

**ACTIONS OF THE ZONING BOARD OF APPEALS
MAY 24, 2007**

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

ALTERNATES PRESENT: Edward Slegeski
Paul Harnois

MEMBERS ABSENT: Susan Shanbaum

The following actions were taken by the Zoning Board of Appeals at its meeting of May 24, 2007:

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 repair and service use at 429/445 Oakland Street and 15 Gleason Street, General Business zone.

Mr. Stevenson moved to deny the application, Mr. Haley seconded the motion and all members voted in favor.

The reason for the denial was inadequate emergency vehicle access to the site and traffic concerns.

AML HOLDINGS – application #2308 – request site location approval under Section 14-54 of the Connecticut General Statutes for an automotive repair business at 429/445 Oakland Street and 15 Gleason Street, General Business zone.

Mr. Gionet moved to deny the application for location approval. Mr. Schneider seconded the motion and all members voted in favor.

The reason for the denial was the denial of the special exception approval for the use.

RISHIMA & PRIYAL, LLC – Application #2320 – request a variance to Article IV Section 7.02.02 and to Article IV Section 7.02.03 and Article IV 8.06 to change existing use to permit sale of alcoholic liquors under package store permit, at 276 Oakland Street, Residence A zone.

Mr. Gionet moved to deny the application for a variance, Mr. Haley seconded the motion and all members voted to deny except for Mr. Stevenson, who voted against the motion.

The reason for the denial was because there were too many businesses proposed for the establishment as a nonconforming use, and the regulations are clear that there should not be extensions of nonconforming uses for alcoholic liquor sales.

GREGORY & SHARON MAINVILLE – Application #2321 – request a variance to Article II Section 4.01.01 to reduce the front yard setback to 37.5' (40' required per subdivision plan) to build an addition, at 74 Braeside Crescent, Residence aa cluster zone.

Mr. Schneider moved to approve the variance as requested, Mr. Gionet seconded the motion and all members voted in favor.

The reason for the approval was that the variance would have no negative affect on the neighborhood and was a minimal reduction of the front yard.

PETER DAIGLE – Application #2322 – request a variance of Article II Section 4.01.01 to reduce the side yard to approximately 5' (10' required), at 20 Tower Road, Residence A zone.

Mr. Haley moved to approve the application for the variance as requested, Mr. Schneider seconded the motion and all members voted in favor.

The reason for the approval was that the extension of the existing structure along a previously granted reduced side yard would not affect the neighborhood.

B. J. ALAN/GRAHAM CORNELIS – application #2323 – request special exception under Article II Section 9.14.02(e) for outdoor sales of sparklers and novelty items at 385 (aka 395) Broad Street General Business zone.

Mr. Schneider moved to approve the applications as submitted with the conditions that no signs for the activity be placed at any location other than the 20' x 40' tent shown on the submitted application, the site be maintained in a clean, debris free manner at all times, and the tent, storage container and trash dumpster be removed from the site by July 7, 2007. Mr. Gionet seconded the motion and all members voted in favor.

The reason for the approval was the plans met the special exception requirements with the conditions imposed.

B. J. ALAN/GRAHAM CORNELIS – application #2324 – request special exception under Article II Section 9.14.02(e) for outdoor sales of sparklers and novelty items at 480 Oakland Street, General Business zone.

Mr. Gionet moved to deny the application as submitted, Mr. Schneider seconded the motion and members voted in favor.

The reason for the denial was that the site was occupied by an operating business, which was not the case for the previous approval last year, and high traffic volumes on the public streets serving the site.

AMERICAN PROMOTIONAL EVENTS, INC. – application #2325 – request special exception under Article II Section 9.14.02(e) for outdoor sales of sparklers and novelty items at 286 Broad Street, General Business zone.

Mr. Schneider moved to approve the application as requested for June 19, 2007 to July 6, 2007 from 7 a.m. to 10 p.m. with the conditions that no signs for the activity be placed at any location other than the 30' x 50' tent shown on the submitted application and that the site be maintained in a clean, debris free manner at all times and the tent be removed from the site by July 6, 2007. Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was that the proposal met special exception requirements with the conditions.

JAY PITCHELL – application #2271 – request a modification of a condition of the special exception approval to increase the number of cars permitted to be sold from 18 to 24 at 333 Main Street, Business III zone.

Mr. Schneider moved to approve the request as granted with the conditions that the plans and the site be modified to show two-way traffic flow on the site underneath the canopy as shown on the plans, and that landscaping be placed in front of the four additional display spaces on the northern and southern ends of the site. Mr. Haley seconded the motion and all members voted in favor.

The reason for the approval was that the site met all special exception requirements and satisfied circulation concerns.

JAY PITCHELL – application #2271 – request site plan modification approval at 333 Main Street, Business III zone.

Mr. Schneider moved to approve site plan modification with the conditions that the plans and the site be modified to show two-way traffic flow on the site underneath the canopy as shown on the plans, and that landscaping be placed in front of the four additional display spaces on the northern and southern ends of the site. Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was the site plan met all staff concerns for vehicle circulation.