

AGENDA – August 10, 2020 (Revised 7/28/20)

**PUBLIC NOTICE:** There are two (2) ways to submit Public Comments to the Zoning Board of Appeals:

- 1) Email: [zpubliccomments@plainville-ct.gov](mailto:zpubliccomments@plainville-ct.gov)  
Please submit comments by 3:00 pm Monday, August 10.
- 2) Voice Mail Message: 860-793-3256 (3-minute limit)

**PUBLIC PARTICIPATION INFORMATION – DAY OF MEETING**

- Join Zoom Meeting
- <https://us02web.zoom.us/j/86061493079?pwd=dXFYZ0hpaDRnQmJYNkc3eFV2L3NaQT09>
- 
- Meeting ID: 860 6149 3079
- Password: 176737
- One tap mobile
- +13126266799,,86061493079#,,1#,176737# US (Chicago)
- +16465588656,,86061493079#,,1#,176737# US (New York)
- 888 788 0099 US Toll-free
- 877 853 5247 US Toll-free

**ZONING BOARD OF APPEALS  
PLAINVILLE, CONNECTICUT  
REGULAR MEETING  
August 10, 2020**

**REGULAR MEETING AT 7:30 P.M.**

**TOWN OF PLAINVILLE  
Virtual Meeting**

A. ROLL CALL:

B. UNFINISHED BUSINESS: None

C. PUBLIC HEARINGS:

- A. Application #20-04-01 William Supinski of 140 New Britain Avenue seeks a variance to Article 2 Business Zones, Section 2.04 Use Regulations, Sub-section I Storage Trailers, Paragraph 1 to permit the presence and use of box or open trailer(s) as a structure in a General Commercial Zone for a property identified as 140 New Britain Avenue
- B. Application #20-08-01 North American Holdings LLC seeks a variance to Article I Residential Zones, Section I.04 Use Regulations, Sub-Section D Common Interest Communities and Multi-Family Dwellings, Paragraph 3a Unit Density to permit the construction of two (2) residential units, (multi-family structure), on an existing lot consisting of 12,197 square feet in a residential zone requiring 11,000 square feet of lot area per unit for a property identified as 7 Washington Street.

D. NEW BUSINESS

A. Request to approve Application #20-04-01 William Supinski of 140 New Britain Avenue seeking a variance to Article 2 Business Zones, Section 2.04 Use Regulations, Sub-section I Storage Trailers, Paragraph 1 to permit the presence and use of box or open trailer(s) as a structure in a General Commercial Zone for a property identified as 140 New Britain Avenue

B. Request to approve Application #20-08-01 North American Holdings LLC seeking a variance to Article 1 Residential Zones, Section 1.04 Use Regulations, Sub-Section D Common Interest Communities and Multi-Family Dwellings, Paragraph 3a Unit Density to permit the construction of two (2) residential units, (multi-family structure), on an existing lot consisting of 12,197 square feet in a residential zone requiring 11,000 square feet of lot area per unit for a property identified as 7 Washington Street.

E. MINUTES: Approval of the Minutes of June 8, 2020

F. EXECUTIVE SESSION – None

G. BILLS AND COMMUNICATIONS:

H. ADJOURNMENT

**RECEIVED**

JUL 28 2020

*Carla Abucay*  
TOWN CLERK

**ZONING BOARD OF APPEALS  
MINUTES  
REMOTE MEETING - COVID-19  
June 8th, 2020**

**REGULAR MEETING AT 7:30 P.M.  
MUNICIPAL CENTER**

**TELECONFERENCE**

**PRESENT:** Brian Ouellette (telephone), J. Autunno (video and audio), R. Michalik (video and audio), and P. Autunno Jr (video and audio).

**STAFF:** John Bossi, Town Engineer, Garrett Daigle, Assistant Town Planner

**ALTERNATES:** R. Macellaro

**ABSENT:** S. Shaw (excused), Garrett Daigle, Assistant Town Planner (excused)

**I. ROLL CALL:**

There was quorum

**II. UNFINISHED BUSINESS:**

None

**III. PUBLIC HEARING:**

- A. Application #20-04-01 William Supinski of 140 New Britain Avenue seeks a variance to Article 2 Business Zones, Section 2.04 Use Regulations, Sub-section

I Storage Trailers, Paragraph 1 to permit the presence and use of box or open trailer(s) as a structure in a General Commercial Zone for a property identified as 140 New Britain Avenue

Applicant was not present.

- B. Application #20-04-04 Three on Whiting Street LLC seeks a variance to Article 2 Business Zones, Section 2.03 Dimensional Standards, Sub-section B Minimum Yard Requirements to reduce the northerly side yard requirement from twenty (20') feet to ten (10') feet for a undeveloped property identified as Map 39 Block E Lot 10-2.

Attorney Barry Thompson, representing the applicant, presented plans to the commission. There are some concerns with surrounding neighbors and property overlapping. This layout will provide more onsite storage.

- C. Application #20-06-01 Michael Henderson, TNT Fireworks, Half Moon New York seeks variance in accordance with Article 8, Administration, Section 8.06 Board of Appeal, Sub-section 1C to vary the Zoning Regulations on a temporary basis to operate a commercial operation, from June 19, 2020 to July 6, 2020, for the sale of fireworks, without the required site plan approval from the from the Planning and Zoning Commission for a property known as 282 New Britain Avenue

Applicant was present via audio. Michael Henderson went over the COVID-19 precautions from June 19th to July 6th. There will be minor customer interaction as well as mask and glove requirements.

- D. Application #20-06-02 Juan Carlos Juarez of 81 Pershing Drive seek a variance to Article 1 Residential Zones, Section 1.03 Dimensional Standards, Sub-section B Minimum Yard Requirements – Front Yard to reduce the minimum front yard setback from twenty-four (24') feet to eighteen (18') feet for the purposes of constructing a front porch for a property at 81 Pershing Drive

Juan Carlos, the applicant, was present. Juan Carlos is looking to reduce the front yard from twenty-four (24') feet to eighteen (18') feet for the purposes of constructing a front porch. The porch will be built entirely of wood as seen in the site plan presented to the commission.

#### **IV. NEW BUSINESS:**

- A. Request to approve Application #20-04-01 William Supinski of 140 New Britain Avenue seeking a variance to Article 2 Business Zones, Section 2.04 Use Regulations, Sub-section I Storage Trailers, Paragraph 1 to permit the presence and use of box or open trailer(s) as a structure in a General Commercial Zone for a property identified as 140 New Britain Avenue

**A motion was made by: J. Autunno** to continue the application at the next meeting.

**Seconded by: B. Ouellette**

**All in Favor 5-0 Motion Passes**

- A. Request to approve Application #20-04-04 Three on Whiting Street LLC seeks a variance to Article 2 Business Zones, Section 2.03 Dimensional Standards, Sub-section B Minimum Yard Requirements to reduce the northerly side yard requirement from twenty (20') feet to ten (10') feet for a undeveloped property identified as Map 39 Block E Lot 10-2

**A motion was made by: R. Macellaro** to approve Application #20-04-04 Three on Whiting Street LLC seeks a variance to Article 2 Business Zones, Section 2.03 Dimensional Standards, Sub-section B Minimum Yard Requirements to reduce the northerly side yard requirement from twenty (20') feet to ten (10') feet for a undeveloped property identified as Map 39 Block E Lot 10-2.

**Seconded by: J. Autunno**

**All in Favor 5-0 Motion Passes**

- B. Request to approve Application #20-06-01 Michael Henderson, TNT Fireworks, Half Moon New York seeking a variance in accordance with Article 8, Administration, Section 8.06 Board of Appeal, Sub-section 1C to vary the Zoning

Regulations on a temporary basis to operate a commercial operation, from June 19, 2020 to July 6, 2020, for the sale of fireworks, without the required site plan approval from the from the Planning and Zoning Commission for a property known as 282 New Britain Avenue

**A motion was made by: R. Michalik** to approve Application #20-06-01 Michael Henderson, TNT Fireworks, Half Moon New York seeking a variance in accordance with Article 8, Administration, Section 8.06 Board of Appeal, Sub-section 1C to vary the Zoning Regulations on a temporary basis to operate a commercial operation, from June 19, 2020 to July 6, 2020, for the sale of fireworks, without the required site plan approval from the from the Planning and Zoning Commission for a property known as 282 New Britain Avenue

**Seconded by: R. Macellaro**

**All in Favor 5-0 Motion Passes**

C. Request to approve Application #20-06-02 Juan Carlos Juarez of 81 Pershing Drive seeking a variance to Article 1 Residential Zones, Section 1.03 Dimensional Standards, Sub-section B Minimum Yard Requirements – Front Yard to reduce the minimum front yard setback from twenty-four (24') feet to eighteen (18') feet for the purposes of constructing a front porch for a property at 81 Pershing Drive

**A motion was made by: J. Autunno** to approve Application #20-06-02 Juan Carlos Juarez of 81 Pershing Drive seeking a variance to Article 1 Residential Zones, Section 1.03 Dimensional Standards, Sub-section B Minimum Yard Requirements – Front Yard to reduce the minimum front yard setback from twenty-four (24') feet to eighteen (18') feet for the purposes of constructing a front porch for a property at 81 Pershing Drive

**Seconded by: R. Michalik**

**All in Favor 5-0 Motion Passes**

## **V. MINUTES:**

**A motion was made by: R. Michalik** to approve the minutes of April 13, 2020 with corrections.

**Second by: R. Macellaro**

All in favor 5-0

Motion Passes

**VI.EXECUTIVE SESSION:**

None

**VII.BILLS AND COMMUNICATIONS:**

None

**VIII.ADJOURNMENT:**

Motion to adjourn by: J. Autunno

Second by: R. Michalik

All in Favor 5-0 Motion Passes, Meeting adjourned at 8:25 pm

Respectfully Submitted.

