

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

Minutes

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June 4, 2020

MEMBERS PRESENT: Steven Carty, James Kupchunos, Erik Dabrowski, Wayne Kilburn, Timothy Appleton

ALTERNATES PRESENT: Jon Stengel, Teri Parrott

STAFF PRESENT: Michele Lipe, Director of Planning
Pamela Oliva, Zoning Enforcement Officer
Scott Roberts, Asst Town Manager/CIO
Donna Thompson, Recording Secretary

COUNCIL LIAISON: Janice Snyder

The following are motions made during the June 4, 2020 Public Hearing/Regular Meeting.

Chairman Steven Carty called the public hearing to order at 7:30 pm.

Pam Oliva read the legal notice as posted on the Town of South Windsor website on May 21, 2020.

Chair Carty read the following comments into the record:

"This is a WEBex call, that is being live-streamed on our website as well as local Channels, and we are operating under the following procedures:

- *This session is being audio-recorded and video recorded.*
- *To ensure sound quality, the default rule for this meeting is that everyone will remain on mute.*
- *Commissioners and staff will generally remain on mute except when speaking or voting, and will generally be keeping video of themselves on throughout the meeting.*
- *Applicants should feel free to leave their video on or off. However, they will be asked to turn on their video when speaking.*

The public can provide public comments by email and/or phone. The email address and phone number with meeting code can be found on the front of our agenda.

- *During public comment, all of the normal rules, including stating and now spelling your name, still apply*
- *If you are speaking at this meeting and have an exhibit to submit to the commission, which was not distributed in advance of the meeting with the rest of the materials, please indicate that you wish to submit an exhibit. You will need to hold it up to the camera so that the commission and all members of the public may review it. In addition, you will be required to email the exhibit, or take a photograph of it and email it, to planningzoningcomments@southwindsor-ct.gov, and it will be included in the permanent records of the commission.*
- *Members of the public may only speak during public participation for an item not on the agenda and during the public hearing comment period.*
- *Lastly, a reminder to the public on the phone to press *3 to indicate that you want to speak and # to get back to the main menu.*

Public Hearing

App. 2839-20 – Absolute Flooring & Wall Systems – request variances to Section 2.14 C and Table 3.1.2A to allow the expansion of a non-conforming structure for an addition to be constructed 14 ft from the side property line (20 ft required), on property located at 423 Niederwerfer Road, RR zone.

Carlos Solis, Absolute Flooring, presented the application. The addition is for a second bathroom. The outside wall of the addition will be in line with the existing side wall of the house. The house is already non-conforming as that side is within the setback area by six feet. The non-conformity was created when zoning regulations went into effect many years after the house was built. The variance will not make the non-conformity worse.

Matthew Siracusa, property owner, stated that the growing family needs more room and would like to remain in this ancestral home.

There were no negative responses from the abutters. The abutter notifications will be sent to the Town to be included in the file.

Commissioners concluded that zoning regulations have changed since the house was built in 1961. This change in regulations caused the property to be non-conforming. The non-conformity will not be worsened by this addition. The leach field will not be affected by the addition.

Motion to: close public hearing on Appl 2839-20 at 7:52 pm

Made by: Board Member Appleton

Second: Board Member Kupchunos

The motion: Carried

Vote: Unanimous

App. 2840-20 – Design Professionals Inc – request for a variance to Table 4.1.6A to allow impervious coverage of 71% (60% allowed), on property located at 419 Buckland Road, RC zone.

Peter DeMallie, Design Professionals, presented the application. Mr. Demallie stated that the increase in impervious coverage would be attributable to additional parking available when Windsor Federal Bank is constructed adjacent to this property, as well as the widening of the access road into the properties from Deming Street. The Samsel Carmon Funeral Home has been located at 419 Buckland Road since the 1980's and has been in need of additional parking for services for some time. The bank has agreed to share parking during their off hours using a connecting driveway between the funeral home and the bank. In regard to the access drive from Deming Street, there is an issue with two way traffic due to the narrow width of the drive. There are five businesses that are using this access drive and zoning regulations have changed over time to accommodate two way traffic.

Frank Carmon, Samsel Carmon Funeral Home, stated that they have need of more parking when services are being held at this location. They use parking closer to their building first, some of which can be hazardous in inclement weather. At the bank's peak times during the day, the funeral home would not usually require additional parking.

George Hermann, Windsor Federal, stated that the bank will have additional parking that can be used by the funeral home when the bank is not open for business. Banking hours and service times for funerals are somewhat counter cyclical. Peak parking needs are not usually at the same time.

Margaret Shea spoke in favor of the application. Stating that overflow parking to the bank during large services at the funeral is definitely needed, as well as the widening of the access drive. Turning off Deming Street is difficult with oncoming traffic.

Six letters of support were read into the record.

In response to board member questions, Mr. DeMallie stated that permeable pavement was not feasible, and there will be cross travel and cross drainage easements between the bank's property and the funeral

home's property. Other alternatives to this plan would have moved the parking issue in the wrong direction in regard to the non-conformity of the property. In attempting to closer comply with current zoning regulations, creation of more parking is needed.

Motion to: close public hearing on Appl 2840-20 at 8:52 pm
Made by: Board Member Dabrowski
Second: Board Member Kupchunos
The motion: Carried
Vote: Unanimous

Deliberative Session

App. 2839-20 – Absolute Flooring & Wall Systems – request variances to Section 2.14 C and Table 3.1.2A to allow the expansion of a non-conforming structure for an addition to be constructed 14 ft from the side property line (20 ft required), on property located at 423 Niederwerfer Road, RR zone.

Board members felt it was a straight forward application.

Hardship: change in zoning regulations regarding side yard setback years after house was constructed

Motion to: approve Appl 2839-20 as presented
Made by: Board Member Appleton
Second: Board Member Dabrowski
The motion: Carried
Vote: Unanimous

App. 2840-20 – Design Professionals Inc – request for a variance to Table 4.1.6A to allow impervious coverage of 71% (60% allowed), on property located at 419 Buckland Road, RC zone.

Board members were satisfied they had sufficient information to render a decision.

Hardship: change in zoning regulations regarding parking and driveway access years after property was developed

Motion to: approve Appl 2840-20 as presented
Made by: Board Member Kupchunos
Second: Board Member Dabrowski
The motion: Carried
Vote: unanimous

Approval of Minutes

Motion to: approve minutes of March 5, 2020
Was made by Board Member Dabrowski
Seconded by Board Member Kupchunos
The motion: Carried
Vote: Unanimous

New Business: none

Old Business: none

Correspondence: none

Adjournment:

Motion to: adjourn the meeting at 9:01 pm
Was made by Board Member Appleton

Seconded by Board Member Dabrowski
The motion: Carried
Vote: Unanimous

Respectfully submitted:

Donna Thompson
Recording Secretary

Approved: July 2, 2020