



Town of Griswold



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GRISWOLD ZONING BOARD OF APPEALS REGULAR MEETING MINUTES

AUGUST 6, 2008

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, Dorothy Doucette, Ronald Jodoin, Alternates Louis Demicco, Maryann Manning, Recording Secretary Donna Szall

Absent: Ronald Anthony, William Przulucki, Jeffrey Petersen, III

3. Determination of Quorum

T. Faulise appointed L. Demicco to sit for W. Przulucki and M. Manning to sit for R. Anthony. There was a quorum for this regular meeting of the Zoning Board of Appeals.

4. Matters Presented for Consideration

- A. ZBA 01-09 Franciscan Friars of the Immaculate, 199 Colonel Brown Road, Griswold, CT.** Requesting relief from Town of Griswold Zoning Regulations for Section 10.4.1 to reduce the left side yard requirement from 25 ft. to 6 ft. in order to install an outdoor wood furnace. The property is in the R-80 zone.

T. Faulise asked if there was a representative to present the application. T. Faulise asked for the green cards. Father Ignatius, the Superior at the Friary of Our Lady of Guadalupe presented the green cards to the board. T. Faulise stated 4 mailed out and 4 returned. He made their request to vary the side yard requirement to install an outdoor wood furnace because they cannot afford to pay the oil bill anymore. He explained to the board where the furnace would be located ten feet from the property line.

R. Jodoin stated that it would be near where the generator shack is at the wall which is the property line. Fr. Ignatius stated yes. T. Faulise stated that on the plan it says it will be located near the generator shed. F. Ignatius state that the generator will be behind the wood furnace. T. Faulise stated that we granted a variance for the generator shed also. There was discussion of this matter.

T. Faulise asked him the reason why it could not be moved over; what obstructs it. Fr. Ignatius stated that there is a hill that slopes down and makes it harder and require more work and we don't want it too close to the building because of the possibility of smoke, so they want it as far away as possible.

R. Jodoin stated that he spoke to Fr. Ignatius about it and its not that different from what we gave them for the generator. He stated that on the other side of the wall is all wooded and there is no one there. L. Demicco agreed with R. Jodoin.

T. Faulise asked if the wood storage shed was already there. F. Ignatius stated no, it would have to be constructed as well. There was discussion of this matter.

D. Doucette asked if they had access to their own wood. Fr. Ignatius stated yes, they had 17 acres. T. Faulise stated that there were no documents for or against in the file. He asked if there was anyone to speak in favor of the application. He asked if there was anyone opposed.

T. Faulise closed the public hearing, and entertained a motion. R. Jodoin made a motion to grant the variance as presented. D. Doucette seconded the motion. All were in favor. The motion was carried.

B. ZBA 03-09 LaFlamme-Kuskek Post 15, The American Legion, Department of CT, Inc., 7 South Main Street, Jewett city, CT. Requesting relief from Borough of Jewett City Zoning Regulations for **Section 9.2** to reduce front setback requirement from 40 ft. to 18 ft.; **Section 9.4** to reduce side yard requirement from 10 ft. to 3 ft.(existing building); **Section 9.5** to reduce rear yard requirement from 10 ft. to 6 ft.; **Section 9.8.2** to reduce minimum lot area from 1.5 acres for up to 6 dwelling units to 0.37 acres for up to 18 dwelling units in one building; **Section 11** to waiver in entirety parking and loading requirements; **Section 12.6.1** to increase number of mix use dwelling units from 4 dwelling units to 18 dwelling units and to allow dwelling units at street level. **Section 13.6** to waiver in entirety landscaping, screening, buffer & architectural design requirements; **Section 14.1.4** to waiver in entirety the 50 percent assessed valuation limitation for structural alterations to a non-conforming building in order to create 18-unit, low-income veterans housing and continued use of the American Legion Post and associated site improvements. The property is in the B-C Borough Commercial zone.

T. Faulise asked for the green cards for the abutters. The green cards were submitted for the record for the record 7 were mailed and 6 were returned.

Demian Sorrentino, certified planner and soil scientist for Boundaries, LLC presented the application for the American Legion. He stated that they are requesting variances for any and all regulations that would restrict the development of this project. He explained that the subject property will be combined with the adjoining property and are shown on the site plan as one property consisting of 0.37 acres. He stated that the property contains the building that houses the American Legion Post and the remainder of the building is currently vacant. He stated that this proposal is revised on sheet 2 of 5. He explained that the existing building will consist of a mixed use containing 8 dwelling units on the corner. He explained that the proposed addition will house an additional 10 residences.

D. Sorrentino explained that the American Legion was here last year for a similar request but due to funding constraints and the project costs for 11 dwelling units; it was determined that the project was not feasible. This new project includes the American Legion property and the adjacent property of Natale Cofone which is under option to purchase by the American Legion which is the next application and will contain the addition of parking and landscaping for the entire project.