*Amber Viteri*

Amber Viteri

Recording Secretary



**TOWN OF PLAINVILLE  
ZONING BOARD OF APPEALS  
APPLICATION**

For Board Use Only: Application # \_\_\_\_\_ Date of Hearing: \_\_\_\_\_ Approved  Denied

Property address: 140 NEW BRITAIN AVE Map: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

Acreage: \_\_\_\_\_ Zone(s): \_\_\_\_\_ Is the property within 500' of a Municipal Boundary?  Yes  No

Applicant/Agent: WILLIAM J SUPINSKI Telephone: 860-314-1518

Address: 140 NEW BRITAIN AVE PLAINVILLE CT 06062 Email: PERMITS@TMSLLC.BIZ  
OWNER (BILL KAPURA-140 NEW BRITAIN AVENUE)

Owner: TENANT NICHOLAS DELLASRA Telephone: 860-314-1518

Address: 140 NEW BRITAIN AVE PLAINVILLE CT 06062 Email: PERMITS@TMSLLC.BIZ

Legal description of premise can be found in the Plainville Land Records in Volume \_\_\_\_\_ Page \_\_\_\_\_

Reason for appeal:  Variance to Zoning Regulations  Appeal from the Decision of the ZEO

Appeal based on Zoning Regulations: Section(s), Number(s), or Article(s): \_\_\_\_\_

STATE THE SECTION # AND DESCRIBE THE REGULATION YOU ARE SEEKING RELIEF FROM

To allow: STORAGE CONTAINER NEEDED FOR DAILY BUSINESS STORAGE  
TO CONDUCT BUSINESS OPERATIONS BE ALLOWED ON PROPERTY  
STATE WHAT YOU SEEK IN LIEU OF WHAT IS REQUIRED

State any hardships: BUILDING IS AT CAPACITY EVEN WITH TWO PLAINVILLE LOCATIONS  
WITHOUT USE OF THIS STORAGE WE WOULD FACE UNDER HARDSHIP AND HAVE  
THE POSSIBILITY OF MOVING BOTH PLAINVILLE LOCATIONS ELSEWHERE putting up to 75  
LAW REQUIRES THAT A VARIANCE MAY ONLY BE GRANTED IF A HARDSHIP TO THE LAND EXISTS FBS AT RISK

The undersigned certify the truth of all statements made in connection with this application and consent to inspection of the subject property by the board or its staff. They also agree that no substantially similar application may be presented to the board for a period of six (6) months. All correspondence will be sent to the Applicant's Agent or to the Applicant if no agent is designated.

[Signature]  
Applicant's Signature

2/26/2020  
Date

WILLIAM J SUPINSKI  
Applicant's Printed Name

[Signature]  
Owner's Signature

2-26-20  
Date

BILL KAPURA  
Owner's Printed Name

Town of Plainville

Attn ZBA

RE: Variance for 140 New Britain Ave Plainville CT 06062

To Whom it may concern:

I Bill Kapura, owner of 140 New Britain Ave LLC give permission to agent

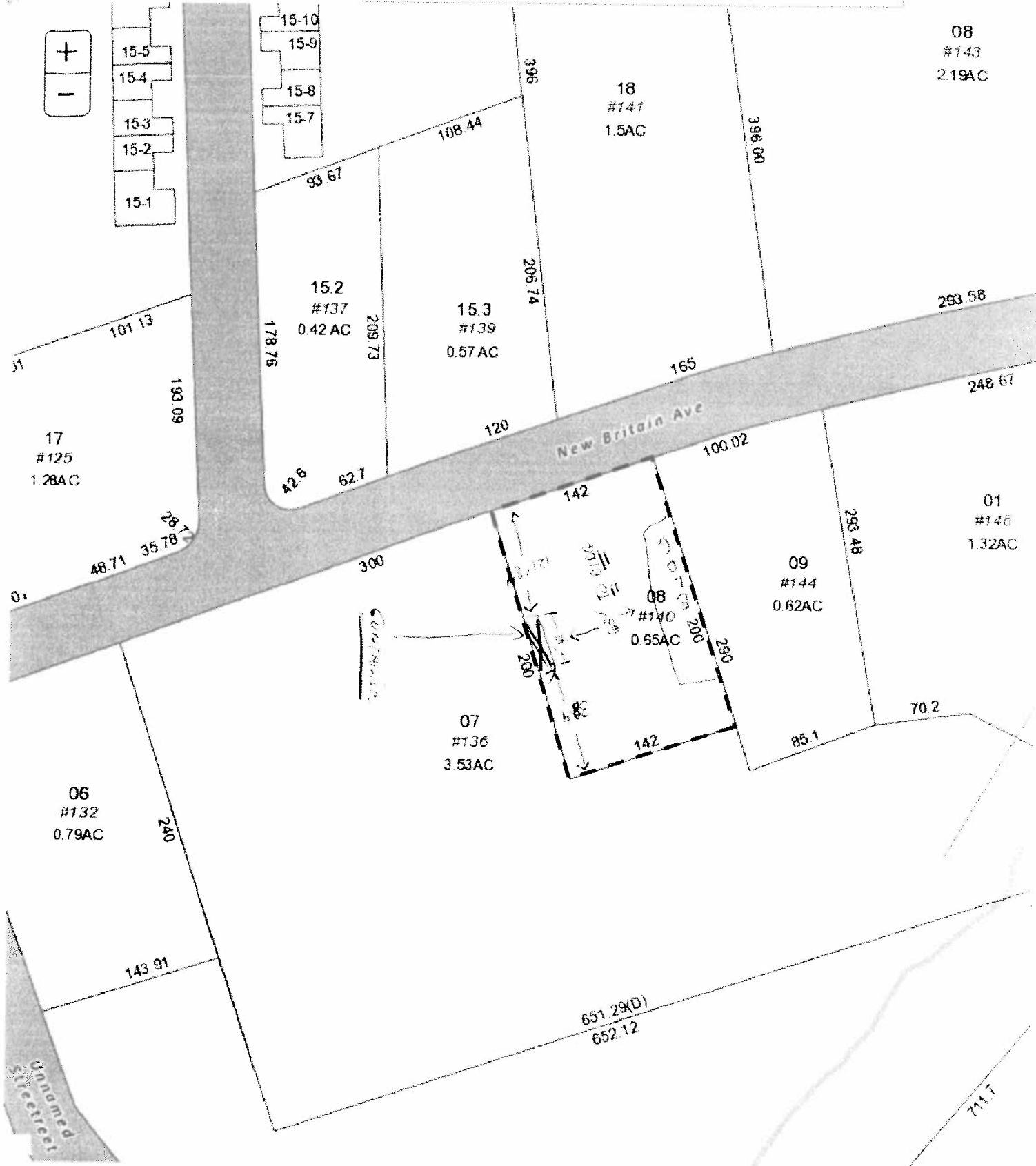
William J Supinski to act on my behalf in the ZBA Variance process for my tenant Nicholas Dellaera

DBA Total Mechanical Systems LLC 140 New Britain Ave Plainville CT 06062.



Owner – 140 New Britain Ave LLC

Full Town View
 Reset Map
 Search
 Map Layer



Full Extent    Zoom In    Zoom Out    Prev Extent    Next Extent    Pan    **Parcel Information**    Simple

MapXpress v1.2

# TOWN OF PLAINVILLE ZONING BOARD OF APPEALS APPLICATION

For Board Use Only: Application # \_\_\_\_\_ Date of Hearing: \_\_\_\_\_ Approved  Denied

Property address: 7 Washington Street Map: 28 Block: A Lot(s): 2.1

Acreage: .28 Zone(s): R-11 Is the property within 500' of a Municipal Boundary?  Yes  No

Applicant/Agent: North American Holdings, LLC Telephone: 860-883-8597

Address: 342 East Street, Plainville, CT 06062 Email: BF911CZ@aol.com

Owner: same Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Legal description of premise can be found in the Plainville Land Records in Volume 570 Page 912

Reason for appeal:  Variance to Zoning Regulations  Appeal from the Decision of the ZEO

Appeal based on Zoning Regulations: Section(s), Number(s), or Article(s): 1.04, D. 3. a., density-  
a two family residential building requires twice the lot area of a single family building.

STATE THE SECTION # AND DESCRIBE THE REGULATION YOU ARE SEEKING RELIEF FROM

To allow: A two (2) family residential building on 12,197 sq. ft. in lieu of  
22,000 sq. ft. required. A former residential building on the  
property burned to the ground approximately eight (8) years ago.  
STATE WHAT YOU SEEK IN LIEU OF WHAT IS REQUIRED

State any hardships: The property is not conducive to a single family house  
because the neighboring property uses a 23' wide two-way common  
driveway for access on the subject site (based on historical usage).  
LAW REQUIRES THAT A VARIANCE MAY ONLY BE GRANTED IF A HARDSHIP TO THE LAND EXISTS  
Also, a storm drain is situated on the southwest corner of the lot,

southeast

The undersigned certify the truth of all statements made in connection with this application and consent to inspection of the subject property by the board or its staff. They also agree that no substantially similar application may be presented to the board for a period of six (6) months. All correspondence will be sent to the Applicant's Agent or to the Applicant if no agent is designated.

