



Town of Griswold



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GRISWOLD ZONING BOARD OF APPEALS

REGULAR MEETING MINUTES

MARCH 7, 2012

GRISWOLD TOWN HALL

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 7:05 p.m.

2. Roll Call

Present: Theodore A. Faulise, Ronald Jodoin, William Przylucki, Alternates Louis Demicco, III, Maryann Manning, Duane Button, Recording Secretary Donna Szall, Carl Fontneau, Town Planner

Absent: Dorothy Doucette, Ronald Anthony

3. Determination of Quorum

T. Faulise appointed M. Manning for R. Anthony. He appointed D. Button to sit for D. Doucette. There was a quorum for this regular meeting of the Zoning Board of Appeals.

T. Faulise stated that if there were no objections, the board will review ZBA 06-12

4. Matters Presented for Consideration

- A. **ZBA 06-12 Buehler, Thomas & Michel, 15 Chinigo Road, CT 06351.** Requesting relief from Griswold Zoning Regulations Section 10.3 in order to reduce the front yard requirement from 40 ft. to 9.5 ft. in order to construct a 20 ft. by 24 ft. outbuilding for storage and studio. The property is zoned C-1

T. Faulise asked if there a representative for the applicant. Thomas Buehler presented his variance request. T. Faulise asked for the abutters' notifications. T. Buehler submitted his abutters' notifications to the board stating that there were two notices sent out. R. Jodoin stated that Chinigo Road is a short strip that was the old Route 138. T. Buehler stated that there are only two houses on Chinigo Road. He stated that there is a brook that runs through the property and we are asking for relief of the frontage requirement to put the building closer to the road so that it is out of the wetlands. He stated that there is shag bark hickory that would have to be removed if the building was further back from the road. T. Faulise asked T. Buehler to show the location stating that it was the only buildable location on the lot. T. Faulise asked about the existing structure. T. Buehler stated that it used to be a shed and only the wood floor remains.

R. Jodoin explained that he looked at the site and spoke to Mr. Buehler and that P. Zvingilas also has looked at the property and he has no problem with it; there are only two homes and the neighbor was in favor of this activity. He stated that it will keep the building from the wetlands.

T. Faulise asked if there was anyone to speak in favor. He asked if there was anyone opposed. He stated that there was no correspondence for or against in the file. He closed the public hearing and asked for a motion.

MOTION: R. Jodoin made a motion to grant the variance as presented. W. Przulucki seconded the motion. All were in favor. The motion was carried.

T. Faulise explained the 15 day appeal period.

- B. ZBA 05-12 Jewett City, LLC William H. Coons, Jr., 500 Four Rod Road, Berlin, CT 06037. Property location: 148 Mathewson Street, Griswold.** Request relief from Borough Zoning Regulations Section 9.8.2 Maximum Density Allowance for multi-family dwellings, enacted December 1, 2004, to complete an approved Zoning Permit 11-04 for a 69 unit residential complex that was approved in November, 2004 on a lot containing 9.94 acres. Property is zoned B-RM and B –Industrial.

T. Faulise stated that this public hearing was continued from last month due to the lack of abutters' notifications in accordance with the zoning regulations. He asked if there were abutters' notifications this evening. T. Faulise asked how many notifications there were.

Mario Tristany, Stadia Engineering, 516 Vauxhall Street, New London presented 16 abutters' notifications to the board. He stated that Joseph Fazekas, the project manager was also present. M. Tristany stated that the original P & Z approval was November 2004. He stated that the project was for 69 units on 9.98 acres. He explained that borough regulations were changed in December, 2004, the planning and zoning commission changed the regulation for multifamily units in Section 9.8.2 that required 1.5 acres for up to six units in two buildings. He stated that the original zoning permit approved in November was for a five year period and that expired. He stated that the applicant has the funds from the bank to finish the project where there are two proposed units and one existing foundation to be complete. He stated that they cannot pull a building permit because the zoning permit is expired. He stated that there is not additional acreage to meet the current zoning regulation.

M. Tristany stated that there is a bond currently in place that will cover the remaining work to be done on the site. He explained that the landscaping needs to be completed, a finished course of bituminous concrete and fence and retaining wall that adjoins the LaFrancois property. T. Faulise asked if they had to go to planning and zoning for a new permit to complete this project. M. Tristany stated yes, and if the applicant had been aware of the expiration of five years, they would have renewed the permit to complete the project. He explained that it was a 10 year permit process.

R. Jodoin stated that Mrs. LaFrancois lives near the end of the cul-de-sac; he stated that there is a steep bank and asked if there will be a retaining wall and a fence installed. M. Tristany stated that the original site plan called for a retaining wall and fence and this will be completed. R. Jodoin asked if everything will be cleaned up around the cul-de-sac. Joseph P. Fazekas stated yes and explained that we fell victim to the economy and had to moth-ball that foundation; he stated that we are trying to finish the project. Mrs. LaFrancois asked if the dumpster will have a top. R. Jodoin asked if the small hydrant at the cul-de-sac is connected. J. Fazekas stated yes, it is live.