He read through the list of variances: Section 9.2 explaining the setback requirement is at 18 feet from the centerline of Railroad Avenue; Section 9.4 explaining the side yard is 3 feet at its closest to the existing building and the closes point of the proposed building is approximately 6.5 feet to the rear; T. Faulise stated the existing building is 3 feet and what was it for the new building. D. Sorrentino stated that it is 6.5 ft. and are asking for 3 feet to accommodate both buildings.

D. Sorrentino read Section 9.5 explaining that this was requested for the rear yard to avoid the confusion of the proposed property line relates to the whether it would be a side yard or a rear yard so we are asking for 6 feet for the rear yard should the property line be a rear yard rather than a side yard. D. Doucette asked what that property that was blocked out. D. Sorrentino explained that it was a 3-story house.

D. Sorrentino explained Section 9.8.2 request for a variance for the minimum lot area of 1.5 acres, minimum 6 dwelling units to reduce the lot area to 0.37 acres and increase the dwelling units to 18 in the expanded American Legion building. He stated that the specific 0.37 acres for this variance because in includes the entire 2 properties so that should the properties not be combined, the variance for 18 units could not be developed. He stated that the zoning officer agreed that this would be a safeguard for this commission and the town, that neither property could be developed individually for 18 units. T. Faulise asked if the 0.37 was the deed for the existing the parcel on the left. D. Sorrentino stated that .37 acres is for the American Legion property and the Cofone property.

R. Jodoin asked if the apartment building is coming down. Bill Czmyr, president of the housing association explained that the town pump will be coming down and the apartment house. R. Jodoin asked how many apartments were there. B. Czmyr stated there were 3 apartments. R. Jodoin asked if there would be any problems with the building. B. Czmyr stated that it has been tested environmentally.

D. Sorrentino explained Section 11 request to waive all of the regulations for the parking and loading for the number of parking spaces. He explained that there would be 16 parking spaces on the Cofone property to relate to the 18 residential units.

D. Sorrentino he read Section 12.6.1. for the record and explained Section 12.6.1 requesting that 4 dwelling units be increased to all the proposed 18 units and to allow for a mix of used in the American Legion building as well as to allow apartments at the street level. He explained this request to allow for the American Legion post to remain in its original building and the residential units would make this a mixed use building and that the addition will be physically connected to the American Legion building making the entire building a mixed use building and to allow street level dwellings in the new addition.

D. Sorrentino explained that in Section 13.6, the request to waive all the regulations for that section was easier. He explained the landscaping that was proposed for the site listing a schedule of native, noninvasive plant species.

D. Sorrentino read Section 14.1.4 for the record and explained Section 14.1.4 that it did not make sense to limit the reconstruction or rehabilitation of building in the Borough of Jewett City that are in need of repair or rehabilitation to only 50 percent of the assessed value. He explained that 50 percent of the assessed value for the American Legion would be a minimal amount and so would not be able to undergo the proposed restoration as part of the project.

D. Sorrentino stated that the variances should be granted and is in harmony with the general intent of the Borough of Jewett City Zoning Regulations and without threat to the general public health, welfare and safety. He read the addendum to the variance for the record outlining encouraging the

zoning board of appeals to limit the use of the variances for this specific project associated with this application. He stated that the grant request for funding is in and this site plan was part of that grant package for that location. He stated that if the project does not go forward constituting both the parcels. We are asking that these variances be granted.

D. Doucette asked how many stories are going to be used for apartments. D. Sorrentino stated that Erik Kudlis will explain the architecture and floor plan of the proposed building.

Erik Kudlis, of Erik's Design Build Associates, explained the reason for the change in the project was because of the proposed division of the gymnasium floor in the existing legion was to be two levels of apartments that allowed for 11 apartments. He stated that the structural engineers explained that that proposal would be a violation of the seismic code regulations and was not doable. He explained that it would only leave 8 units in the existing building. He stated that the building is in a substantial state of deterioration and made the cost for renovations significant and for 8 units was not cost effective so would not get funded.

E. Kudlis stated that the people from the Veterans Administration recommended bring it up to 18 units so that the cost per unit was closer to the CHFA guidelines for funding of this project. He explained that CHFA funding would provide the bulk of it but that the costs are still in excess of their guidelines, He stated that the excess would be supplemented by grants from charitable organizations, corporate funding or the American Legion Post National could help with the funding. E. Kudlis stated that it would be a good use for the structure and retain the character of that portion of town.