By [Signature]  
Applicant's Signature

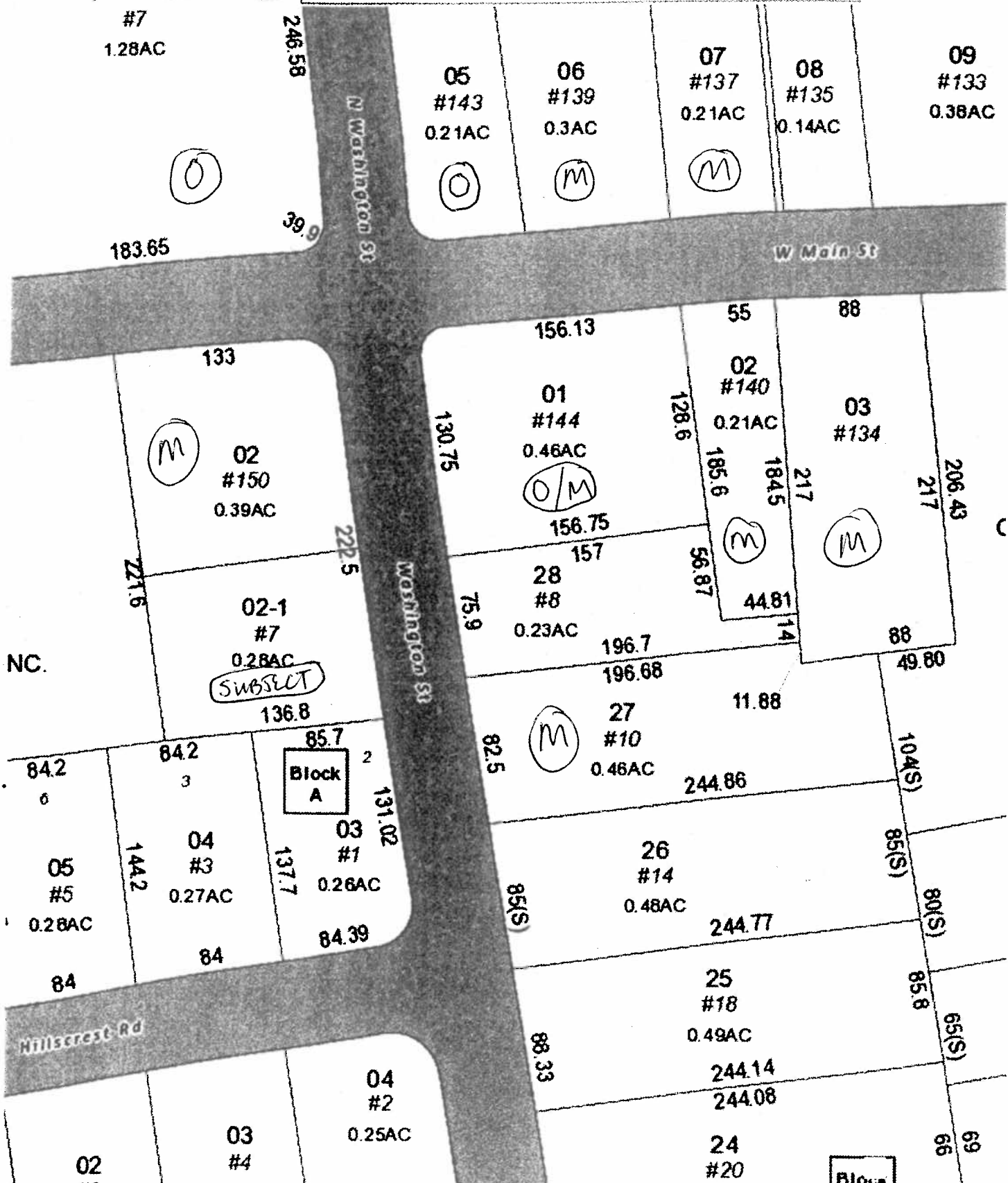
6/12/20  
Date

Brad Finocchio, Member  
Applicant's Printed Name

By [Signature]  
Owner's Signature

6/12/20  
Date

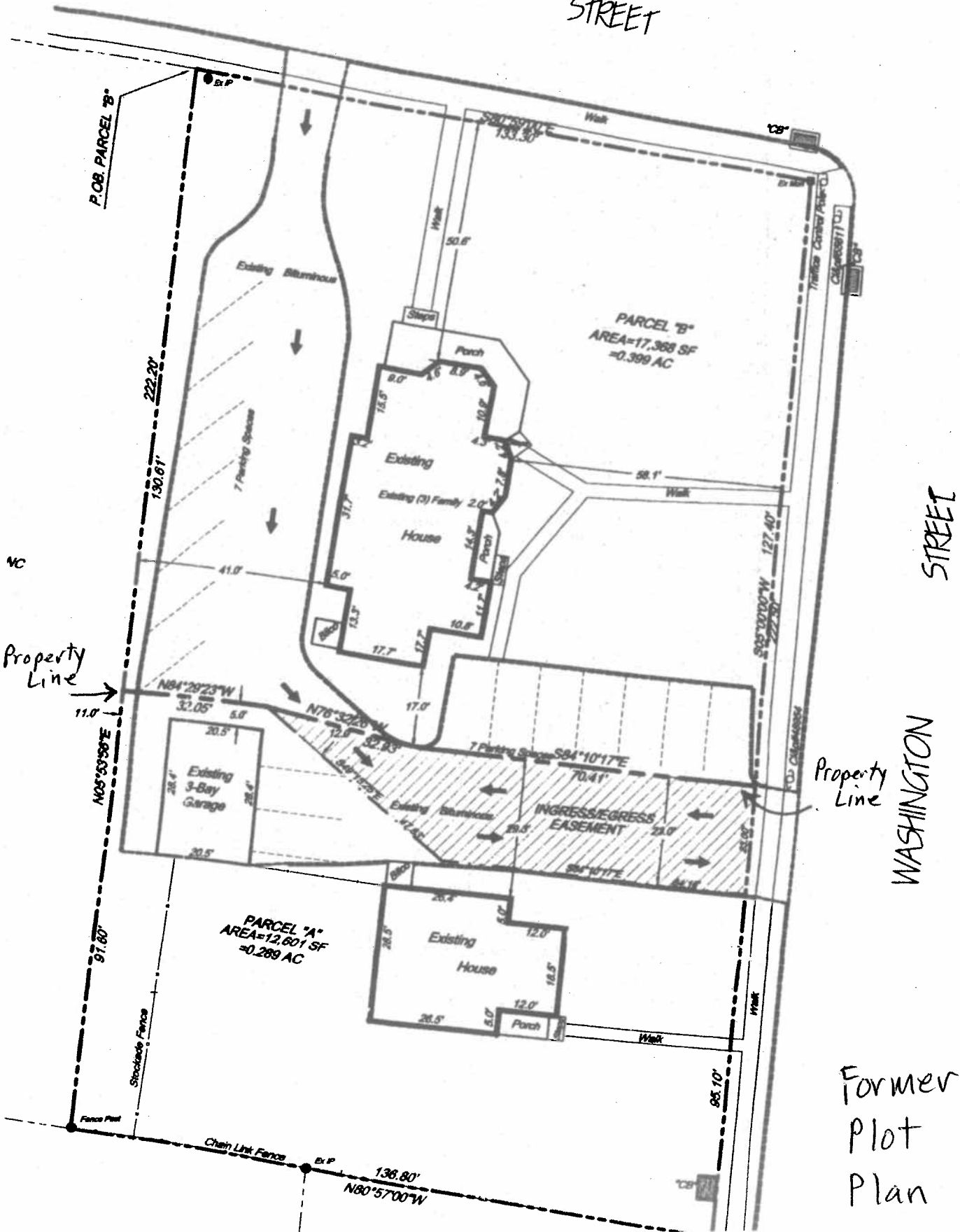
Brad Finocchio, Member  
Owner's Printed Name



n Out    Prev Extent    Next Extent    Pan    **Parcel Information**    Simple Measure    Path Measure

