

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
MARCH 25, 2009**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Albert Gionet, Secretary (recused for application #2397)
Robert Schneider
Mark Connors

ALTERNATES PRESENT: Edward Slegeski
Paul Harnois (sitting for application #2397)
Armando Darna

ALSO PRESENT: James Davis, Zoning Enforcement Officer
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

The Chair opened the Business meeting at 9:13 p.m.

CONSIDERATION OF PUBLIC HEARINGS:

FREDERICK J. LEA – application #2395 – request a variance to Article II Section 1.03.05(a) to allow a 10' in height fence (6' permitted) at 176 & 176A Gardner Street, Rural Residence zone.

MOTION: Mr. Gionet made the motion to approve the application with the condition the fence is made of woven wire or similar material used for deer exclusion, and that it not be a stockade fence. Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was the high deer population and Mr. Lea's assurances that the fence would be aesthetically pleasing.

CONCORDIA LUTHERAN CHURCH – application #2396 – request a variance to Article II Section 1.00.02(4) to eliminate the required fence along a portion of the north property line at 40 Pitkin Street, Residence A zone.

MOTION: Ms. Maffe made the motion to approve the application, Mr. Schneider seconded the motion, and all members voted in favor.

The reason for the approval was the church property pre-dated the regulations and the difficulty of snow storage due to the close proximity of the fence to the parking spaces.

RICHARD M. EATON – application #2397 – request a variance to Article II Section 4.01.01 to reduce the front yard setback to 12’ (25’ required) at 584 North Main Street, Residence A zone.

Mr. Gionet recused himself from this application; Mr. Harnois sat for this application.

MOTION: Ms. Maffe made the motion to approve the application, Mr. Schneider seconded the motion and all members voted in favor.

The reason for the approval was there is no increase in the square footage of the livable space, and the variance is needed to create safe ingress and egress.

RISHIMA & PRIYAL, LLC – application #2398 – request a variance to Article IV Section 7.02.02 and to Article IV Section 7.02.03 and Article IV Section 8.06 to change existing use to permit sale of alcoholic liquors under package store permit, at 276 Oakland Street, Residence A zone.

MOTION: Mr. Gionet made the motion to approve the application with the conditions that all the businesses have separate entrances and interiors not be connected and the liquor store is a maximum of 1,800 square feet. Ms. Maffe seconded the motion. Members Stevenson, Maffe, Gionet, and Schneider voted in favor. Mr. Connors voted against the motion.

The reason for the approval was the recent improvements to the building and that the business presently has a beer license and would drop its license when the package store opens.

CONNECTICUT CVS PHARMACY, LLC – application #2399 – request a variance to Article IV Section 13.06.01.01 to install a 140 sq. ft. building sign on the south side (100 sq. ft. permitted) and a 128 sq. ft. building sign on the east side (100 sq. ft. permitted) of the CVS Pharmacy building at 245 Middle Turnpike West, General Business zone.

MOTION: Mr. Connors made the motion to deny the application; Ms. Maffe seconded the motion and all members voted in favor.

The reason for the denial was an adequate hardship was not demonstrated, the regulations are clear regarding calculations of signs, and the visibility and location of the building will allow the business to be easily identifiable.

APPROVAL OF PUBLIC HEARING AND BUSINESS MEETING MINUTES OF FEBRUARY 4, 2009:

MOTION: Mr. Gionet made the motion to approve the minutes as written; Mr. Connors seconded the motion and all members voted in favor.

ACCEPTANCE OF NEW APPLICATIONS:

CHADWICK ENTERPRISES, LLC – application #2400 – request a variance to Article II Section 4.01.01 to reduce the side yard setback to 5’ (10’ required) at 30 Hartland Road, Residence A zone.

Meeting adjourned at 9:34 p.m.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

**NOTICE: THE CASSETTE TAPE RECORDING OF THIS BUSINESS MEETING
CAN BE HEARD IN THE PLANNING DEPARTMENT.**

OFFICIAL TAPE NO. 507

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