

**ZONING BOARD OF APPEALS
MINUTES
Regular Meeting
September 10, 2018**

REGULAR MEETING AT 7:30 P.M.

**MUNICIPAL CENTER
ROOM 304
Council Chambers**

PRESENT: P. Autunno, J. Autunno, J. Ricci (alternate), R. Macellaro (alternate),
B. Ouellette

ALTERNATES:

STAFF: Garrett Daigle

ABSENT: John Bossi

I. ROLL CALL

- a. A motion was made by: J. Autunno to elevate the alternates.
- b. Seconded by: P. Autunno
- c. All in Favor 5 to 0 **Motion Passes**

II. UNFINISHED BUSINESS

- a. None

III. PUBLIC HEARINGS

- 1. Application #18-09-01, Administratrix Kristina Sirois of Plainville seeks variances to Article 4 Basic Standards Section 4.01 Off-street Parking and Loading, Sub-section A Off-street Parking, Paragraph 2 Number of Parking Spaces to reduce the number of Residential Park spaces from four (4) to two (2) (2 Kent Street) and reducing the required number of parking spaces for a commercial use from eighteen (18) to eleven (11) (180 Woodford Avenue), Article 2, Business Zones, Section 2.03 Dimensional Standards, Sub-section B Minimum Yard Requirements to reduce the required side yard(s) for a commercial use from 1 of 15/total of 20 to 1 of 10/total of 15, (180 Woodford Avenue), Article 1 Residential Zones, Section 1.04 Use regulations, Sub-section D Common Interest Communities and Multi-family Dwelling, Paragraph 7a Development Standards – Density to reduce the required minimal lot area for the residential parcel from 17,500 sf to 2,660 sf, (2 Kent Street) for properties identified as 180 Woodford Avenue and 2 Kent Street.

William Galske, Esq., presented the proposal (map) explaining that this is part of the Administratrix's late father's estate. The properties for discussion are the Blue Plate

Restaurant and a multi-family dwelling housed in one structure. No changes to the property are being requested. Variances are requested to "draw a line on a map."

The guardrail runs along the northerly portion on the map parallel with Woodford Avenue. A chain link fence behind it separates the restaurant parking from the two family house. The property serves two different uses where each conflicts with the use of the other as far as any improvements to be made.

Mr. Galske passed out a map and pictures of D'Amico's Restaurant which is one block down to the west. D'Amico's parking extends to residential property to the south of it.

The guardrail and chain link fence represent the property line. Multi-dwelling tenants are advised that they have one parking space each which is adjacent to the structure. Restaurant parking extends along Woodford Avenue. The driveway can be extended to allow for more parking.

Mr. Galske said that financing of properties is an issue. When owners look to make substantial upgrades, it is difficult to get financing with banks merging. There are few small community banks left that lend money.

Mr. Galske said that the variance(s) will reduce non-conformity with two conflicting uses butting up against each other.

J. Autunno asked for clarification of the application stating that it involves three variances. Mr. Galske said "yes" that three variances are necessary for the property separation.

The parking for the Blue Plate Restaurant extends along Woodford Avenue and will stay with the restaurant. Parking for the two family house is the driveway along the southerly side of the house on Kent Street. The two family house is currently occupied and tenants use parking in the driveway adjacent to the house. The two family house has 2 car spaces. The driveway can be extended to allow for more parking. Zoning requires two parking spaces per unit. The tenants are aware that they can only have one space each. This is less than what Zoning proposes out of practicality. The parking is well segregated. The two family house is not looking for additional parking spaces from the Blue Plate Restaurant.

Mr. Macellaro asked if the property line goes between the guardrail and the chain link fence. Mr. Galske said that in between the chain link fence there is a cement walkway that goes around to the back of the building.

P. Autunno asked where the existing 18 parking spaces are located for the Blue Plate Restaurant. Mr. Galske said that there are actually 11 parking spaces not 18 as required per the size of the restaurant (non-conformance).

P. Autunno asked if the intent is to sell the properties once they are split. Mr. Galske said "yes".

Mr. Graham Nicholson, owner of the Blue Plate Restaurant, commented that the water main is part of the multi-dwelling and that the meter is in the cellar. He said that there have been no issues with the layout.

P. Autunno closed the public hearing.

2. Application #18-09-02, Jennifer Sehmi of Newington seeks an auto location approval for an automobile repair license as required by Section 15-54 of the Connecticut General Statutes for property located at 195 Street.

Jennifer Sehmi seeks an automobile sales and minor mechanical license at 195 Whiting Street, formerly "Car Doctor". Mr. Sehmi showed a map that he requested from the Department of Motor Vehicle (DMV) and received approval from the DMV. No changes to the property are being requested. Whiting Motors will be the name of the business.

R. Macellaro drove by the property and noticed security tape around the area. Mr. Sehmi explained that this was requested by the landlord to deter theft. The landlord owns a foundation company on the site, that includes a double garage, and storage area.

J. Ricci asked if oil changes and brake repair will be services offered by Whiting Motors. Mr. Sehmi answered "yes" and that the business has a contract and supplies from Clean Harbors for environmental control.

