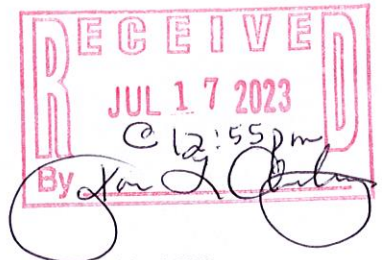


**TOWN OF SOUTH WINDSOR
ZONING BOARD OF APPEALS**



Action Minutes

1

July 13, 2023

MEMBERS PRESENT: Timothy Appleton, Steven Carty – Chairperson, Daniel Kane –Secretary, Wayne Kilburn – Vice Chairperson, James Kupchunos

MEMBERS ABSENT: Teri Parrott

ALTERNATES PRESENT: Jon Stengel

STAFF PRESENT: Pam Oliva, Zoning Enforcement Officer
Tersee Flores, Recording Secretary

The following are motions made during the July 13, 2023 Public Hearing/Regular Meeting.

Chairman Carty called the public hearing to order at 7:30 pm. Chairman Carty reviewed the process for each application and meeting.

Recording Secretary Tersee Flores read the legal notice as posted in the Journal Inquirer.

Public Hearing

App. 2864-23 – Lisa Tan – request for a 22 ft. variance to Section 6.5.7A to allow a 24 sq. ft sign (2 sq. ft. allowed), for a Major Home Occupation, on property located at 1747 John Fitch Blvd, A-40 zone.

Brian Florek of Florek Surveying LLC presented the application. Mr. Florek explained that the property in question received PZC approval for a major home occupation, and is located at the southern end of John Fitch Boulevard (Route 5). He stated that the variance is being requested so that people can see the sign and business as they're driving by. The speed limit in front of their home is 50 miles an hour, and she is 650 feet south of the intersection of Sullivan Avenue and John Fitch Boulevard so people have plenty of time to get up to 50 miles an hour by the time they drive past her house. Mr. Florek expressed his opinion that a 2 sq. ft. sign is a hardship especially being on John Fitch Boulevard. He noted that they are also in the location where the highway is divided so you would have zero visibility of the home occupancy sign going north on Route 5. He also noted the large building across the street with a 24 sq. ft. block letter sign on their building. He commented that he felt the proposed signage does not change the character of the neighborhood per se, as it would in a more typical residential subdivision where you have an 800 foot road with a cul-de-sac. The business owner is asking for this variance so that she can grab that potential client driving by maybe you know they see the sign that alerts people to her business and the hardship being that it is on Route 5 which is primarily commercial everywhere directly south of their property.

Commissioner Kilburn expressed concerns that the proposed sign greatly exceeds what is allowed in that area. He couldn't agree with the application and mentioned technology. Zoning classifications for that area and approved and he is not willing to change them.

Mr. Florek expressed it is not a 25 mile road it's a 50 mile road and cars zipping by may not be able to see a 2 sq. ft sign.

Commissioner Kupchunos asked questions about the illumination. He noted that we have zoning regulations in a residential area because we do not want to have huge signs. Commented that offering a smaller size might be more acceptable.

Mr. Florek stated that the lights are downward facing, which is compliant with the regulations. Therefore, the hardship is Route 5 at the end of residential zone.

Commissioner Kane - is the business open and active? Has she been in business at a different location? He noted that previous clientele should be able to find the business. Concerned about setting a precedence in the residential zone.

Commissioner Stengel - referred to the building across the street. Several conversations regarding residential and commercial the building across the street falls under commercial flaunting the rule or giving approval first case weighs negatively.

Commissioner Appleton - thanked him for presenting today, expressed he saw the sign across the street, differently zoned. Not convinced of the hardship. There are other alternatives social media digital space rather than a brick and water sign.

Kilburn suggested a vehicle in the driveway with a sign.

Mr. Florek shared maybe not everyone is tech savvy on social media. He realizes it is the 21st century but unfortunately not everyone is up with technology.

Motion to: Close public hearing at 7:54 pm

Made by: Commissioner Kilburn

Second: Commissioner Kane

The motion: Carried

Vote: Unanimous

Deliberative Session

App. 2864-23 – Lisa Tan – request for a 22 ft. variance to Section 6.5.7A to allow a 24 sq. ft sign (2 sq. ft. allowed), for a Major Home Occupation, on property located at 1747 John Fitch Blvd, A-40 zone.

Commissioner Kilburn reiterated that there are other ways to advertise by social media searches.

Commissioner Stengel commented that what they are requesting is a sign for people not thinking about those services.

Chairperson Carty noted that all the commissioners brought up good points, in summary there are other ways to advertise. Hardship definition doesn't seem to be appropriate in this definition and he doesn't feel there is reason enough to approve the application.

Motion to: Deny **App. 2864-23 – Lisa Tan**

Made by: Commissioner Kilburn

Second: Commissioner Stengel

The motion: Carried

Vote: Unanimous

Motion to: Close the deliberative session

Was made by Commissioner Kupchunos

Seconded by Commissioner Appleton

The motion: Carried

Vote: Unanimous

Approval of Minutes

Motion to: Approve revised minutes of June 1st with removal of notice of Application 2864-23 – Lisa Tan from the Deliberative session.

Was made by Commissioner Kupchunos

Seconded by Commissioner Appleton

The motion: Carried

Vote: 5 Yea, 1 Abstain (Commissioner Kilburn)

New Business: Kupchunos asked when zoning regulations change in town who changes them do they ask for input from us?

Pam explained the process.

Stengel asked about the process with Planning and Zoning and how it comes to us.

Old Business: Stengel asked about the replay of the link he sent. Commissioners stated that no one had attempted to view.

Correspondence: None

Adjournment:

Motion to: Adjourn the meeting at 8:10 pm

Was made by Commissioner Kilburn

Seconded by Commissioner Kupchunos

The motion: Carried

Vote: Unanimous

Respectfully submitted:

Pamela Oliva

Zoning Enforcement Officer

