

**MINUTES OF PUBLIC HEARING  
HELD BY THE ZONING BOARD OF APPEALS  
LINCOLN CENTER HEARING ROOM  
FEBRUARY 28, 2007**

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

**ALTERNATES PRESENT:** Edward Slegeski  
Paul Harnois  
Susan Shanbaum

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

The Chair opened the Public Hearing at 7:04 p.m. The Secretary read the legal notice for the application when the call was made.

**MANCHESTER TOLLAND DEVELOPMENT, LLC** – application #2309 – request a variance to Article IV Section 13.05.02 to place three monument identification signs at the entrance to an apartment complex, and a variance to allow a height of 10’ (5’ permitted) for three monument identification signs at 839 Tolland Turnpike, Planned Residence Development zone.

Jeremy Browning, of Tarragon Management in Wallingford, CT, addressed the Board on behalf of the applicant. He requested a total of three monument signs for a 322-unit apartment complex to be known as The Vintage at the Grove. Mr. Browning stated he is requesting the two additional signs in order to afford the same name recognition other apartment complexes in the area have. One sign will be posted at the Redstone Road entrance, mounted on a post and rail fence, with masonry posts, and will comply with zoning regulations. Two other signs would be posted at the Tolland Turnpike entrance, one to either side. Mr. Browning stated he would reduce the overall height of the fence the sign will be mounted on to 6’3” instead of the 9’6” originally requested. This change will make the top of the sign 6’ in height.

Mr. Stevenson asked why the need for three signs when there are only two entrances. Mr. Browning explained that on Tolland Turnpike traffic travels in both directions, but the Redstone Road entrance is off the end of the cul-de-sac, causing traffic to come from one direction.

In response to a question from Mr. Gionet, Mr. Browning stated he made the signs the proposed size to be as visible as possible. When he originally designed the signs, Mr. Browning was

unaware of the zoning requirements. The signs will have the logo, the name of the property and possibly a telephone number.

Ms. Maffe asked staff about the differences in configuration between the signs at Aspen Woods, Waterford Commons, and Mr. Browning's current proposal. Mr. Davis stated that he did not measure the square footage of either the Aspen Woods or Waterford Commons signs, but he does not think either sign exceeds the square footage allowed.

Mr. Schneider suggested making one double-sided sign instead of two single-sided signs. Mr. Browning explained that he intends to buffer the signs with landscaping behind the signs to lessen the impact on neighboring properties. If the sign were to be double-sided, it would need to be brought closer and placed perpendicular to the road. With two signs, they can be placed farther back, keeping visual impact to neighbors to a minimum.

In response to a question from Mr. Schneider, Mr. Browning answered that the columns will be 6'3" tall.

In response to a question from Ms. Shanbaum, Mr. Pellegrini answered that a two-sided sign counts as only one sign. Ms. Shanbaum noted that Waterford Commons has a two-sided sign at the Tolland Turnpike entrance, which sufficiently directs traffic to their location.

Mr. Pellegrini explained that the frontage on Tolland Turnpike is a narrow strip of property so the applicant is dealing with some space constraints. The original application was for a 4' height variance, which the Planning Department considered excessive. The one-foot variance described tonight is much closer to meeting requirements.

Ms. Shanbaum asked if this sign is going to be lit and Mr. Davis explained the sign would have lights focused on it, providing direct illumination.

In response to a question from Mr. Haley, Mr. Pellegrini explained that the posts are considered part of the sign structure, not architectural details.

Mr. Browning asked that the Zoning Board of Appeals consider the signs for safety reasons as well.

**DAVID BADEAU AND PAUL BADEAU** – application #2311 – request a use variance of Article II Section 4.01 to allow a home improvement and remodeling business at 161 North School Street, Residence A zone.

Dave Badeau explained to the Board that he and his father own a small remodeling company. The property at 161 North School Street is considered residential; however, it is a cinderblock building with bay doors. Their hours of operation are approximately 7:00 a.m. to 5:00 p.m., Monday through Friday. Three people would be in and out of the office area. The employee's vehicle would be the only vehicle parked in the parking lot during the day. A 24' trailer will be parked on the right side of the building with only the nose visible. The trailer is not used commercially; it is used to transport private recreational vehicles. There will be no storage of

equipment or a dumpster at the property. Mr. Badeau explained improvements he will be making to the building, the property, and the floor plan. He stated that because of the style of building it would be difficult to make into a residential property.

In response to a question from Mr. Slegeski, Mr. Badeau answered there will be four recessed lights installed in the front of the building for security purposes. That will be the only outdoor lighting.

