TOWN OF VERNON

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OFFICE OF THE
ZONING BOARD OF APPEALS

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DRAFT Minutes January 18, 2012

Attendees: Bill Francis, Jim Ferguson, Carl Slusarczyk, and Jon Gilluly.

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

The meeting was called to order at 6:28 p.m. and the opening statement was read. Bill Francis informed the applicants that since there are only 4 members of the board, they must obtain unanimous vote to receive variance, they can choose to postpone their hearing to next month's meeting.

Jim Ferguson, Secretary read the agenda:

1. ALLEN & SCRANTON LLC, 74-76 UNION STREET, seeking a variance from Section 4.23.2.3 Area and Yard requirements for construction of a handicap ramp for access and use in the DBR Zoning District.

Attorney Leonard Jacobs present to represent Allen & Scranton LLC. The applicant would like to postpone to February meeting.

2. ROUTE 83 LLC, 400 TALCOTTVILLE ROAD, seeking a variance from Section 12.3.2 Parking Area Setback, to allow reduction of parking from 10' to 0' along the property line in the Commercial Zoning District.

Jim Cassidy, Engineer for Hallisey, Pearson & Cassidy representing Route 83 LLC.

Andy Marchese gave an explanation about the application. The owners of Route 83 LLC would like to divide the lot and build another building; but share the parking lot, reducing the parking from 10' feet requirement to 0' feet.

Mr. Cassidy explained the property currently sits on 6.5 acres; the owners are looking to divide the property and build a 19,097 sq ft retail building, to be occupied by Tractor Supply Company. They will need to add more parking but would combine the parking with existing lot.

The hardship being topography; in keeping with the Town's Plan of Conservation they plan to utilize shared access. Also, they will be 72' feet from the rear property line, where only 25' feet

is required.

No one present to speak in favor.

Archie Damato, of 53 Oakmoor Drive present to speak in opposition of the application. Mr. Damato and his wife Joanne have lived at 53 Oakmoor for nearly 30 years. They are apprehensive about looking out their window and seeing another building. He asked to board to consider a few facts. The owner, Route 83 LLC had received approval from the Planning and Zoning Commission years ago to remove land & gravel from the lot, with conditions, that have not been followed. The result is destroyed vegetation, noise from Route 83, noise from commercial trucks at all hours of the night and early morning.

Mr. Cassidy spoke to what has happened in the past, and what the plans are going forward. There is a bond in place that the Town can call to fix the slope and erosion.

The hearing was closed and discussion was held.

Jim Ferguson made a motion to grant the variance to allow 0' foot parking setback due to topography and lot shape. Jon Gilluly seconded the motion; the motion was approved by unanimous vote.

3. LADD FUNERAL HOME, 19 ELLINGTON AVENUE, seeking a variance from Section 16.2.3 Signs permitted,10 square feet of signage; to allow installation of a 15 square foot business sign in the NR10 Zoning District

Kevin Bowman present to speak on the application for Ladd Funeral Home.

Andy Marchese gave an explanation of the application. The NR10 Zone limits the sign size to 10 square feet. The owner's of the funeral home would like to install a sign that is approximately 15 square feet.

Mr. Bowman explained that their current sign is very small, and makes it hard for patron's to locate them. The new sign, as shown in photo, would make for much better visibility, and it would be installed within the front yard setback requirement.

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

Bill Francis made a motion to grant the variance for 15 square foot sign due to the smaller sign impedes business. Carl Slusarczyk seconded the motion, motion carried by unanimous vote.

Next item on the agenda, approval of the November 16, 2011 meeting minutes.

Carl Slusarczyk made a motion to approve the November 16, 2011 meeting minutes. Jim Ferguson seconded the motion; the minutes were approved by unanimous vote.

Carl Slusarczyk made a motion to adjourn the meeting, Jon Gilluly seconded the motion; the meeting was adjourned at 7:45 p.m.

Submitted by: Jennifer Roy

Jennifer Roy