



Town of Griswold



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**GRISWOLD ZONING BOARD OF APPEALS
REGULAR /PUBLIC HEARING MEETING
GRISWOLD TOWN HALL**

**UNAPPROVED MINUTES
JUNE 7, 2017**

I. REGULAR MEETING/PUBLIC HEARING(S) (7:00 P.M.)

1. Call to Order

Theodore Faulise, Chairman, called this meeting of the Griswold Zoning Board of Appeals to order at 7:00 p.m.

2. Roll Call

Present: Theodore A. Faulise, Dorothy Doucette, William Przylucki, Maryann Manning, Joseph Savino
Alternates Alex Grezlak, Gary Beaulac, Recording Secretary Donna Szall

Absent: Duane Button,

3. Determination of Quorum

T. Faulise determined that there was a quorum for this regular meeting of the Zoning Board of Appeals.

4. Matters Presented for Consideration

A. ZBA 04-17 IMPERATO, FRANK & KELLY, PROPERTY AT 68 LEE AVENUE, GRISWOLD, CT. Requesting relief of the Griswold Zoning Regulations Section 10.4 to reduce right side yard requirement from 30 feet to 1 foot in order to construct a 15 ft. by 15 ft. deck and relief from Section 10.4.1 to reduce the right side yard requirement from 15 feet and 1 foot in order to install a 15 ft. by 30 ft. above-ground pool. Property is zoned R-60.

T. Faulise asked if the applicant was present. Frances Imperato, Jr. presented his application to the Board. He submitted the abutters' notifications for the record and stated that the notifications were mailed late to the abutting property owners. T. Faulise asked when they were mailed.

F. Imperato explained that they were to be mailed on May 27, but were mailed on June 3. T. Faulise asked if all the abutters received the letters before the meeting date. F. Imperato stated yes and that he had spoken with all of the abutters about his variance and that the side being varied is his father's property. T. Faulise stated that it could be an issue if someone challenges the decision.

T. Faulise asked F. Imperato to explain his hardship. F. Imperato stated that his house is on a non-conforming lot and that he would like to put a 15 ft. by 30 ft. pool above ground swimming pool with in 1 foot of the property line to the right of his house and to add a deck to his existing deck for the filter room. He stated that the deck was on the home when he bought it. J. Savino asked if he knew where his property line was. F. Imperato stated yes, the property was surveyed last year by Boundaries.

T. Faulise asked if the back deck was original to the house. F. Imperato stated yes. He stated that he will be putting the filter underneath the original deck. T. Faulise asked if a fence was needed

T. Faulise asked if there was someone to speak in favor of this application. He asked if there was someone to speak in opposition. He stated that there was not correspondence in the file for or against the application. Hearing no other comments, he closed the public hearing and entertained a motion.

MOTION: J. Savino moved to approve the application. W. Przylucki seconded the motion. All were in favor. The motion was carried.

T. Faulise explained the 15 day appeal period to challenge the decision.

B. ZBA 05-17 LEE, JOHN F. & MARY M, PROPERTY AT 43 TALCOTT AVENUE, JEWETT CITY, CT.

Requesting relief from Borough Zoning Regulations Section 9.4 to reduce the side yard requirement from 10 feet to 4.5 feet and Section 9.5 to reduce the rear yard requirement from 20 ft. to 5 feet in order to construct a 12 ft. x 16 ft. shed. Property is in the R zone.

T. Faulise asked if the applicant was present. John Lee presented his application. He submitted the abutter's notifications for the record. T. Faulise stated that 4 certificates of mailing were submitted.

T. Faulise asked J. Lee to explain his hardship. J. Lee explained that he has a 50 ft by 100 ft. lot and that his garage is 2 to 3 feet from the property line. He stated that all of the houses on in his neighborhood on the block everything is with two to three feet from the property lines. He explained that the house is 6 feet from the property line and the garage is 4 feet from the property line. He stated that he wanted to add a shed to the property.. T. Faulise asked how old the how was. J. Lee stated that it was built in the 1950s.

T. Faulise asked if the shed will be stick built or a drop off shed. J. Lee stated that the shed will be stick built. T. Faulise asked if on the right hand side would there be an infringement to get to the back yard.

T. Faulise asked what was behind his property. J. Lee stated that there was another house and their garage is near the property line. T. Faulise asked if there was city water and sewage. J. Lee stated yes.

W. Przylucki asked if the shed will have a foundation. J. Lee stated no, there will be sono tubes.

T. Faulise asked if there were other questions from the board. He asked if there was someone to speak in favor of the application. He asked if there was anyone to speak in opposition to the application. He stated that there was no correspondence for or against in the file.