In response to several questions from Mr. Haley, Mr. Badeau explained that the trailer is currently stored at the location of their rental office. He said there would not be a wood working shop in the building; it will be mostly storage of vehicles and extra materials, tools, and ladders.

In response to a question from Mr. Stevenson, Mr. Badeau answered that most deliveries are made to the job site. There may be an occasional delivery from FedEx or UPS.

In response to questions from Ms. Maffe, Mr. Badeau explained that the trailer is three or four years old, pristine, white fiberglass, with no markings or stickers. It will be empty when stored at the property; the cars are stored elsewhere. The company is Prestige Property Maintenance and has been in business for ten years.

In response to question from Ms. Shanbaum, Mr. Badeau explained that the building is 30' deep and the trailer is 24' deep; very little of the trailer will be visible. The area behind the building is very narrow, probably too narrow for plantings; however, Mr. Badeau could provide a vinyl stockade fence to screen the trailer.

In response to several questions from Mr. Gionet, Mr. Badeau said an expansion of the business would not require more room. Occasionally, he will stay late to do book work, but there will not be excessive evening hours.

In response to a question from Mr. Gionet, Mr. Pellegrini explained if this variance were granted and the applicants move, another home remodeling business could move into the property; however, they would have to meet all of the conditions that are imposed by the Board. The variance goes with the property, he said.

Mr. Badeau explained he plans to invest a substantial amount of money into the building and is not planning on moving soon. He will be making improvements to the roof, siding, doors, façade, and landscaping. In response to a question from Ms. Shanbaum, Mr. Badeau answered that he would possibly employ a second person. There is no regular traffic subcontractors usually meet at the job site.

Mr. Pellegrini stated that there are no comments from staff. He explained that the Board can impose use limitations. Mr. Davis said that the property does have residential neighbors who could have a 24' trailer parked on their property if they desire. That is completely permitted in a residential neighborhood.

Mr. Pellegrini suggested imposing limitations on the trailer. This trailer is for private use and not associated with the business. The dimensions are 8' x 24' and will not be used for storage of business materials.

**AHMAD ALI DAVIS** – application #2312 – request a variance of Article IV Section 13.06.03.3 to permit a fourth freestanding sign and an additional tenant sign at 346 Middle Turnpike West, and an additional tenant sign at 290 Broad Street, General Business zone.

Ahmad Ali Davis, 465 Hillstown Road, recently reopened the Parkade Cinemas. There are two entrances, one from Broad Street, one from West Middle Turnpike.

Mr. Pellegrini said the Broad Street sign would need to be advertised again due to the size requested. This hearing will only be considering a fourth freestanding sign and an additional tenant sign at 346 Middle Turnpike West. The Broad Street sign will now be heard at a separate public hearing after publishing an advertisement that includes the requested size.

Mr. Davis said he would like to erect an 8' x 10'6" digital LED sign 8' from ground level, not exceeding 18' in height. Due to the location of the theatre, it is not visible from either of the main roads. The hardship is the location of the property. When the theatre was in operation in the past, it did have signage at both the Middle Turnpike West and the Broad Street entrances. Mr. Davis said it is difficult to find this property; even his delivery trucks are having difficulty locating the cinemas.

In response to a question from Mr. Stevenson, Mr. Davis said initially there was not a blank spot on the sign between Stop & Shop and Majesty Bibles. In addition, the entrance to the actual cinema is before that sign. People would actually drive by the entrance before they saw the sign. Mr. Davis stated that the existing tenant signs are much smaller than his sign needs to be. It will not be a flashing sign; it will list the movie titles and times, and only changed when the movies change.

In response to a question from Mr. Schneider, Mr. Davis said the Parkade Cinema owns the existing sign. George Lee manages the property and has provided a letter giving permission to add to the existing sign. In response to a question from Mr. Gionet, Mr. Davis stated that the LED sign would change once a week when the movies change and it will not be flashing.

In response to a question from Ms. Maffe, Mr. Pellegrini said that the sign would have two purposes. One is to identify the most direct way to the cinema and the other is to show what is playing at the cinema. There was further discussion about the specifications of sign placement and what Mr. Davis intends for the sign to say.

Mr. Pellegrini stated the plans submitted contain sketches that are not to scale. He suggested the applicant submit plans to scale so all questions can be answered accurately. Mr. Pellegrini would like to see the frame, logo, and other specifics called out as well. The options of the Board are to continue the hearing for more detail, or grant the request with conditions.

Mr. Schneider moved to continue this application until March, Ms. Maffe seconded the motion and all members voted in favor.

The Chair closed the public hearing portion of the meeting at 8:26 p.m.

I certify these minutes were adopted on the following date:

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Date

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James Stevenson, Chair

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

**OFFICIAL TAPE NO.: 478**

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