E. Kudlis explained that the benefits of the two neighboring structures, the Town Pump is almost falling down and it is a health hazard and a risk of someone getting hurt in there. He stated that the apartment building is in reasonably good condition but not enough to where CHFA would consider it to be usable for their funding purposes. E. Kudlis stated that the American Legion has secured an option on the purchase of the property that will provide room to build an addition to the American Legion building and to provide 16 parking spaces on site which is nearly a 1 to 1 ratio; although some people would not have a car and so there would be parking for functions there, visiting staff and community service organizations.

E. Kudlis stated that the architects retained much of the original design of the American Legion building to restore the dormers of the mansard roof and the addition will have some of the characteristics such as brick and the dormered mansard roof line. There was discussion of this matter.

E. Kudlis asked for questions. T. Faulise asked about the connection between the two buildings and if it was a walkway or stairway, or elevator. E. Kudlis stated that there will be an elevator in the addition portion of the building and showed where it would be located. He stated that all the units will be fully handicapped accessible. He stated that the original building did not have enough headroom in the basement to accommodate an elevator. He stated that the addition would have the elevator and that there will be a key card entry system and a glassed lobby office to see who is coming in and out of the building. E. Kudlis explained where the administrative offices would be located with conference rooms and activity rooms for social service providers as well as general office space for the social service providers and two apartments at the rear for a resident maintenance person. He stated the additional two floors would have 4 units each for a total of 10 for the addition as well as 8 units in the existing structure for a total of 18. He stated that at each level besides the elevator shaft there would be a walkway to provide secondary egress to meet fire code regulations.

T. Faulise asked if the hall was to be renovated. E. Kudlis stated that the building will be gutted and all the exterior brick masonry will be re-pointed, patched and repaired.

D. Sorrentino submitted letters from the Jewett City Water Company and the Jewett City Dept. of Public Utilities from the old file stating that there was water for the property as well as sewer for the project. There was discussion of this matter.

E. Kudlis stated that the building will be built as a green building with the use of geothermal system using the ground for heating and no fossil fuels used and it will be insulated with energy star cellulose insulation to be low in operating costs and relatively maintenance free and environmentally friendly.

T. Faulise asked what the grey line on the outside of the property was. D. Sorrentino explained that it was the location of the sidewalk and the road. L. Demicco asked if there would be new sidewalks. E. Kudlis stated yes especially on Railroad Avenue but the sidewalks on South Main are in pretty good shape. There was discussion of this matter.

T. Faulise asked for the record what the hardship was for this piece of property. D. Sorrentino stated that the hardship is that the existing building is at the edge of the sidewalk and is an existing structure that they are trying to rehab and dealing with the confines of a relatively small property and to reuse a historically significant building.

T. Faulise asked if there was somebody to speak in favor. T. Faulise asked if there was anyone to speak against. He stated that there is a letter in the file. D. Doucette read the letter from Nicholas Holowaty for the record in opposition of the project, the number and extent of the requested variances, the cost of the project as pork barrel for the American Legion.

R. Jodoin stated that the veterans deserve this and they have earned it.

Ed Burke, 650 Voluntown Road, and a member of the American Legion voiced his support of the project and stated that Mr. Holloway's letter is unfounded and this project is not a pork barrel for the American Legion. He stated that this project will not generate any income and everything is a private non-profit agency and does not have a profit status. This project is to provide housing for veterans who have serious, persistent mental illness, PTSD, depression related to service. He stated that alcohol and substance abuse is a secondary. He stated that these veterans are people in recovery and demonstrated they are willing to go forward and back into productive life. He stated that this proposed facility will be a stepping stone for them. He stated that he thinks it is a wonderful thing that Jewett City is allowing us to go forward with this project and these people deserve it. He stated that it has been proven, documented and shown that these programs succeed.

Frank May, Griswold resident, stated that he has met with some important people, the American Legion commander, the National commander and in Washington DC and met the assistant director. He stated that the project is to allow bringing people home to their hometowns. So this project is a prototype for what can happen all across the country through VFW and American Legion to have apartments that fit in with their hometown. He stated that this building fits in with the historic nature of the town with the building where it is. He stated that people are excited about Jewett City and Griswold doing this project. F. May stated that there were inaccuracies in the letter as far as dollar amounts. He stated that this is something that the whole nation is looking at to bring veterans home.

L. Demicco asked if there was a length of stay for the veterans to live there. E. Burke stated that there is no time line requirement; this is a permanent housing and there is no term of stay but that the average length of time is two years in facilities such as this. There is no term limit to the length of time; it is a permanent residence.

D. Doucette asked if how they plan to select the people who apply for these apartments; will they be Connecticut residents or Jewett City residents? She asked what criteria would be used. E. Burke stated that project is intended to provide housing for primarily homeless veterans coming from the VA health care system or the Connecticut Department of Veterans Affairs to move into the community. He stated that there are seven HUD vouchers committed comes with an employee from the VA and there will be a screening for the remainder by a screening committee based on recommendations from service providers and allows us to look at veterans within our community as well for this low-income housing.