J. Autunno asked for clarification about the number of parking spaces in reference to the application. The application identifies 30 spaces. The DMV map shows 34 spaces. The amounts do not match which means a violation. Mr. Sehmi apologized that it is his mistake. When he asked DMV for the map, he asked for the same parameters that Car Doctor had. He did not update application to show this. The Board agreed to dismiss the oversight and the 34 spaces are approved.

P. Autunno asked the Sehmis if they had an automobile business previously. They answered that they attempted to in Southington but did not get approval for it.

There was no public comment.

P. Autunno closed the public hearing.

3. Application #18-09-03, Donna Theriault of Southington seeks a variance to Article 4 Basic Standards, Section 4.03 Signs, Sub-section 4b Detached Signs, Paragraph ii to reduce the minimum setback distance from any property boundary twelve (12) feet to five (5) for a property known as 63 East Main Street.

Alan Theriault presented the proposal including photos of similar businesses with signs. Mr. Theriault said that the current business, Studio 466, on Route 10 in Plainville is moving to 63 East Main Street (a former bank). The request is for a 2-sided wooden sign in front of the building (4 feet long, 2 feet high) and another at the side of the building. There was a detached Berkshire Hathaway Realty sign in front of the building prior which was much larger than what the Theriaults are requesting.

Mr. William Galske spoke in favor of the Theriaults noting that the signs requested are half the size of the Berkshire Hathaway sign that was on the property previously. Mr. Galske owns property on East Main Street.

P. Autunno closed the public hearing.

IV. NEW BUSINESS

1. Application #18-09-01, Administratrix Kristina Sirois of Plainville seeks variances to Article 4 Basic Standards Section 4.01 Off-street Parking and Loading, Sub-section A Off-street Parking, Paragraph 2 Number of Parking Spaces to reduce the number of Residential Park spaces from four (4) to two (2) (2 Kent Street) and reducing the required number of parking spaces for a commercial use from eighteen (18) to eleven (11) (180 Woodford Avenue), Article 2, Business Zones, Section 2.03 Dimensional Standards, Sub-section B Minimum Yard Requirements to reduce the required side yard(s) for a commercial use from 1 of 15/total of 20 to 1 of 10/total of 15, (180 Woodford Avenue), Article 1 Residential Zones, Section 1.04 Use regulations, Sub-section D Common Interest Communities and Multi-family Dwelling, Paragraph 7a Development Standards – Density to reduce the required minimal lot area for the residential parcel from 17,500 sf to 2,660 sf, (2 Kent Street) for properties identified as 180 Woodford Avenue and 2 Kent Street.

A motion was made to bring the application to the table by: J. Autunno

Seconded by: R. Macellaro

The board discussed the application and agrees that it is a reasonable request. Mr. Galske said that the variance(s) will reduce non-conformity with two conflicting uses butting up against each other and will make it easier to sell properties in the future.

All in Favor 5 to 0

Motion Passes

2. Application #18-09-02, Jennifer Sehmi of Newington seeks an auto location approval for an automobile repair license as required by Section 15-54 of the Connecticut General Statutes for property located at 195 Street

A motion was made to bring the application to the table by: J. Autunno

Seconded by: R. Macellaro

The board discussed the application and agrees that it is a reasonable request. The board dismissed an error regarding the number of parking spaces being requested by the applicant. The 34 parking spaces requested, based on the previous owner, Car Doctor, is agreed to.

All in Favor 5 to 0

Motion Passes

3. Application #18-09-03, Donna Theriault of Southington seeks a variance to Article 4 Basic Standards, Section 4.03 Signs, Sub-section 4b Detached Signs, Paragraph ii to reduce the minimum setback distance from any property boundary twelve (12) feet to five (5) for a property known as 63 East Main Street

A motion was made to bring the application to the table by: J. Autunno

Seconded by: R. Macellaro

The board discussed the application and agrees that it is a reasonable request. The request is for a 2-sided wooden sign in front of the building (4 feet long, 2 feet high) and another at the side of the building. Mr. Galske, who owns property on East Main Street, spoke in favor of the signs being presented in the application.

All in Favor 5 to 0

Motion Passes

4. ELECTION OF OFFICERS

The board appointed Mr. Ouellette as Secretary.

5. MINUTES

Motion to approve the minutes of July 9, 2018 as written by: J. Autunno

Seconded by: R. Macellaro

All in Favor 5 to 0

Minutes Approved

6. EXECUTIVE SESSION – None

7. BILLS AND COMMUNICATIONS

Goodwill Industries will be requesting a variance for signage on 2 sides of the building at a future meeting.

8. ADJOURNMENT

A motion was made by: J. Bossi to adjourn the meeting at 8:12 pm.

Seconded by: B. Ouelette

All in Favor 5 to 0

Meeting adjourned at 8:12 pm

Respectfully Submitted,

Dawn Guite

Dawn Guite
Acting Recording Secretary

ZBA 9-10-18

Regular Meeting