

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

Minutes

1

October 1, 2015

MEMBERS PRESENT: James Kupchunos, Steven Carty, Joseph Kennedy, Joseph Etter

ALTERNATES PRESENT: Wayne Kilburn sitting for Teri Dickey-Gaignat

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

Chairperson Kupchunos called the public hearing to order at 7:30 pm in the Madden Room.

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

The Chair appointed Wayne Kilburn to sit for Teri Dickey-Gaignat.

Public Hearing

Appl. 2784-15 – Q & E, LLC, 17 Cumberland Road, West Hartford – request for two variances on 5.03 ac. property proposed to be subdivided, located on the easterly side of Nutmeg Road North and southerly side of Strong Road: 1) a one foot variance to Table 4.1.6A to allow a minimum rear yard setback of 24 feet (25 feet required) for proposed parcel 1 known as 413 Strong Road; 2) a 50 foot variance to Table 4.1.6A to allow a 50 foot frontage (100 feet required) on proposed parcel 2 known as 694 Nutmeg Road North, I (Industrial) Zone.

Peter DeMallie from Design Professionals Inc. presented the application for owners Mike Eagan and Steve Quish. The owners would like to subdivide the property in order to sell 694 Nutmeg Road North, which has a large industrial building, currently vacant, on it. They would retain 413 Strong Road which has a house and a smaller industrial building on it. This property is one lot but has two separate entrances. With development of the property as it exists, it would not be possible to utilize one entrance for both parcels. Two separate assessments and tax bills are received for this property. There will be no changes made to the property other than the subdivision and subsequent variances, if approved. All other zoning regulations will continue to be met. If the owners were able to purchase a small amount of land to the south and/or to the west, the variance(s) would not be needed. The purchase of additional land is not possible. There have never been any complaints from abutters regarding the use of the property. Mr. DeMallie read two letters of support into the record, from abutters Charles Kehoe, a resident at 405 Strong Road; and Donald DeVivo, DATTCO Transportation, 710 Nutmeg Road North.

Commissioners were concerned that the variance requests were possibly generated by a self-created hardship and economic reasons. They requested documentation of previous action by the Planning and Zoning Commission when originally approving development of this property.

After presentation of the application by Mr. DeMallie, more information was requested by the commissioners. In order to provide this information, Mr. DeMallie asked that the public hearing be continued to the next meeting.

Motion to: continue public hearing to next meeting

Was made by Commissioner Etter

Seconded by Commissioner Kennedy

The motion: carried

Vote: unanimous

Deliberative Session: none

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

Minutes

2

October 1, 2015

Approval of Minutes:

Motion to: approve minutes of 9/3/2015

Was made by Commissioner Carty

Seconded by Commissioner Kennedy

The motion: carried

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

The recording secretary was requested to transcribe minutes from the recording of the July 9, 2015 training session for the next meeting.

Old Business:

Commissioner Etter stated that before moving forward with revisions to the by-laws, he needs clarification of the information provided in the Training Materials for Zoning Board of Appeals dated May 30, 2013 prepared by the Planning Department, which was included in the meeting packet. It was suggested at the conclusion of the previous meeting that copies of this material be made for the Commissioners.

New Business:

Commissioner Kilburn would like the legal notices advertising the public hearings included in the meeting packets sent to each Commissioner for the meetings. The recording secretary will include these legal notices going forward.

Commissioner Kilburn stated that he felt all documentation should be given to the Commissioners prior to each meeting, not distributed at the meeting by applicants. All the Commissioners agreed that materials for each application should come directly from the Town prior to the meeting and not from the applicant the night of the meeting.

Adjournment:

Motion to: adjourn the meeting at 9:38 pm

Was made by Commissioner Etter

Seconded by Commissioner Carty

The motion: carried

Vote: unanimous

Respectfully submitted:

Donna Thompson
Recording Secretary

Approved: November 5, 2015