J. Lee stated that Peter Zvingilas told him that he would need a variance.

T. Faulise closed the public hearing and entertained a motion.

MOTION: D. Doucette moved to approve the application as presented. W. Przylucki seconded the motion. All were in favor. The motion was carried.

T. Faulise explained the 15 day appeal period for someone to challenge the decision.

C. ZBA 06-17 KINEO PROPERTIES, LLC, 1 A – F BROWN AVENUE, JEWETT CITY, CT Requesting relief from Section 9.4, 9.8, 9.8.2, 10.1.2 and 12.6.1 in order to convert a 6 residential unit plus one commercial unit mixed use building to an 8 unit multi-family residential building and to construct an ADA compliant Access ramp on the south side of the building. Property is located in a BRC zone.

T. Faulise explained that he and D. Doucette will recuse themselves from this item due to potential a conflict of interest. He appointed G. Beaulac to sit for D. Doucette and A. Grezlak to sit for T. Faulise. He stated that M. Manning will chair this item.

M. Manning asked if there was someone to represent the applicant. John Faulise of Boundaries, LLC presented the application. He stated that Rob Hohlfelder the applicant was also present. M. Manning

asked for the certificates of mailing. J. Faulise submitted the certificates of mailing, the abutters list, the legal notice of public hearing, notification package for the record. He submitted a copy of the current deed Volume 369, Page 31 for the property that the applicant bought in July 2016.

J. Faulise gave a brief history of the parcel stating that it was located on Brown Avenue and North Main Street. He stated that the existing structure with three residential units. In 2003, Ken's Carpentry created a 2200 sq. ft. addition for his business showroom granted by the Planning and Zoning commission. He submitted a copy of the 2003 approved site plan. He submitted a copy of the approval by Planning and Zoning for the record. He stated that since 2003 there was an additional residential unit added to the first floor. He spoke with Peter Zvingilas, Zoning Enforcement Officer, who told him that he had no documentation in his files for that residential unit. J. Faulise stated that the current street card lists 7 residential units for this building. He submitted the street card for the record.

J. Faulise stated that the zoning permit created 5 residential units and one commercial space for this building. He stated the application was to convert the seven units to 8 units but in speaking with P. Zvingilas that the PZC permit in 2003 approved 5 residential units and the commercial unit. He stated that their plan is to still convert the commercial space into two residential units; but that the existing unit on this level will be absorbed into one of the two new units. He stated that the configuration will still be seven units in total. All of the commercial space will be converted to two ADA accessible units. There is one existing ADA ramp and a new ADA ramp will be added to the south side of the building.

J. Faulise explained Section 9.4 side yard setbacks from 10 feet to be reduced to 4 feet to allow for the ramp. He stated that the garage on the adjacent property is on this side; Section 9.8 Density that requires 4 units per acre. He stated that this lot is .39 acres. The PZC approval was granted prior to the adoption of this density regulation; Section 9.8.2. 1.5 acres for six dwelling units for which we are seeking relief of this regulation to allow seven dwelling units. J. Faulise explained that the density of this .39 acre site; it is in harmony with the neighborhood and the Borough of Jewett City. He submitted maps made from information from the assessor and in observation that shows the locations of all of the spaces in the Borough and in this neighborhood that have multifamily developments. He cited the locations, number of units and the acreage for the record.

J. Faulise explained that the regulations require 1.5 parking spaces or 11 spaces are required for the dwelling units. He stated that there are 15 spaces which are all off street parking that was approved by the PZC in 2003 that already exist.

J. Faulise explained Section 10.1.2 and 12.6 go back to density and the uses of the property; he stated North Main Street beyond Green Avenue becomes residential in nature. He stated that the existing commercial space has been vacant for five years showing that there was no need for commercial property in that area. He stated that the only commercial space in this neighborhood is the gas station and the repair garage. He stated that the repair garage has gone out of business; only the gas station is still in operation. He submitted photographs of the property from the north and the south showing only multi-family residential properties.

He stated that we are asking to make this site consistent with the neighborhood to convert the commercial space into two ADA accessible residential units. There is no new construction proposed except for the ADA ramp on the south side. He stated that the existing six units were approved by PZC in 2003. J. Faulise stated that we are amending the application from eight units to seven units.

M. Manning asked for questions.

J. Savino asked that J. Faulise amended application for the record. J. Faulise signed and dated the application changing 8 units to seven units. M. Manning asked if the six residential units are occupied. J. Faulise stated yes.

