

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

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

**ALTERNATES PRESENT:** Sandra DeCampos  
Matthew Peak

**ABSENT:** John Topping

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

The Chair opened the Business Meeting at 8:25 p.m.

**CONSIDERATION OF PUBLIC HEARINGS:**

**OM FOUNDATION, INC.** – application #2016-115 - Request a variance of Art. II Sec. 1.00.02(e)1 to allow a place of worship on a street that is not an arterial or collector street at 15 Burnham Street Extension, Rural Residence zone.

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

Mr. Slegeski said the zoning regulations require new places of worship to be on arterial or collector roads, and he was concerned that approving this variance would set a precedent for allowing places of worship on roads that were not arterial or collector roads. Mr. Haley agreed that there were other options, but he thought the proposal was a much safer option. He noted that the location was within 100 yards of an arterial road and closer to the highway than most places of worship in town. Mr. Haley said it would be safer to locate the access on Burnham Street Extension, because traffic sometimes backs up on Clark Street.

Mr. Slegeski brought up the concern about the blockade that was raised during the public testimony. He acknowledged that that concern could not be addressed in the approval because it was a town road, but he wanted to be cognizant of that concern. He said he thought there were other options for egress besides Burnham Street Extension. Mr. Haley said that Burnham Street Extension was blocked off to cut down on traffic, so he did not think the Town would reverse that decision.

Regarding Mr. Slegeski's concern about setting a precedent, Mr. Stevenson said that the Zoning Board of Appeals looks at each proposal as a unique application. Because of the unique configuration of lot and the fact that it was boarded by a town line, Mr. Stevenson thought it was unlikely that another application for a place of worship would have this exact same situation. He agreed with Mr. Haley that the hardship was the unique configuration of the lot, and that the hardship was not created by the landowner.

Mr. Stevenson, Mr. Gionet, Mr. Haley, and Mr. Darna voted in favor of the motion to approve the variance. Mr. Slegeski voted against the motion. The motion passed 4 to 1.

The hardship was the unique configuration of the lot, the location of the town line, and that it would be safer to locate the curb cuts for the driveway on Burnham Street Extension than on Clark Street or Chapel Road because the property had a small frontage on those two streets.

**JUSTIN WEAVER** – application #2016-130 - Request a variance of Art. II Sec. 1.03.04(c) to allow a shed 7 feet from the side property line (15 feet minimum side yard required) at 10 Trevor Court, Residence AA zone.

**MOTION:** Mr. Gionet moved to approve the variance. Mr. Darna seconded the motion and all members voted in favor.

The hardship was the location of the retaining wall and the slope of the property.

**DAVID FARR** - application #2016-132 - Request a variance of Art. II Sec. 4.01.01 to allow 56 feet of lot frontage (100 feet minimum frontage required) and to reduce the lot area to 7,280 sq. ft. (12,000 sq. ft. required) at 42 Westwood Street, Residence A zone.

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

The hardship was that the zoning regulations changed since the creation of the lots, and that it would benefit the neighborhood to prevent this piece of property from becoming a building lot.

#### **APPROVAL OF OCTOBER 26, 2016 MINUTES: PUBLIC HEARING AND BUSINESS MEETING**

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

#### **ADOPTION OF 2017 MEETING SCHEDULE**

**MOTION:** Mr. Haley moved to adopt the 2017 meeting schedule. Mr. Gionet seconded the motion and all members voted in favor.

#### **ACCEPTANCE OF NEW APPLICATIONS**

There were no new applications.

## OTHER BUSINESS

Ms. Bertotti said there was a request for a special meeting in December. The owner of Orfitelli Ice Cream at 18 Warren Street received a variance previously, but now needs to move their building, she said. Mr. Davis explained that, when they did the permit process, the plan they submitted with the application showed the building closer to the property line than had been approved. Ms. Bertotti said they had not submitted an application yet, but asked her to ask the Board if they would be willing to consider a special meeting in December. She suggested a possible date of December 21, 2016. The Board members expressed willingness to have a special meeting on that date if needed. Ms. Bertotti said she would find out if the applicant would be able to submit an application in time, and then she would notify the Board members whether or not there would be a special meeting.

Mr. Peak asked if the Planning Department staff could put together memo summarizing the number of income restricted housing units in town in 2015 compared to 2009, and what percentage of the town's total housing stock is income restricted housing. Ms. Bertotti said that it was possible for the Planning Department to prepare that type of memo, but that was not really pertinent to the Zoning Board of Appeals. She asked Mr. Peak to send an email specifically stating what he was requesting, so staff could put together a memo for him. Mr. Peak also asked for comparisons to South Windsor, Glastonbury, and Hartford. He said he would like to find out if there is a relationship between poor academic performance and the number of low income housing units approved in Manchester.

The meeting was adjourned at 8:47 p.m.

I certify these minutes were adopted on the following date:

January 25, 2017 \_\_\_\_\_

Date

\_\_\_\_\_ James Stevenson, Chair

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

kmw