTER CHEVROLET COMPANY, INC. – application #2297 – request a modification of a condition of the special exception approval regarding the type of light fixtures at 1229 Main Street and 27-31 Charter Oak Street, Business III zone.

MOTION: Ms. Maffe moved to approve the modification of the condition, Mr. Schneider seconded the motion and all members voted in favor.

The reason for the approval was that the installation of the light shields and reduced wattage of the lights would reduce light on the neighboring residential property and meet regulatory requirements.

2. APPROVAL OF PUBLIC HEARING AND BUSINESS MEETING MINUTES OF SEPTEMBER 27, 2006, OCTOBER 25, 2006, AND NOVEMBER 29, 2006.

MOTION: Mr. Schneider moved to approve the minutes with the correction of the November 29, 2006 minutes of Mr. Joseph Dickerson to add the text under the reason for approval “. . . and Mr. Dickerson has been paying taxes on a finished attic.” Mr. Haley seconded the motion and all members voted in favor.

3. ACCEPTANCE OF NEW APPLICATIONS

JOHN J. PITCHELL – application #2271 – request a site modification to a previously approved site at 333 Main Street, Business III zone.

AML HOLDINGS – application #2308 – request a special exception under Article II Section 24.02.02(a) and Article IV Section 5.03.02 to allow an automobile tire retail store; and request site location approval under Section 14-54 of the Connecticut General Statutes for an automotive body repair business at 429/445 Oakland Street, 15 Gleason Street, General Business Zone.

4. OTHER BUSINESS

PETER TURNER – application #2273 – request modification to the approved site plan at 443-449-355 Main Street, Business III and Residence B zone.

Peter Turner, 15 Tuck Road, explained that the dumpster was originally placed in front of the duplex and cut off light to the kitchen. When finalizing the site plan, he noticed the dumpster would not work in that location. Mr. Turner is requesting a modification to allow him to move the dumpster away from the door of the duplex. He noted that the dumpster will also be smaller than the current dumpster and used for waste from the office building.

In response to a question from Mr. Haley, Mr. Turner stated that there would be no loss of parking spaces. In response to a question from Mr. Stevenson, Mr. Turner stated that the dumpster will be placed adjacent to the last parking spot. Mr. Schneider commented that he has noticed an improvement in appearance already.

Mr. Pellegrini stated that he had some concerns about odor possibly infringing on the neighbors.

MOTION: Ms. Maffe moved to approve the modification to the site plan to relocate the dumpster to the eastern property line as shown on the plans, Mr. Schneider seconded the motion and all members voted in favor.

The reason for the approval was the minimal impact to the neighborhood.

Meeting adjourned at 8:52 p.m.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

**NOTICE: THE CASSETE TAPE RECORDING OF THIS PUBLIC HEARING CAN
BE HEARD IN THE PLANNING DEPARTMENT.**

OFFICIAL TAPE NO.: 476, 477

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