

ACTIONS OF THE ZONING BOARD OF APPEALS
DATE: APRIL 27, 2016

MEMBERS PRESENT: James R. Stevenson, Chair
Robert Haley, Secretary
Edward Slegeski – Recused for 2016-045 and 2016-046

ALTERNATES PRESENT: Sandra DeCampos, Sitting
John Topping, Sitting
Armando Darna, Sitting for 2016-045 and 2016-046 Only

ABSENT: Albert Gionet, Vice Chair
Kevin Dougan

STAFF PRESENT: Renata Bertotti, Senior Planner
Katie Williford, Administrative Secretary

The following actions were taken by the ZBA at its meeting of April 27, 2016:

AMIE HODGE – applications #2016-040 and #2016-041 - Request a variance of Art. IV Sec. 13.10.04.04 to allow a 16' x 5' novelty sign (32 sq. ft. permitted) and a special exception under Art. II Sec. 9.14.02(e) to allow the sale of fireworks from June 15 to July 15, 2016 at 1524 Pleasant Valley Road, General Business Zone.

MOTION: Mr. Haley moved to approve the special exception with the following conditions:

1. That no signs be placed at any location other than the tent;
2. That the site be maintained in a clean, debris-free manner at all times; and
3. That the tent, storage container and trash dumpster be removed by July 15, 2016.

Mr. Slegeski seconded the motion and all members voted in favor.

The reasons for the approval were that the proposal meets the special exception criteria, will not negatively impact the neighborhood, and is similar to other applications that have been approved before in the Buckland area.

MOTION: Mr. Haley moved to deny the variance. Mr. Topping seconded the motion and all members voted in favor of the denial.

The reason for the denial was the lack of hardship.

MANCHESTER PUBLIC SCHOOLS – application #2016-042 - Request a use variance of Art. II Sec. 4.01 to allow a metal storage container at 134 Middle Turnpike East, Residence A and Residence B zones.

MOTION: Mr. Haley moved to approve the variance with the condition that the storage containers be encompassed with a fenced enclosure similar to that required for dumpster enclosures, to screen them from the neighborhood. Ms. DeCampos seconded the motion and all members voted in favor.

OUR COMPANIONS ANIMAL RESCUE – application #2016-043 - Request a use variance of Art. II Sec. 16.13 to allow a veterinary clinic at 34 Sanrico Drive, Industrial zone.

MOTION: Mr. Slegeski moved to approve the variance with the conditions as specified in a staff memorandum from Jim Mayer, Traffic Engineer, dated April 11, 2016, to Renata Bertotti, Senior Planner. Mr. Haley seconded the motion and all members voted in favor.

MICHAEL MULL – application 2016-044 - Request a variance of Art. II Sec. 1.03.01 (f) and of Art. II Sec. 4.01.01 to allow a 280 s.f. shed (240 s.f. maximum permitted) 3 ft. 5 in. from the side property line (minimum 10 ft. required) at 11 Clyde Road, Residence A zone.

MOTION: Mr. Haley moved to approve the variance. Mr. Topping seconded the motion and all members voted in favor.

The reasons for the approval were the hardship of the undersized lot and that the proposal would have no negative impact on the neighborhood.

PARKADE CINEMAS – application #2016-045 - Request a special exception under Art II Sec. 26.04.04 (d) and Art. II Sec. 9.14.02(e) to operate a family fun day at 416 Middle Turnpike West and 296 Broad Street, Form Based Zone.

MOTION: Mr. Topping moved to approve the special exception with the following conditions:

1. That there will be no outdoor movie screening;
2. That the aerial photo with the green outlined areas in the parking lot is excluded from the application;
3. That the hours of operation will be Saturdays and Wednesdays from 10:00 a.m. to 9:00 p.m. starting on June 4, 2016 and running through the first weekend of September for the next three years;
4. That no signs be placed at any location unless specifically permitted by the Zoning Enforcement Officer;
5. That the site be maintained in a clean, debris-free manner at all times; and
6. That any storage and/or trash containers be removed at the end of each day of the Family Fun Day operation.

Mr. Darna seconded the motion.

AMENDED MOTION: Mr. Topping moved to approve the special exception with the following conditions:

1. That there will be no outdoor movie screening;

2. That the aerial photo with the green outlined areas in the parking lot is excluded from the application;
3. That the hours of operation will be Saturdays and Wednesdays from 10:00 a.m. to 9:00 p.m. starting on June 4, 2016 and running through the first weekend of September, for this calendar year only;
4. That no signs be placed at any location unless specifically permitted by the Zoning Enforcement Officer;
5. That the site be maintained in a clean, debris-free manner at all times;
6. That any storage and/or trash containers be removed at the end of each day of the Family Fun Day operation; and
7. That there will be no overnight storage of vending vehicles on the property.

Mr. Darna seconded the amended motion and all members voted in favor.

The reasons for the approval were that a similar application was approved in 2011, the location is ideal for this type of event, and it would not have any negative impact on the surrounding area.

PARKADE CINEMAS – application #2016-046 - Request a special exception under Art II Sec. 26.04.04 (d) and Art. II Sec. 9.14.02(e) to operate a flea market at 416 Middle Turnpike West and 296 Broad Street, Form Based Zone.

MOTION: Mr. Topping moved to approve the special exception with the following conditions:

1. That the approval is for Sundays from May 1, 2016 through the first weekend in September, for this calendar year only;
2. That the hours of operation will be 10:00 a.m. to 6:00 p.m.;
3. That no signs be placed at any location unless specifically permitted by the Zoning Enforcement Officer;
4. That the site be maintained in a clean, debris-free manner at all times; and
5. That any storage and/or trash containers be removed at the end of each day of the flea market operation.
6. That there will be no overnight storage of vending vehicles on the property.

Mr. Darna seconded the motion and all members voted in favor.

The reasons for the approval were that this is a good location for the flea market and there will be no negative impact on the surrounding area.

APPROVAL OF MARCH 30, 2016 MINUTES: PUBLIC HEARING AND BUSINESS MEETING

MOTION: Ms. DeCampos moved to approve the minutes as written. Mr. Topping seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

STEVEN MURRAY – application #2016-048 – Request a special exception under Art. II Sec. 9.14.02(e) to allow food vending from a truck at 670 Center Street, Neighborhood Business and Design Overlay zones.

168 MAIN, LLC – application #2016-056 – Request a variance of Art. II Sec. 6.01 to allow a three-family house at 168 Main Street, Residence C and Residence A zones.