TOWN OF VERNON

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OFFICE OF THE
ZONING BOARD OF APPEALS

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DRAFT Minutes August 15, 2012

Attendees: Bill Francis, Jim Ferguson, Carl Slusarczyk, Don Schubert, and Marisa Roy.

Also present: Andy Marchese, Zoning Enforcement Officer, and Jennifer Roy, Zoning Assistant/Recording Secretary

The meeting was called to order at 6:30 p.m. and the opening statement was read.

Jim Ferguson, Secretary read the agenda:

1. NIJISH, LLC, 229 TALCOTTVILLE ROAD, seeking a variance from Section 16.3.6 gasoline price signs not to exceed 15 square feet, to allow installation of a 43 square foot gasoline price sign in the Commercial Zoning District.

Andy Marchese explained the application and presented a revised sign plan. The original document stated the sign was 43 square feet; the revised total is 45 square feet.

Nick Patel, 229 Talcottville Road, present to speak on his application. Mr. Patel explained that the sign he is requesting is a standard Citgo price sign. He must list both cash and credit price on his sign according to CT State law. Citgo requires diesel price be shown as well.

Discussion was held; Andy Marchese confirmed that all signs are 10 feet from the highway line; and the bottom sign is at least 4 feet from the ground. The sign will not impede sight line.

No one present to speak in favor or opposition. The hearing was closed and discussion held.

Jim Ferguson made a motion to grant a variance to allow installation of a 45 square foot gasoline price sign in the Commercial Zoning District, due to company requirements. Carl Slusarczyk seconded the motion, motion carried by unanimous vote.

2. ALVIN LAJOIE, 163 VERNON AVENUE, seeking a variance from Section 4.7.1.4, twenty foot minimum side yard setback, and 4.7.1.5, fifty foot minimum rear yard setback; to allow construction of a 10'x12' shed (14') fourteen feet from the side yard and (12') twelve feet from the rear yard, in the PRD Zoning District.

Andy Marchese explained there are 2 setback requirements Mr. Lajoie needs a variance from.

Alvin Lajoie, 163 Vernon Avenue, present to speak on his application. Mr. Lajoie explained he was unaware he needed a permit to build the shed. Once someone from the Town notified him he stopped building and went to the Building Department to apply for a permit. At that time it was discovered he would need a variance from side and rear yard setback requirements.

Mr. Lajoie explained he needs the shed for extra storage for tenant. Mr. Lajoie presented a drawing of the shed. Drawing marked Exhibit A.

Nicole Goold, 163 Vernon Avenue, to speak in favor of the application. Ms. Goold commented that Mr. Lajoie keeps his property very well maintained. She currently has items stored on the back porch, which she would move into the shed if Mr. Lajoie is permitted to build it.

No one present to speak in opposition.

The hearing was closed and discussion held.

Carl Slusarczyk made a motion to grant the variance to allow construction of a 10'x12' shed (14') fourteen feet from the side yard and (12') twelve feet from the rear yard, in the PRD Zoning District, based on lot configuration, Don Schubert seconded the motion, motion carried by unanimous vote.

3. DONALD W FISH, 220 HARTFORD TURNPIKE, seeking a variance from Section 4.9.1.5 , twenty foot minimum side yard setback, to allow installation of a free standing pole sign (1') one foot from the side property line, in the Commercial Zoning District.

Andy Marchese explained the building located at 220 Hartford Turnpike has the maximum allowed signage. The owner needs to install a free standing sign to accommodate additional tenants. The sign would be one foot from the side property line.

John Kurowski, of Sign-a-rama, 536 Talcottville Road, present to speak on behalf of Donald Fish. Mr. Kurowski will construct the sign for Mr. Fish. Mr. Kurowski explained that Mr. Fish has 3 tenants now, and as Mr. Marchese explained, there is no more room on the building façade. The zoning regulation for setback would put the sign right in the middle of the parking lot. With this location proposed, they would only lose one parking space.

Mr. Kurowski explained he spoke to the manager of abutting property; Arlene Garrow, and she does not have a problem with the location.

Jennifer Roy confirmed that the only abutter to inquire was Ms. Garrow.

No one present to speak in favor or opposition. The hearing was closed and discussion held.

Don Shubert made a motion to grant the variance to allow installation of a free standing pole sign one foot from the side property line in the Commercial Zoning District, based on lot configuration. Jim Ferguson seconded the motion, motion carried by unanimous vote.

4. HARLOW PROPERTIES LLC, 65 ORCHARD STREET, seeking a variance from Section 4.1.1.1, minimum lot area of 10,000 square feet to allow lot area of 7,000 square feet; Section 4.1.1.5, minimum rear yard setback of (20') twenty feet, to allow rear yard setback of (10') ten feet; and Section 4.1.1.8, maximum lot coverage of 25% to allow 60% lot coverage in the NR-10 Zoning District. HARLOW PROPERTIES LLC, 10 HARLOW STREET, seeking a variance from Section 4.1.1.5, minimum rear yard setback of (20') twenty feet, to allow rear yard setback of (8') eight feet, and Section 4.1.1.8, maximum lot coverage of 25% to allow 60% lot coverage in the NR-10 Zoning District. To allow parcels to be split into two separate parcels.

Andy Marchese explained the owner would like to split the parcel into 2 properties, currently listed as one parcel.

Rachel Dearborn, 62 Lower Butcher Road, Ellington; present to speak on behalf of the owners of Harlow Properties LLC. Ms. Dearborn explained the history of the property; and over the years there have been several configurations of the lot. The lot currently is at 60% lot coverage. Once split into 2 parcels each parcel will be at 60% lot coverage.

Bill Francis asks what is on 10 Harlow Street currently. Ms. Dearborn explained it is a 7 unit apartment building.

Ms. Dearborn closed with stating that this would create a lot similar to other properties on Orchard Street.

Jim Ferguson read an email for the record from abutting property owner, Lisa Perry of 61 Orchard Street. Ms. Perry is in favor of the variance; she feels this would allow a single family to purchase the property on Orchard Street which has a single family home on it. Email marked exhibit B.

No one present to speak in opposition. The hearing was closed and discussion held.

Bill Francis made a motion to grant the variances for 65 Orchard Street, to allow lot area of 7,000 square feet, rear yard setback of (10') ten feet, and 60% lot coverage in the NR-10 Zoning District; and variances for 10 Harlow Street to allow rear yard setback of (8') eight feet, and 60% lot coverage in the NR-10 Zoning District, due to lot configuration and the fact the lot predates zoning regulations. Marissa Roy seconded the motion, motion carried by unanimous vote.

Next item on the agenda, approval of the June 20, 2012 meeting minutes.

Carl Slusarczyk made a motion to approve the June 20, 2012 meeting minutes. Bill Francis seconded the motion; the minutes were approved, with one abstention by Jim Ferguson; not present at the June meeting.

Bill Francis requested discussion of the November meeting under new business. Mr. Francis pointed out the fact the meeting in November would be the night before Thanksgiving. In order to be sure and accommodate any needs of the residents, and to ensure a quorum, he suggested the Board cancel the regular November meeting, and hold a Special meeting the week before.

Don Schubert made a motion that the board change the November ZBA meeting to November 14, 2012 at 5:00pm. Jim Ferguson seconded the motion, motion carried by unanimous vote.

Carl Slusarczyk made a motion to adjourn the meeting, Jim Ferguson seconded the motion; the meeting was adjourned at 7:40 p.m.

Submitted by: Jennifer Roy