T. Faulise stated that the application ZBA 04-09 is in combination with the first application. D. Sorrentino stated that it is the property of Cofone. He stated they are asking the same exact variances on the Cofone property. He stated that the proposed building does come on to the Cofone property so the verbiage contained in the applications and the addenda; the variances requested are exactly the same. He stated that the area variance that was specified before includes the Cofone property stipulates that 0.37 acres is total parcel for the project. D. Sorrentino stated that they are proposing it as a whole.

D. Doucette asked if we can grant a variance on property you do not own? T. Faulise stated yes we can. D. Sorrentino stated that he has the signature of Mr. Cofone on the application and Mr. Cofone's signature on the agent authorization authorizing D. Sorrentino, Boundaries, LLC as his representative in this request for variances.

L. Demicco asked T. Faulise to read this application for the record. T. Faulise read the notice for ZBA 04-09 for the record. L. Demicco stated that the variances on the property should only be implemented only if the American Legion purchases the property for their project. There was discussion of this matter.

C. ZBA 04-09 Cofone, Natale, 7 Meadow Lark Drive, Westerly, RI. Property location; 15 A-C Railroad Avenue, Jewett City, CT. Requesting relief from Borough of Jewett City Zoning Regulations for **Section 9.2** to reduce front setback requirement from 40 ft. to 18 ft.; **Section 9.4** to reduce side yard requirement from 10 ft. to 3 ft.(existing building); **Section 9.5** to reduce rear yard requirement from 10 ft. to 6 ft.; **Section 9.8.2** to reduce minimum lot area from 1.5 acres for up to 6 dwelling units to 0.37 acres for up to 18 dwelling units in one building; **Section 11** to waiver in entirety parking and loading requirements; **Section 12.6.1** to increase number of mix use dwelling units from 4 dwelling units to 18 dwelling units and to allow dwelling units at street level. **Section 13.6** to waiver in entirety landscaping, screening, buffer & architectural design requirements; **Section 14.1.4** to waiver in entirety the 50 percent assessed valuation limitation for structural alterations to a non-conforming building in order to create 18-unit, low-income veterans housing and continued use of the American Legion Post and associated site improvements. The property is in the B-C Borough Commercial zone.

T. Faulise asked for any other comments or questions. D. Sorrentino stated that for the record he has the abutters' notifications. He stated that 5 were sent and 5 were returned. T. Faulise stated that there was no correspondence for or against in the file. He asked if there was anyone to speak for or against. T. Faulise closed the public hearing at 7:55 p.m.

T. Faulise stated that the request as a lot of variances and that the property has been here prior to zoning and that the intent of the zoning regulations is basically for new construction. He stated that when a property goes back more than 100 years, when your try to do anything with it, it would be hard to meet any code. He stated that by purchasing the additional properties, it adds parking to the property that did not have parking; as far as financial gain, it is a non-profit organization. He

stated that the actual project is unique and a criterion for granting variances is the uniqueness of the property from other properties.

R. Jodoin stated that it is a much needed project and this will improve the downtown in Jewett City since this building is one of the first buildings you see coming into town.

T. Faulise stated that the opposition letter and he didn't think that the writer was an aggrieved party and many of his comments concerned pork barrel and are not project related.

T. Faulise asked for a motion. L. Demicco asked if the properties have to be together to make a motion. T. Faulise stated that these properties are together and he asked if the deeds will be together as one parcel. D. Sorrentino stated if the project is funded, it is his understanding that American Legion will take title. T. Faulise stated that there won't be separate ownership.

T. Faulise asked for a motion on ZBA 03-09 the existing building. D. Doucette made a motion to grant the variance for ZBA 03-09 as presented. R. Jodoin seconded the motion. T. Faulise asked for discussion. All were in favor. The motion was carried.

T. Faulise asked for a motion for the abutting property not owned by American Legion, ZBA 04-09. L. Demicco made a motion to grant ZBA 04-09 as long as the parcel of land is sold to the American Legion for the project. D. Doucette seconded the motion. All were in favor. The motion was carried.

5. Old Business

A. Approval of the minutes from July 2, 2008.

T. Faulise asked for any corrections or omissions. Hearing none, he asked for a motion. D. Doucette made a motion to accept the minutes as presented. L. Demicco seconded the motion. All were in favor. The motion was carried.

6. New Business

There was no new business.

7. Correspondence

T. Faulise asked if everyone received the newsletter.

8. Adjournment

L. Demicco made a motion to adjourn. D. Doucette seconded the motion. All were in favor. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Donna M. Szall
Recording Secretary