M. Manning asked if there was anyone to speak in favor. Hearing none, she asked if there was anyone who was opposed.

Roland Morin, 14 Belvedere Avenue, stated that there was debris and a motorcycle on their property behind the shed and that the fence was torn down and bent over that they wanted cleaned up before granting the variance.

Debra Allard 180 North Main stated that there was trash along the fence and a section of the fence pushed into her yard. She stated that there are 3 pine trees where the kids party where she has found a lighter, two chairs, a bong. She was concerned that if they started a fire, all the homes would go up. She stated that all the trash from this property comes on to her property and that the fence is pushed up against her garage. She stated that she would like to see a privacy fence installed to replace the pushed down fence and to keep the kids out of there.

W. Przulucki asked who owned the fence. R. Morin stated that it is an old fence and it appears to be on their property.

J. Faulise stated that this is the first time that they have heard these complaints. He explained that the applicant will be investing money into the property and wants to keep the property up; the applicant is willing to erect a privacy fence and the debris will be removed; the motorcycle may belong to a resident of the building, we will check to see if it is registered. D. Allard stated that the motorcycle is behind the shed is. R. Morin stated that there are all tires behind there. J. Faulise stated that the tire will be removed.

J. Faulise stated that this board does not have the authority to condition a variance. It is part of the public record and the applicant has agreed to do it.

M. Manning asked for any other people to speak in opposition of this application. She stated that there is a letter in the file which she read for the record from Marie Treadway and Steven Mitchell, 13 Brown Avenue stating that they are not in favor of this application for additional dwelling units plus space for business; they were concerned because of all the noise, traffic and motion sensing spot lights that shine into their home. They requested that the proposal be denied.

R. Hohlfelder explained that there is a spotlight that can be adjusted. J. Faulise stated that the Treadway property is to the east of the applicant's property and that there is a line of mature trees except for the very northerly end of their property. He stated that the spotlights can be directed away from there. He stated that the expansion of the dwelling units as well as the commercial space. D

G. Beaulac asked if the applicant has had complaints from the neighbors. R. Hohlfelder stated no, this is the first time he has heard any of this on either side. D. Allard stated that because of the fence, she has lost a lot of privacy and the changing in the residency; it is hard to say who is making the noise.

R. Hohlfelder stated that 4 of the residents had been there for more than eight years; and one just passed away. He explained that he will be doing a screening system and his agent does background checks using the internet and social media and there will be lease agreements for his tenants. He stated that he wanted good tenants and did not want tenants who made noise. He stated that he will be installing a surveillance system for the outside and the inside of the property that will be monitored with a 30 day back up to a hard drive to address any issues; it can be toward the shed and on the side of the building with the fire access. R. Hohlfelder stated that the lighting is on timers but they will be adjusted. He stated that it could be a solid fence that will help deflect light on the ground.

He stated that two of his tenants work shifts and come and go during the night. M. Manning asked if they were one bedroom units. R. Hohlfelder stated that they are two bedroom units.

M. Manning asked for any other comments for or against. J. Savino asked if he had other properties that he manages. R. Hohlfelder stated that he has properties in North Stonington and properties in

Florida where he has a property manager there. He stated that he wanted to make this a very livable professional complex and will be investing money for the external areas.

J. Faulise stated that the conversion of the commercial space may seem to create issued, the uses allowed in the zone are more intensive than residential uses; and he cited examples such as restaurants, service stations, drive in, new and used car sales and services.

M. Manning asked for other comments; hearing none, closed the public hearing. She asked for a motion: **MOTION:** G. Beaulac moved to approve the application as amended with the comments from the public noted. W. Przylucki seconded the motion. All were in favor. The motion was carried.

M. Manning explained the 15 day appeal period.

T. Faulise and D. Doucette resumed their seats for the rest of the meeting.

A. Approval of the minutes from October 5, 2016.

T. Faulise asked for any corrections or omission. M. Manning moved to accept the minutes as presented. A. Grezlak seconded the motion. All were in favor. The motion was carried.

6. New Business

There was no new business.

A. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Spring, 2017 Volume XXI, Issue 2

B. Memo dated May 17, 2017 from Valery Pudvah, Town Clerk regarding resignation of a member.

There was no discussion of these items.

T. Faulise welcomed Gary Beaulac as a new alternate on the board. He asked how the apartment could not be in the ZEO's record. T. Faulise stated that the assessor would have inspected the unit during the revaluation.

7. Adjournment

T. Faulise asked for any other business. T. Faulise moved to adjourn. W. Przylucki seconded the motion. All were in favor. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Donna M. Szall
Recording Secretary