O = Office    M = Multifamily

WEST MAIN STREET

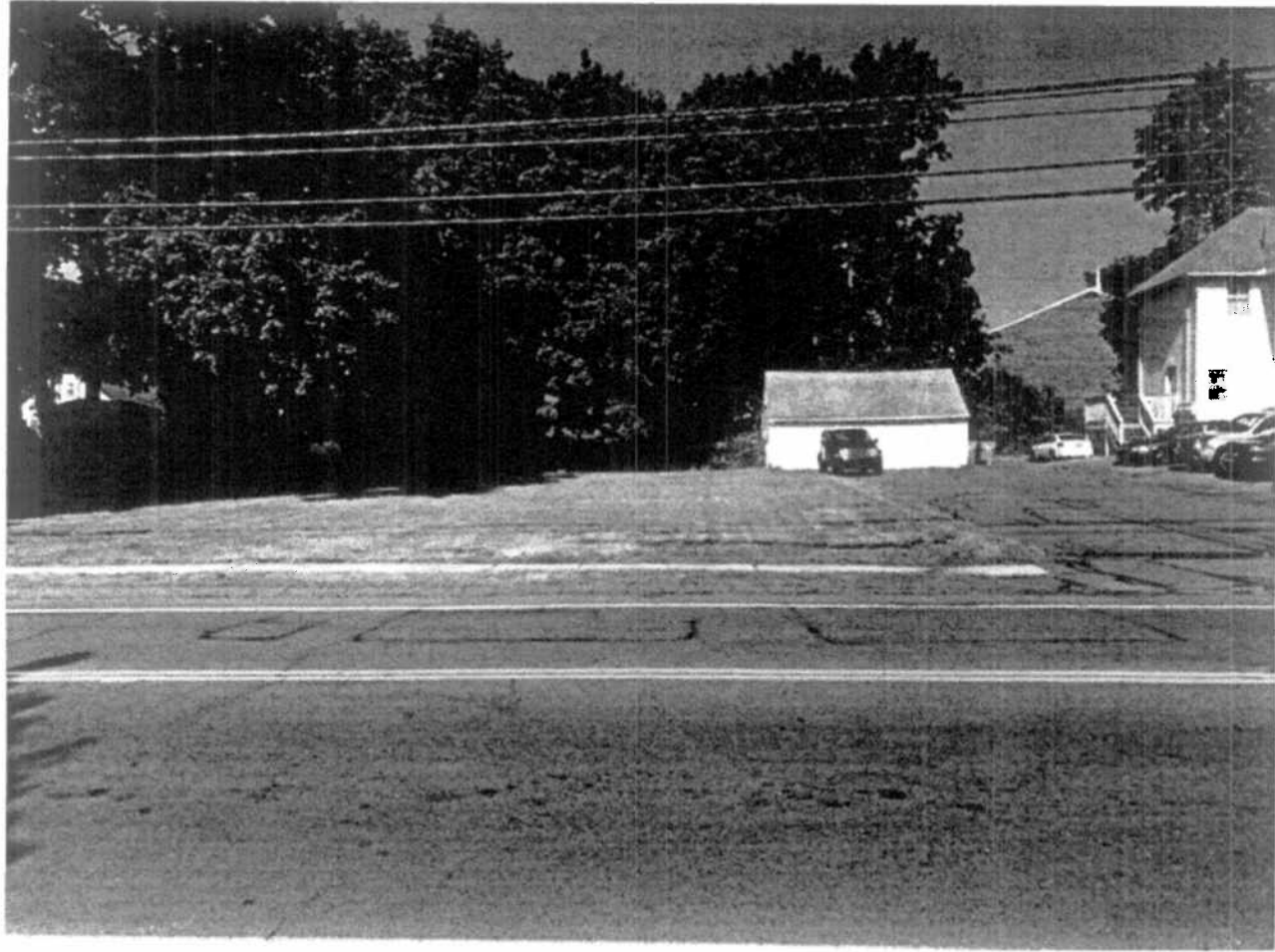


WASHINGTON STREET

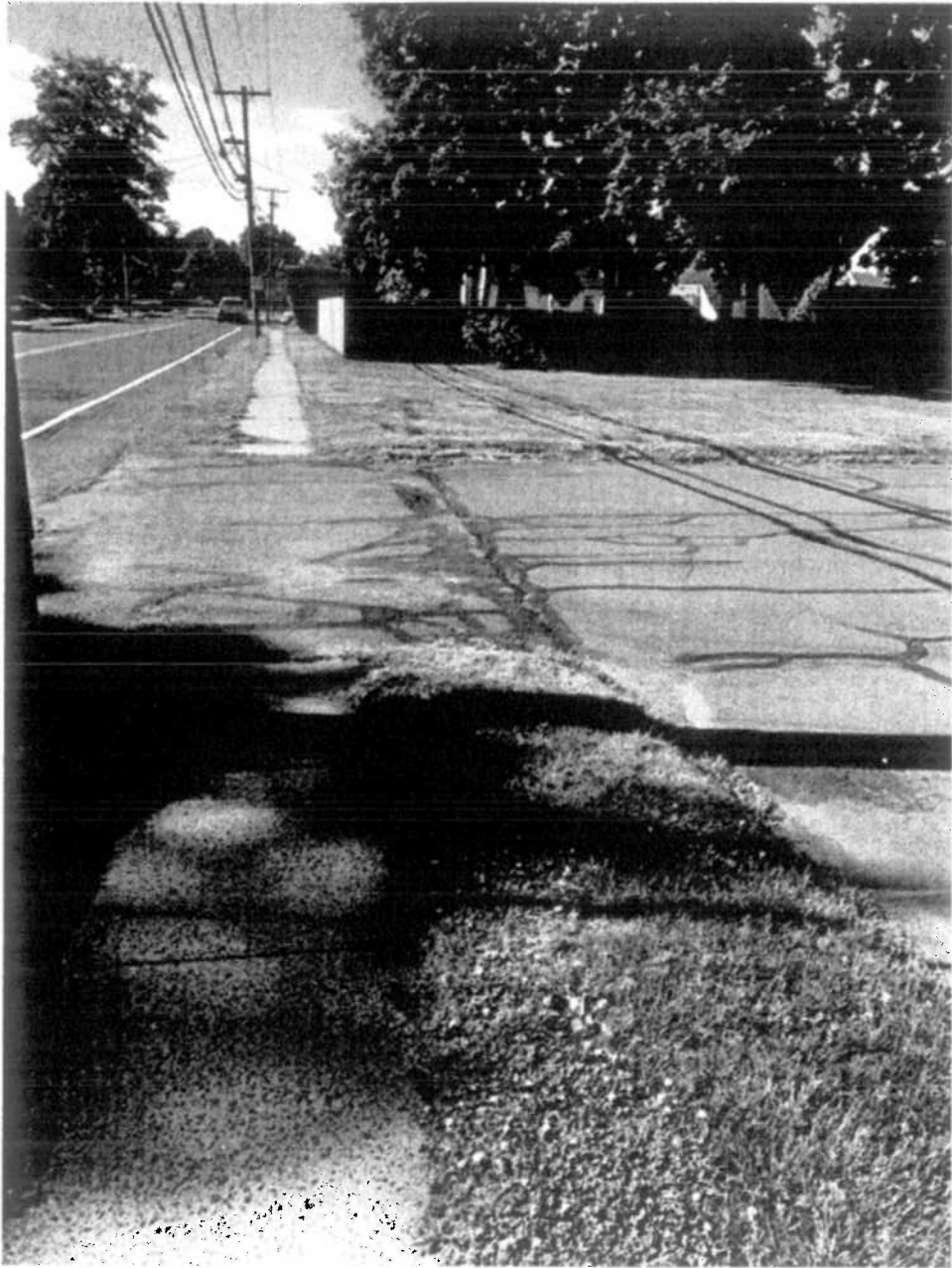
Former Plot Plan

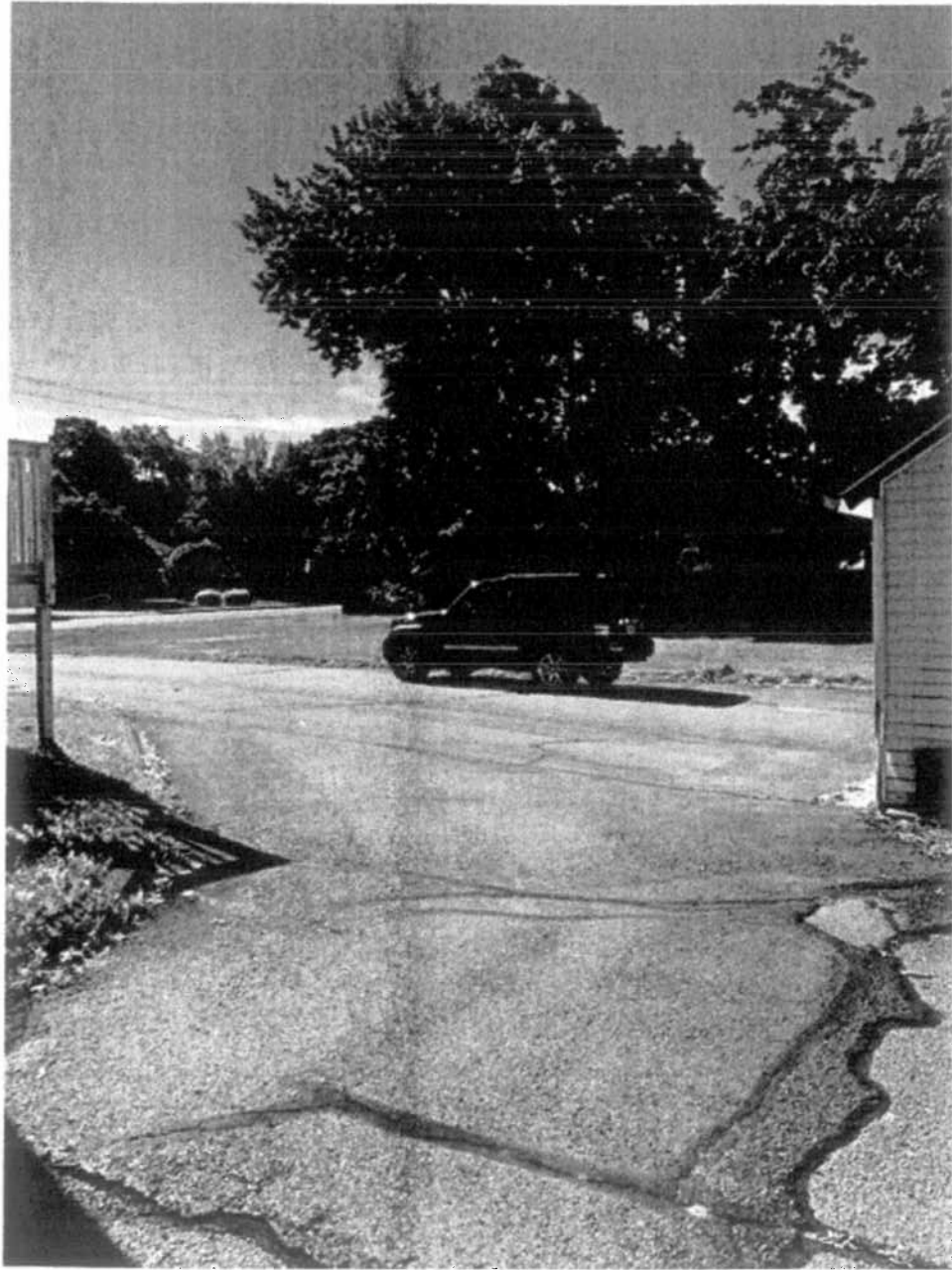


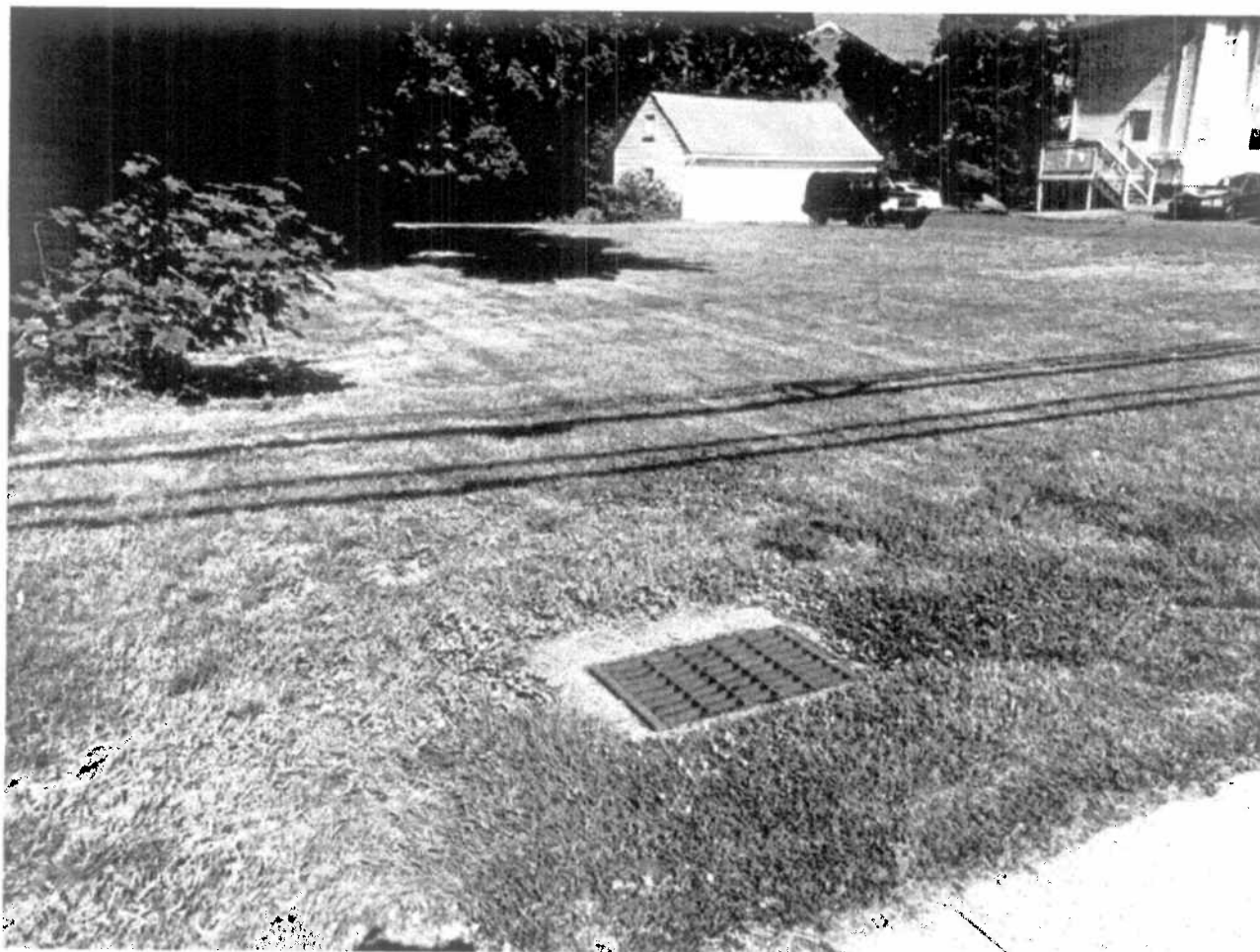
Source: CTMLS, Inc.











Variance Narrative- 7 Washington Street

Applicant: North American Holdings, LLC

Seeking an area variance to construct a two-family home on 12,197 sq. ft. in lieu of required 22,000 sq. ft. (See #1- photo of proposed house)

Property purchased in 2014 in its present state- just garage - from Alice Foley. (See #2, photo from street).

While owned by Mrs. Foley there was a house on the property used as a two family. In 2012, the house was demolished following a significant fire with a fatality.

Prior to that, this property and the property to the north, improved with a three-family house, were combined as one parcel- two houses containing 5 dwelling units on one lot. (See #3 – Former Plot Plan Before Split)

The driveway configuration was the same- one driveway continuous from West Main Street, to the west side of the three family house, then turning 90° and running out to Washington Street as two-way ingress and egress. Both houses used the continuous driveway.

In 2009 Mrs. Foley was granted permission to split the property so that each house would have its own parcel of land. She obtained a variance for the three family house to be on 17,368 sq. ft. in lieu of 33,000 sq. ft. The variance and division of the land was unperceivable to passersby because the improvements were already existing – 2 houses, driveway, parking areas. See #4 - Former Plot Plan Before Fire- a. Property line b. Houses. c. Thru driveway d. Parking spots. e. Driveway easement.