T. Faulise stated that there are 69 approved and 50 have been built, and there will be a total of 19 more units to be built for the 69 approved units. J. Fazekas stated yes. There was discussion of this matter including that if the project was approved now, the 9.9 acres would only have 40 units for the site.

T. Faulise stated that the work that must be completed, the foundation is to be completed. J. Fazekas explained that there is the landscaping to be completed, the final course of bituminous, and the emergency egress road needs to have some sort of gate. He stated that the area is filled and flat and ready for the foundations. R. Jodoin stated that he had driving through the site.

T. Faulise asked how long the permit was expired. M. Tristany stated that it was about 8-10 months. C. Fontneau stated that there will actually be a new permit and that permits don't actually expire; He explained that the site plan improvements must be completed within five years per the statutes. They are seeking anew permit but that they need the variance to complete the project.

T. Faulise asked if there was anyone to speak in favor of the project. He asked if there was any opposed or had questions about the project. Philip Belisle stated that he had the wooded section of property north of this project. He stated that he was having problems with kids on dirt bikes; he asked if the applicant could put a fence along his property to keep the kids out of his yard and explained that the applicant had put up a fence along the railroad tracks. Joe Fazekas stated that there is a steep embankment where there is a chain link fence; he stated that they could add additional chain link fence to run along Mr. Belisle's property. He will install the same fence that already exists. There was discussion of this matter.

Andrew Lavallee asked if the mess will be cleaned up behind the foundation and asked if there will be landscaping there. J. Fazekas stated that it will be cleaned up and landscaping will be installed. A. Lavallee asked about the construction hours of operation will involve Saturdays. J. Fazekas stated that maybe we can do half days on Saturdays. There was discussion of this matter including that most of the work can be done with a backhoe so there would be no heavy equipment.

T. Faulise asked C. Fontneau if the work that has been completed is in compliance with zoning. C. Fontneau stated yes except for the site plan features that have been mentioned. T. Faulise asked C. Fontneau to enter his letter into the record. C. Fontneau read the letter for the record recommending certain conditions to be added to the approval of this variance. There was discussion of this matter including that the fence can be added to the Belisle property.

T. Faulise asked if there were any other concerns from the public.

Leonora LaFrancois voiced her concerns for her grandchildren's' safety for the steep drop behind her shed and asked if there would be a fence. J. Fazekas explained that there will be a retaining wall and a fence which was on the original site plan. He stated that there can be orange safety mesh fence installed during the construction.

R. Jodoin stated that the applicant was very cooperative with this Board and he thanked the applicant. Phil Belisle asked if the emergency exit be used as an entrance instead. M. Tristany explained that the gated emergency exit only was specifically required by the Planning And Zoning Commission. There was discussion of this matter.

T. Faulise asked for any other questions; hearing none, he closed the public hearing. T. Faulise explained that this is a unique situation where the zoning for the area was changed before the project could be completed. He stated that he had no objections to the project with the conditions that the site plan improvements be made as originally as required. R. Jodoin stated that he was satisfied. T. Faulise stated that there be a condition to add chain link fence to the Belisle property as well as the conditions recommended in the town planner's letter. There was discussion of this matter including the timing is tied to the certificate of occupancy.

T. Faulise asked for a motion.

MOTION: R. Jodoin made a motion to approve the variance with the following conditions to be completed: 1) a chain link fence be extended to include the Philip Belisle property, 2) the top course of asphalt; 3) the retaining wall and fencing; 4) light poles/bases; 5) concrete sidewalks; 6) bituminous curbing; 7) final grading/seeding/landscaping; 8) and a fence across the emergency entrance prior to the zoning compliance on the CO of any unit in either of the last two buildings to be constructed. W. Przylucki seconded the motion. All were in favor. The motion was carried.

5. Old Business

A. Approval of the minutes from February 1, 2012.

T. Faulise asked for any correction or omission to the minutes. R. Jodoin made a motion to accept the minutes as presented. W. Przylucki seconded the motion. All were in favor. The motion was carried

6. New Business

A. Election of Officers.

R. Jodoin made a motion to nominate T. Faulise as chairman, W. Przylucki seconded the motion. All were in favor, The motion was carried. T. Faulise made a motion to nominate D. Doucette as vice chair. R. Jodoin seconded the motion. All were in favor. The motion was carried. T. Faulise made a motion to nominate R. Anthony as secretary. R. Jodoin seconded the motion. All were in favor. The motion was carried.

The officers are: Theodore Faulise as Chairman, Dorothy Doucette as Vice Chair and Ronald Anthony as secretary

7. Correspondence

There was no correspondence.

8. Adjournment

T. Faulise asked for any other business. R. Jodoin made a motion 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