

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

**Minutes**

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**July 7, 2016**

**MEMBERS PRESENT:** Teri Dickey-Gagnat, James Kupchunos, Wayne Kilburn, Joseph Etter

**ALTERNATES PRESENT:** Elizabeth McGuire, sitting for Steven Carty  
Edwina Futtner

**STAFF PRESENT:** Pamela Oliva, Zoning Enforcement Officer  
Donna Thompson, Recording Secretary

The following are motions made during the July 7, 2016 Public Hearing/Regular Meeting.

Chairperson Dickey-Gagnat called the public hearing to order at 8:02 pm in the Madden Room.

The Recording Secretary read the legal notice as published in the Journal Inquirer.

1. Public Hearing

Appl. 2793-16 – McGuire Road Associates LLC dba Hartford Truck Equipment - request for (1) a 14% variance to Table 4.1.6A to allow impervious coverage of 79% (65% allowed); and (2) a 25 ft variance to Table 6.2.4A to allow a buffer of 25 ft (50 ft required), on property located at 95 John Fitch Blvd, GC Zone.

Presentation of the application was made by Peter DeMallie of Design Professionals, Inc. The original building on the site collapsed under the weight of heavy snow in 2011. Mr. DeMallie stated that variances are needed due to changes in regulations from when the property was originally developed. The business wants to expand from the location next door. It will be a state of the art building, with outdoor storage in the rear of the property. To access and utilize the rear of the property, and have the size building they need, a variance for the buffer will be needed. The impervious coverage will be reduced from what it was for the original structure, but will still require a variance due to regulations concerning impervious coverage becoming effective in 1988. The site is currently an eyesore and the applicant will be improving the looks of the property greatly with the proposed building and additional landscaping. The building the applicant is in currently will be freed up to accommodate a new business coming into town.

Several letters of support were read into the record. Residents Jay Samsel, Joseph Kennedy, Jr, Tim Silver and Paul Burnham spoke in favor of the application, the family, the improvement proposed to the property and the benefit to the Town (expansion of the business would increase taxes). Mr. DeMallie stated that this plan would make a non-conforming property into a conforming one, and effectively improve a blight issue.

Based on the information provided, the Commissioners did not find a hardship for either variance. Revisions to the plans could accommodate the building and the rear access/storage area.

**Motion to:** close public hearing at 10:16 pm

Was made by Commissioner Kupchunos

Seconded by Commissioner Kilburn

The motion: carried

Vote: unanimous

2. Deliberative Session

Appl. 2793-16 – McGuire Road Associates LLC dba Hartford Truck Equipment - request for (1) a 14% variance to Table 4.1.6A to allow impervious coverage of 79% (65% allowed); and (2) a

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**2**

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25 ft variance to Table 6.2.4A to allow a buffer of 25 ft (50 ft required), on property located at 95 John Fitch Blvd, GC Zone.

Motion to: approve Appl #2793-16 as submitted on plans for a 14% variance to Table 4.1.6A to allow impervious coverage of 79% (65% allowed); because existing non-conforming property; zoning regulations were not in effect when originally developed; water quality will be improved with proposed treatment of run-off

Was made by Commissioner Kupchunos  
Seconded by Commissioner Dickey-Gaignat

Discussion: Commissioner Etter stated there is no unique hardship. Commissioner Kilburn stated that non-conforming is not a hardship. Commissioner McGuire stated that she doesn't see a hardship.

The motion: denied

Vote: 1 yea – Commissioner Kupchunos; 4 nea – Commissioners Etter, Kilburn, McGuire, Dickey-Gaignat

Motion to: deny Appl #2793-16 as submitted on plans for a 25 ft variance to Table 6.2.4A to allow a buffer of 25 ft (50 ft required) due to no hardship

Was made by Commissioner Kilburn  
Seconded by Commissioner Etter

The motion: carried

Vote: 4 yea – Commissioners Etter, Kilburn, McGuire, Dickey-Gaignat; 1 nea – Commissioner Kupchunos

**Approval of Minutes:**

**Motion to:** approve minutes of 4/7/2016

Was made by Commissioner Kupchunos

Seconded by Commissioner McGuire

The motion: carried

Vote: unanimous, Commissioner Etter abstained due to his absence from the meeting

**Old Business:** By-laws Revisions – Tabled to next meeting

**Adjournment:**

Motion to: adjourn the meeting at 10:40 pm

Was made by Commissioner Dickey-Gaignat

Seconded by Commissioner Kilburn

The motion: carried

Vote: unanimous

Respectfully submitted:

Donna Thompson  
Recording Secretary

**Approved: September 1, 2016**