Photos- See # 5, thru driveway (garage on right). See # 6, driveway entrance on Washington Street and parking for three family house. See # 7 – curb cut looking south on Washington Street).

The present request seeks to reestablish what was there- two houses on separate lots with shared driveway and dedicated parking. See # 8 - Proposed plot plan with blow-up- #9. House is moved back further from the road, shared driveway, dedicated parking.

Hardship issue- the lot, with a shared driveway, and is not a good candidate for a single family house because of the driveway and parking configuration. It is not an appropriate situation for a family or children because of the common driveway. It is more akin to a small apartment complex.

And, it is not practically possible to install another driveway on the southern part of the lot with a new driveway cut onto Washington Street because of the presence of a substantial catch basin in the lawn and inside the sidewalk. (See # 10 photo of catch basin.)

We believe the colonial design of the proposed house will be in conformity with the character of the neighborhood. (See # 11 – Inventory of neighboring properties.)

If approved, the next step would be an application to the PZC for approval of a special exception for a two family house. As a special exception, that will also require a public hearing.

# 1



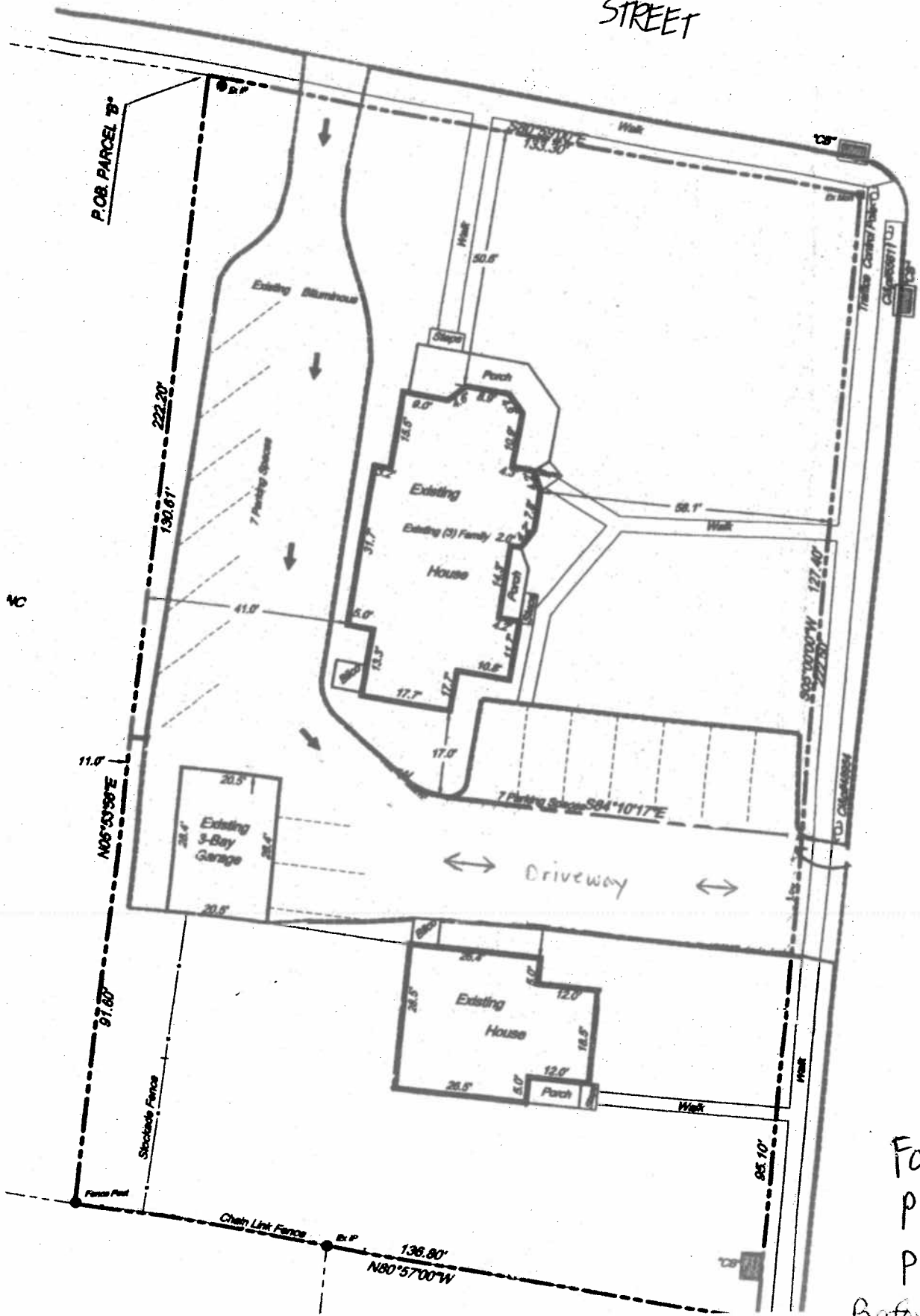
Source: CTMLS, Inc.

