

**MINUTES OF BUSINESS MEETING  
HELD BY THE ZONING BOARD OF APPEALS  
LINCOLN CENTER HEARING ROOM  
MARCH 30, 2016**

**MEMBERS PRESENT:** James R. Stevenson, Chair  
Albert Gionet, Vice Chair  
Robert Haley, Secretary  
Edward Slegeski

**ALTERNATES PRESENT:** Armando Darna (Sitting)  
Sandra DeCampos  
John Topping

**ABSENT:** Kevin Dougan

**ALSO PRESENT:** Renata Bertotti, Senior Planner  
James Davis, Zoning Enforcement Officer  
Katie Williford, Administrative Secretary

The Chair opened the Business Meeting at 8:05 p.m.

**CONSIDERATION OF PUBLIC HEARINGS:**

**ERIN EMMONS** - application #2016-019 - Request a variance of Art. II Sec. 16.13 to allow food vending at 422 North Main Street, Industrial Zone.

**MOTION:** Mr. Haley moved to approve the variance with the conditions that (1) The truck will be no larger than 13.5' x 7'; (2) The service hours will end no later than 8:45 p.m.; and (3) The truck will be removed from the site nightly. Mr. Gionet seconded the motion.

Mr. Haley said the truck should be moved every night because the Town is going in that direction. In response to a question from Mr. Slegeski, Mr. Haley said he suggested the 8:45 p.m. end time because closing at 8:45 p.m. would give the employees time to clean up and get out, and would help prevent issues with noise. Mr. Stevenson supported the motion because it levels the playing field for anticipated zoning regulation updates. Because it is a use variance, he said, the Board should be as restrictive as possible. Mr. Gionet said he raised the question about multiple vehicles because there is a brewery in Branford that has two or three trucks. Mr. Stevenson said additional trucks would have to come before the Board for approvals because this approval is for this exact location. Mr. Davis clarified that if the pending proposed vending regulations were passed, the applicant would not need to come before the Zoning Board of Appeals. Mr. Stevenson responded that it was uncertain whether those proposed regulations would pass or when.

All members voted in favor of the motion. The reason for the approval is the use is compatible with the Industrial zone.

**BOGNER REALTY, LLC** – application #2016-020 – Request a variance of Art. VII Sec. 1(b) to allow a 36 foot tall tank (18' permitted) for storage of nitrogen at 349 Wetherell Street, Industrial zone.

**MOTION:** Mr. Haley moved to approve the variance with the condition that there will be no signage other than regulated safety signage on the tank. Mr. Slegeski seconded the motion.

Mr. Gionet said he wanted to make sure there would be safety barriers around the base of the tank.

**AMENDED MOTION:** Mr. Haley moved to approve the variance with the conditions that (1) there will be no signage other than regulated safety signage on the tank and (2) safety bollards will be placed around the tank with the approval of the Fire Marshal. Mr. Slegeski seconded the motion.

Mr. Stevenson said he supported the approval with these conditions, and noted that the applicant could build a 75' tall building and put the tank inside it without having to come before the Board.

All members voted in favor of the amended motion. The reason for the approval is the tank would be safer in a vertical configuration.

**TOWN OF MANCHESTER DEPARTMENT OF LEISURE, FAMILIES AND RECREATION** – application #2016-024 - Request a variance of Art. IV Sec. 13.06.01 to allow an 11' high sign for Spruce Street Garden (5' maximum height permitted) at 153 Spruce Street, Residence B zone.

**MOTION:** Mr. Gionet moved to approve the variance. Mr. Slegeski seconded the motion.

Mr. Gionet said the proposed sign is in a good location and would enhance the neighborhood. Mr. Haley said he supported the application because it was more an architectural feature than a sign.

All members voted in favor. The reasons for the approval are that the sign would enhance the neighborhood and the sign on the architectural feature makes the architectural feature look better.

#### **APPROVAL OF JANUARY 27, 2016 MINUTES: BUSINESS MEETING**

**MOTION:** Mr. Darna moved to approve the minutes as written. Mr. Slegeski seconded the motion and all members voted in favor.

**APPROVAL OF FEBRUARY 24, 2016 MINUTES: PUBLIC HEARING AND BUSINESS MEETING**

**MOTION:** Mr. Slegeski moved to approve the minutes as written. Mr. Darna seconded the motion and all members voted in favor.

**ACCEPTANCE OF NEW APPLICATIONS**

**BOTTICELLO FARMS, LLC** – application #2016-029 - Request a use variance under Art. II, Sec. 2.01 and a parking variance under Art. IV, Sec. 9.01.01 to permit a farmers' market on June 4, July 2, August 6, September 3, and October 1, 2016 at 209 and 215 Hillstown Road, Rural Residence zone.

**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 a tent for the sale of fireworks from June 15 to July 15, 2016 at 1524 Pleasant Valley Road (a.k.a. 1452-1470 Pleasant Valley Road), General Business Zone.

**MANCHESTER PUBLIC SCHOOLS** – application #2016-042 - Request a use variance of Art. II Sec. 4.01 and Art. II Sec. 5.01 to allow a metal storage container at 134 Middle Turnpike East, Residence A and Residence B zones.

**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.

**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 permitted) at 11 Clyde Road, Residence A zone.

The meeting was adjourned at 8:26 p.m.

I certify these minutes were adopted on the following date:

April 27, 2016

Date

James Stevenson, Chair

**NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.**

kmw