TOWN OF VERNON

55 WEST MAIN STREET, VERNON, CT 06066
Tel: (860) 870-3636
Fax: (860) 870-3589
E-mail: aford@vernon-ct.gov

OFFICE OF THE
ZONING BOARD OF APPEALS

RECEIVED
VERNON TOWN CLERK
12 MAR 22 PM 4:33

APPROVED Minutes August 17, 2011

Attendees: Bill Francis, Jim Ferguson, Carl Slusarczyk, Bruce Skivington, Jon Gilluly, and Donald Schubert.

Also present: Harry Boyko, Building Official, and Jennifer Roy, Zoning Assistant/Recording Secretary

The meeting was called to order at 6:30 p.m.

Jim Ferguson, Secretary read the agenda:

1. EXHAUST SPECIALISTS, LLC, 20 RIVER STREET, seeking an Appeal from the order of the Zoning Enforcement Officer, ordering the removal of all vehicles in excess of the 7 that were permitted by Special Exception of the Zoning Board of Appeals granted on August 16, 2000, in the Historic District-Residential Commercial Zoning District.

Attorney Danielle Angliss, of Beck & Eldergill PC, Manchester, CT, representing Exhaust Specialist LLC. Attorney Angliss submitted a copy of site plan prepared to show the parking spaces requested. The 5 spaces on the westerly side of the property would be for customers.

Bill Francis questioned what would they be using the spaces numbered 19-21 for? Harry Boyko asked if they would be junk cars.

Lisa Biedermann, member of Exhaust Specialist LLC, also present to speak on the appeal. Ms. Biedermann stated that they would not be. Any cars they have that are not drivable would be parked in spaces numbered 16-18. Most likely the spaces behind the building would not be used at all.

Harry Boyko asked if they have any handicap parking, advising that this would be required.

Ralph Biedermann, member of Exhaust Specialist LLC, also present to speak, asked if they would be required to have a handicap bathroom?

Harry Boyko responded that chances are they would not, however, this hearing is regarding the appeal of the Zoning Enforcement Officer's citation/Order of Remedy, and not for adding more vehicles to the property.

Discussion was held regarding prior ZBA decisions, not clear on total number of vehicles. Also on how they should proceed. Bill Francis agreed that they need to only discuss/address the appeal of ZEO's Order of Remedy.

Michael McTide of 19 River Street, present to speak in opposition of the appeal. Mr. McTide states that there has been an on-going problem of vehicles and tow trucks blocking the driveway. He mentioned that on one occasion he was not able to get his young child out in an emergency.

Letter from Michael Santilli, owner of 19 River Street, submitted for the record, in opposition. Exhibit A.

Thimothy Beaudreau, 9 River Street, Vernon, present to speak in opposition of the appeal. Mr. Beaudreau stated that he's been at previous meetings this year, already expressing his objection. He was in attendance tonight to present a letter from another neighbor who could not make it, Suzanne Freniere of 5 River Street. Exhibit B.

Mark Hany, 8 River Street, Vernon, present to speak. Mr. Hany would like to see the business succeed; however, he feels the property could use some cleaning up. He counted today a total of 16 cars. This is not being run as a normal dealership. The property is not paved, there are weeds everywhere, most the cars appear to be junk cars.

Attorney Angliss spoke in rebuttal to comments. Ms. Biedermann mentioned they run a body shop so there's likely to be cars on the lot that they have used for parts. Also, some cars have been in an accident and are a total loss, and it takes time to have them moved. She further mentioned that the cars they sell are older cars, this is their clientele.

Ralph Beidermann commented that Mr. Santilli has reported him to DMV and DEP; both agencies have come out to the property, and not found any problems.

The public hearing was closed and discussion was held.

Jim Ferguson made a motion to deny the appeal from the Order of Remedy, indicating there are more than 7 vehicles on the property, with the stipulation that future actions to bring property into compliance, be done within 60 days, applying to the ZBA by October 19th meeting. Don Schubert seconded the motion, the motion carried by 4-1 vote.

2. WILLIAM SOUCY, 56 HYDE AVENUE, seeking a variance from Section 4.10.4.15 three hundred (300) foot requirement for distance from Kennel to a residence or residential district, to allow operation of a Dog Grooming Salon, in the Industrial Zoning District.

Harry Boyko explained that the applicant does not meet the distance to residence requirement for kennels; they would like to open a Dog Grooming Salon, which falls under the definition of kennels in the Zoning Regulations. He sees no problem with what they would like to do.

William Soucy and Jennifer Olesnovich, 94 Tolland Green, Tolland, present to speak on the application. Mr. Soucy explained that they have been looking in Vernon for property to purchase to open the Dog Grooming Salon, this seems like a perfect fit for them. The property is right on the border of Residential Zone and Industrial Zone; therefore requiring them to get a variance in order to proceed.

Ms. Olesnovich explained that the dogs never remain over night. The building will not contain any facility to accommodate this. Dogs typically stay for just a few hours. The garage would be used for product/storage.

Mr. Russell Hebert of 62 Hyde Avenue present to speak. He mentioned he was originally in opposition, because he read the legal notice that mentioned "kennel". He did however, have questions regarding the water & sewer.

Mr. Soucy responded that they were on well and septic, however they intend on changing over to public water and sewer once purchase is complete.

The hearing was closed and discussion was held.

Carl Slusarczyk questioned the paving of the lot, and renovations. Harry Boyko explained that once the ZBA process is complete, they would need to go through the normal permit process to renovate and open the business. All paving, Building and Zoning requirements would be addressed at that time.

Bruce Skivington made a motion to grant the variance due to location in zones. Carl Slusarczyk seconded the motion, and motion carried by unanimous vote.

Next item on the agenda, approval of the June 15, 2011 meeting minutes.

Jim Ferguson made a motion to approve the June 15, 2011 meeting minutes. Bruce Skivington seconded the motion; the minutes were approved by unanimous vote.

Jim Ferguson made a motion to adjourn the meeting, Bruce Skivington seconded the motion; the meeting was adjourned at 8:05 p.m.

Submitted by: Jennifer Roy