#2



WEST  
MAIN  
STREET

#3



WASHINGTON  
STREET

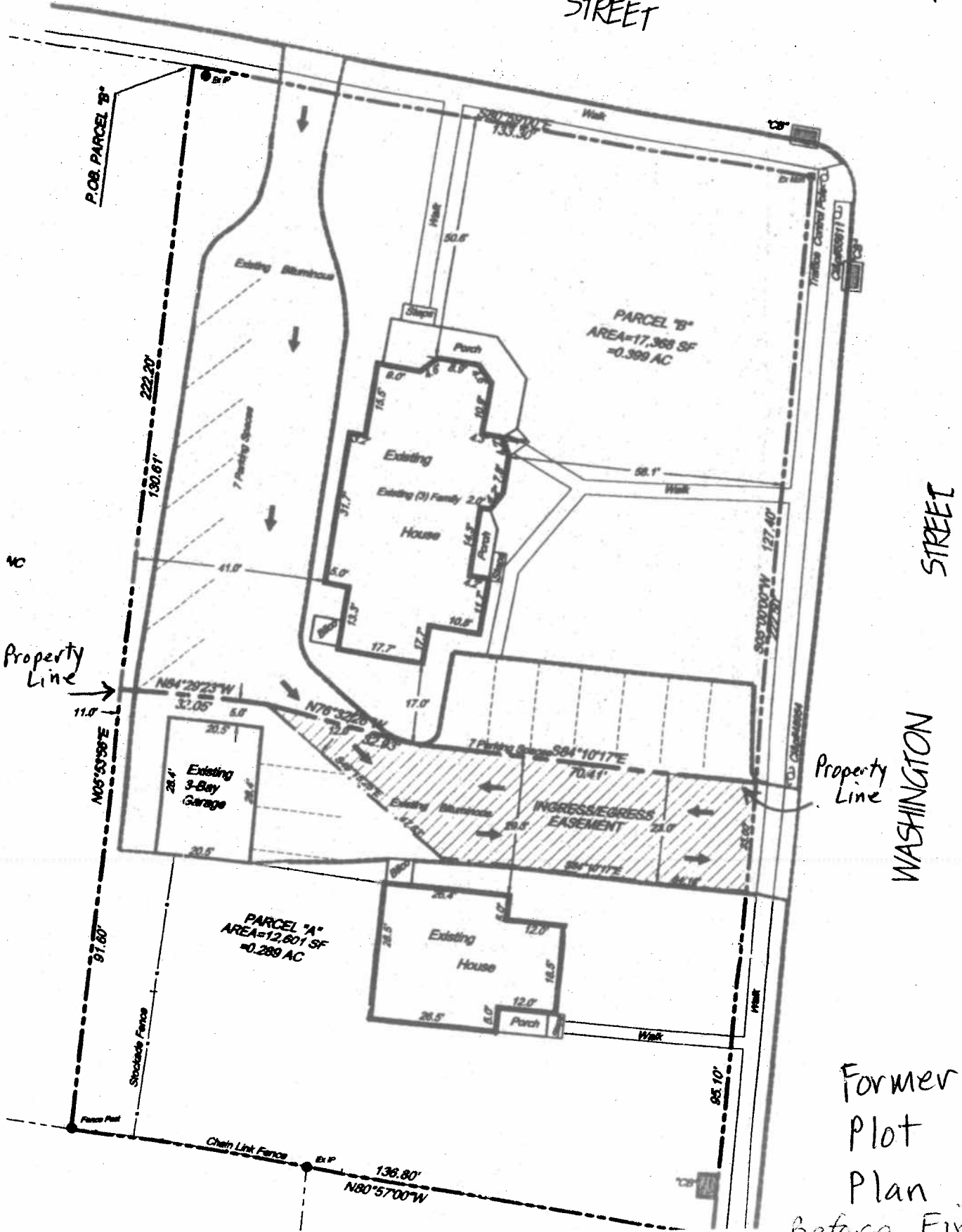
Former  
Plot  
Plan  
Before Split

WEST

MAIN

STREET

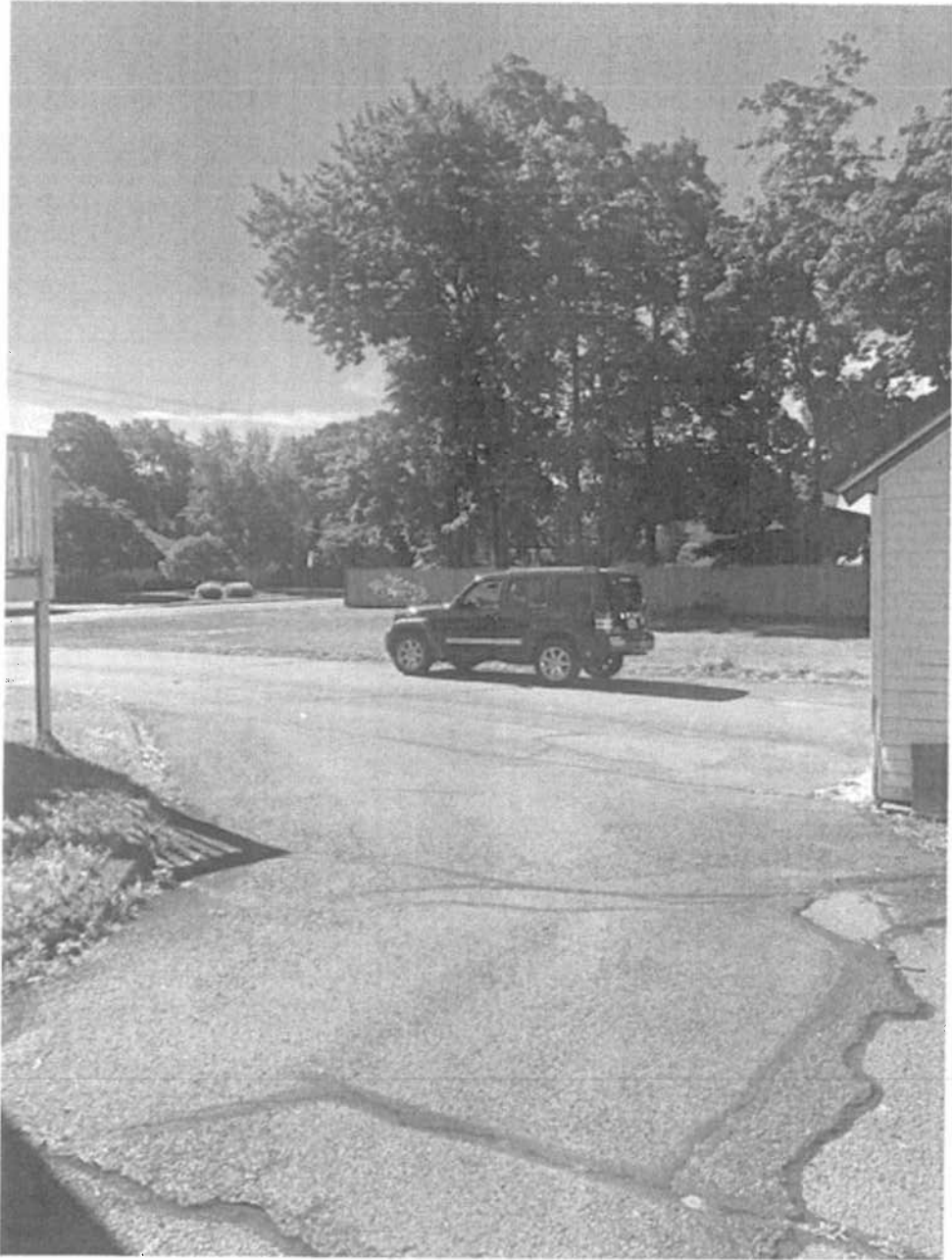
#4



Former Plot Plan Before Fire



#5



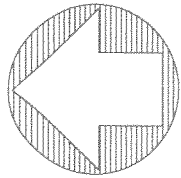
#6



#7



# 8



NORTH

**cole**

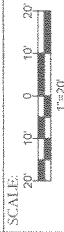
HARRY E. COLE & SON  
engineering, surveying, planning

876 South Main Street  
P.O. Box 44  
Plainville, CT 06479-0044  
Tel: (860) 628-4484  
Fax: (860) 620-0196  
www.hecole.com

PLOT PLAN

7 Washington Street  
Plainville, Connecticut

PREPARED FOR:  
NORTH AMERICAN  
HOLDINGS, LLC



Date: June 12, 2020

Project #: 1825

Drawn By: JML

Approved By: BNB

Revisions:

Date:

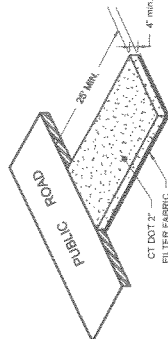
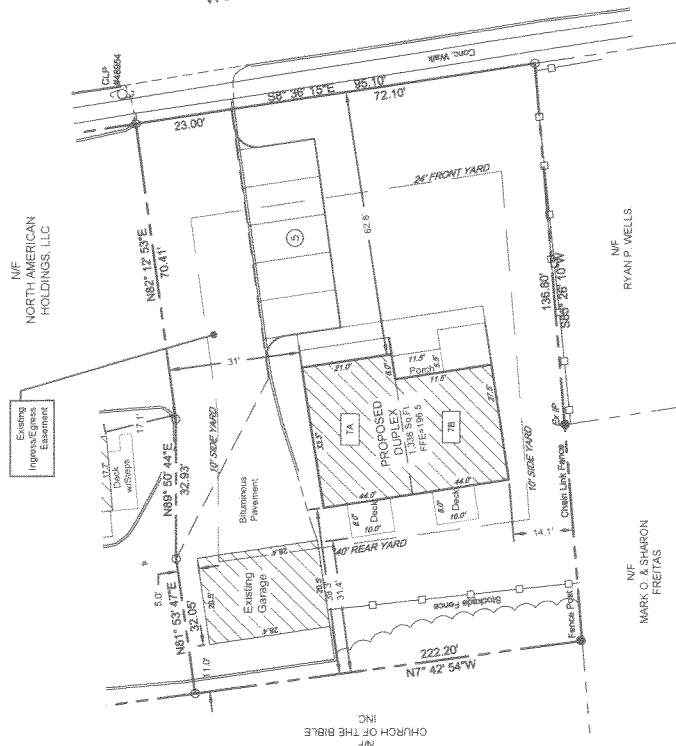
Descriptions:

SHEET #:

P1.1

**LEGEND**

- Existing utility pole
- Existing light pole
- Existing fire hydrant
- Proposed fire hydrant
- Existing water valve
- Existing gas valve
- Existing underground pipe
- Existing tree line
- Existing edge of pavement
- Proposed curbing
- Existing/Proposed well
- Existing catch basin
- Proposed catch basin
- Existing drainage manhole
- Proposed drainage manhole
- Existing sanitary manhole
- Proposed sanitary manhole
- Proposed catch basin
- Proposed manhole
- Existing utility box
- Existing contour
- Existing spot elevation
- Proposed contour
- Proposed spot elevation
- Deep test location
- Percolation test location
- Grade to drain
- Proposed Drainage Pipe



To the best of my knowledge and belief, this map is substantially correct as noted hereon.

Stephen M. Gludice, L.S.  
670145 Reg. No.  
NOT VALID UNLESS EMBOSSED SEAL OR STAMP IS AFFIXED HERETO

Barton N. Boyce, P.E.  
413853 Reg. No.  
NOT VALID UNLESS EMBOSSED SEAL OR STAMP IS AFFIXED HERETO

CONSTRUCTION ENTRANCE DETAIL  
N.T.S.

**SURVEY NOTES:**

- This map has been prepared pursuant to the Regulation of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996.
- Type of survey performed: Improvement Location Survey - Proposed
- Boundary determination category: Dependent Resurvey  
Class of accuracy:  
Horizontal: A-2
- The intent of this map is to depict the position horizontally and, where required vertically, between particular existing or proposed improvements with respect to the applicable municipal or statutory requirements.
- Map References
- "Map Showing Lot Split for Alice G. Foley, West Main & Washington Street Plainville, Connecticut. Scale: 1"=20'. Dated: 07/29/09. Approved by James E. Jones, L.S. #12529. Filed as Map 4664 at the P.L.R."
- No boundary corners were set by this survey unless noted hereon.
- Existing contours generated from Field Topography.

**GENERAL NOTES:**

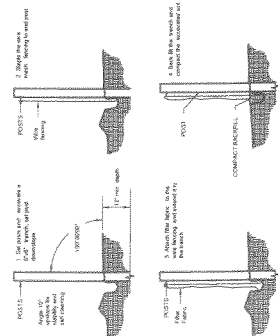
- Zone: R-1T
- Owner: North American Holdings, LLC
- Parcel area: 11,009 s.f. - 0.25 acres
- Public sewer and water service proposed.
- Buried oil tanks are prohibited.
- Contractor to install footing drains around perimeter of footing. Footing drains to discharge to daylight point or existing drainage system by gravity or sump pump.
- When connecting to drainage system, contractor to install backflow-preventer. Any variations to be approved by design engineer and/or town engineer.

**SCHEDULE OF ACTIVITIES FOR CONSTRUCTION:**

- Install sedimentation barrier as per plan.
- Stockpile topsoil, anchor with straw mulch and non-woven fabric sedimentation barrier.
- Rough grade area proposed for construction.
- Field stake house by licensed land surveyor.
- Construct home, driveway and site improvements.
- Finish grade site areas, loam and seed all filled areas.
- Loam and seed all areas that were disturbed by construction.
- Remove sedimentation controls.

**LOT & BUILDING REQUIREMENTS:**

Item	Required	Proposed
- Lot Area	22,000 Sq. Ft. (2 Family)	12,602 Sq. Ft.*
- Lot Width	90'	95.1'
- Front Yard	24'	62.8'
- Side Yard	10'	14.1'
- Rear Yard	30'	31.4' @ Deck / 39.3'
- Lot Coverage	25%	10.6%
- Building Height	35'	<35'
*Variance Required		

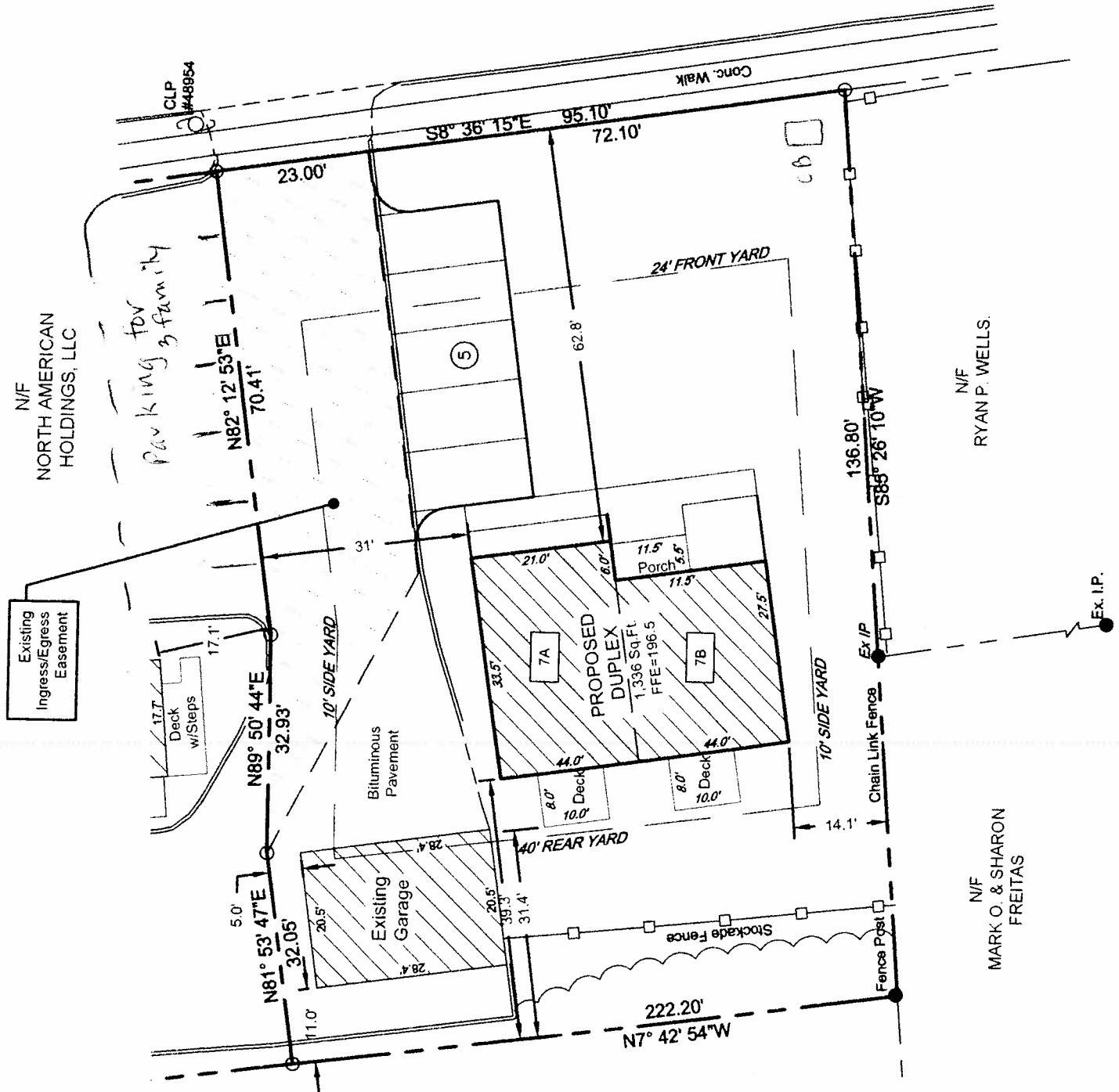


SEDIMENTATION BARRIER DETAIL  
N.T.S.

#9



# WASHINGTON STREET



N/F NORTH AMERICAN HOLDINGS, LLC

*parking for 3 family*

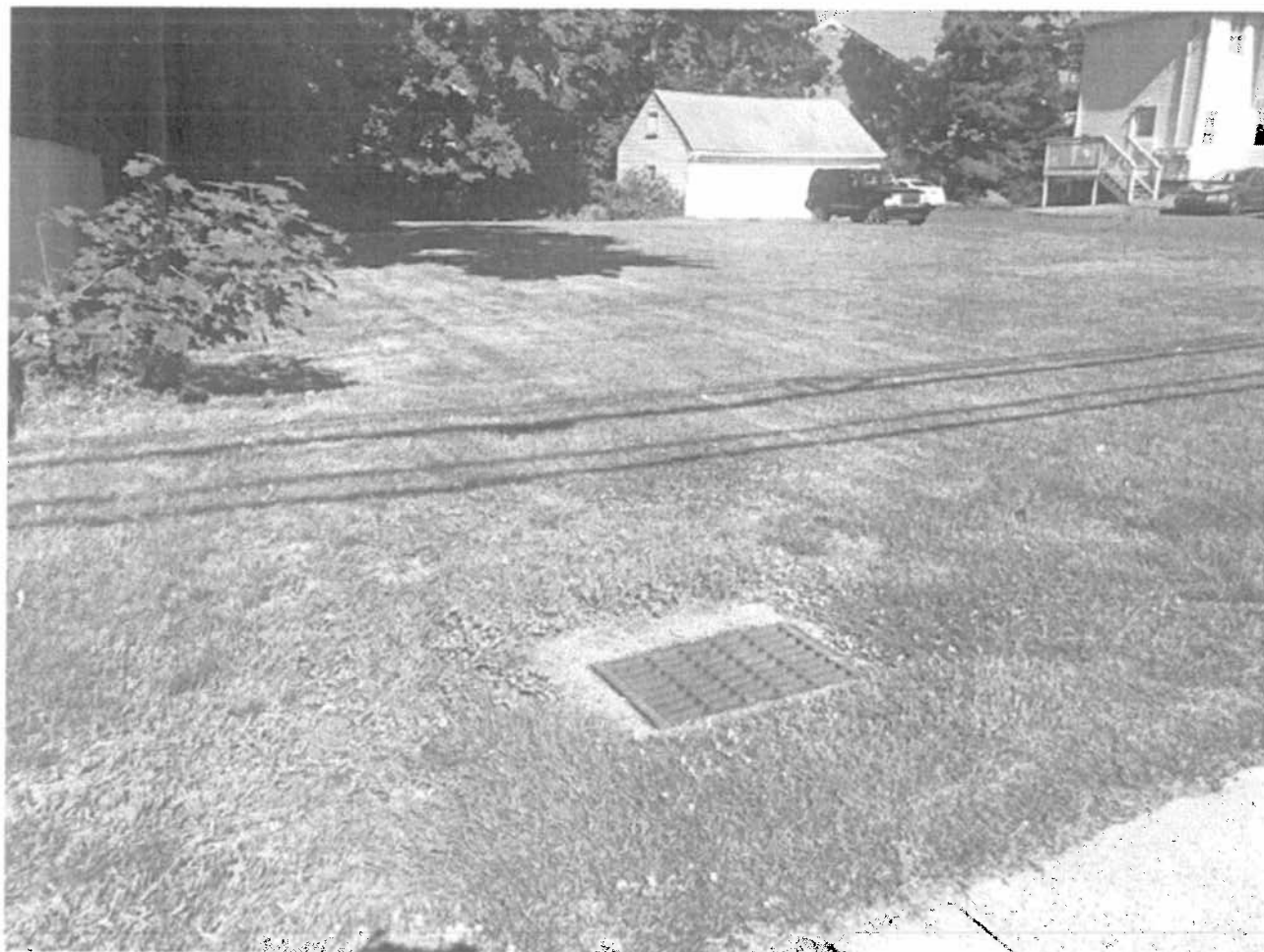
Existing Ingress/Egress Easement

N/F RYAN P. WELLS

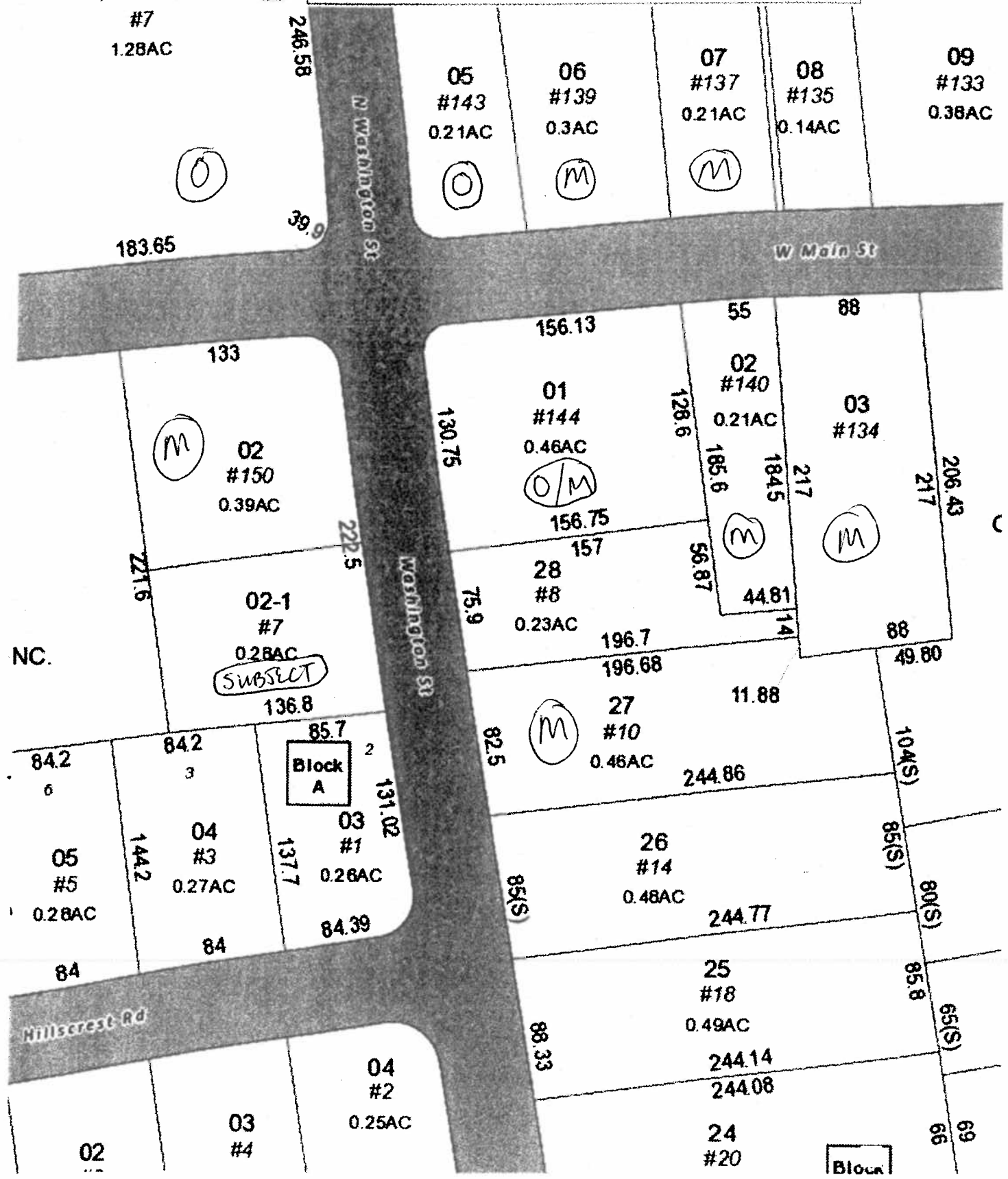
N/F MARK O. & SHARON FREITAS

N/F CHURCH OF THE BIBLE INC.

#10



# 11



n Out Prev Extent Next Extent Pan Parcel Information Simple Measure Path Measure

O = Office M = Multifamily