

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

January 23, 2012

The Wethersfield Zoning Board of Appeals held a public hearing on January 23, 2012 at 7:00 PM in the Town Hall, Library Community Room, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Chairman
Daniel Logan, Vice Chairman
Eugene Ziurys, Jr.
Frank Dellaripa, Alternate
Kevin Rogers, Alternate

ABSENT: Matthias DeAngelo, Clerk
Mark Rudewicz
Morris R. Borea

Also Present: Brian O'Connor – Chief Building Official

Chairman Vaughan, Jr. opened the meeting at 7:00PM. There was no one from the audience who wished to speak.

Application No. 6080-12. Dimitrios Stergiotis, seeking variance to park a commercial vehicle at 87 Liberty Hill East, West side, AA Zone (§3.5.5)

Dimitrios Stergiotis, 87 Liberty Hill East, Wethersfield, CT appeared before the Board seeking a variance to park a commercial vehicle in a residential zone. Mr. Stergiotis stated that this truck is his Employers truck that he takes home because he is on call 24/7 and that his hours vary. He stated that he was hoping to come up with some type of resolution to make everyone happy.

Chairman Vaughn, Jr. questioned the need for the variance. Mr. O'Connor stated that to park a commercial vehicle in a residential area you need to meet 11 criteria and Mr. Stergiotis does not meet 3 of those criteria's; those being:

1. GVW maximum is 12,000 – this truck is 19,500
2. Height maximum is 8' – this truck is 10' 6"
3. Signage maximum is 12 sq. ft. – this truck is 36 sq. ft.

All other criteria are met.

Mr. Stergiotis entered into the record letters in favor of this application.

Mr. Stergiotis stated that he has worked for this Employer for 9 years and has worked hard to get to where he is at today. He stated that it is mandatory that he be on call; and if he loses his job then he loses his home. He is the sole provider for his family. He stated

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that he works many hours, around 80 – 90 hours a week and the truck is very seldom there.

Chairman Vaughan, Jr. questioned where he parks the truck. Mr. Stergiotis stated that he lives on a corner so there is nowhere else to put the truck but in the driveway. He stated that one remedy may be putting up arborvitaes to conceal the truck. Chairman Vaughan, Jr. stated that putting up a bearer, the vehicle will still be in violation, but it may help to appease the neighbors opposed. He questioned if his neighbors know what he is proposing to do to conceal the truck. Mr. Stergiotis stated that he tried going around to his neighbors over the weekend, no one really said yes or no to the idea. He stated that he is trying to make everyone happy; he wants to be a good neighbor. He stated that he just moved here from Farmington and in Farmington he was able to receive a variance.

Chairman Vaughan, Jr. questioned if the Company had a smaller truck he could use. Mr. Stergiotis stated that they do not they have two other trucks both bigger than this one.

Chairman Vaughan, Jr. questioned if there was any other place to park it; maybe at the Employers business. Mr. Stergiotis stated that there is no actual shop; and that the owner works out of his home.

Commissioner Ziurys, Jr. questioned if he could find another place, such as the Berlin Turnpike and rent a space to park the truck. Mr. Stergiotis said that he thought about that but is concerned over the safety; stating he has thousands of dollars of equipment in the truck; so for security reasons he would not be comfortable with that.

Commissioner Dellaripa stated that there are four letters in favor of this application; he stated that one letter in favor however is not signed. He stated that there are also four letters in the file against this application.

Chairman Vaughan, Jr. confirmed that he is willing to do things to try to conceal the truck, such as the arborvitaes or something with the driveway. Mr. Stergiotis stated that he is willing to do whatever he has to, adding that he is willing to spend the money to make everyone happy.

Commissioner Rogers stated that the signage is over on the truck. Mr. Stergiotis stated that he can take all the logo's off the truck and have magnetic logo's put on that he can take off when the truck is parked home. He stated because of the GVW he would still need to have the DOT# on the truck at all times.

There was no one in the audience who wished to speak in favor of the application.

The following audience members wished to speak in opposition to this application:

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1. Mrs. Milluzzo, 110 Liberty Hill East, Wethersfield, CT – she read a letter from another neighbor, Denise and Michael Hallisey, 24 Glory Lane, Wethersfield, CT also in opposition to this application. This letter was entered into the record. Mrs. Milluzzo stated that she is very happy that someone has moved into this property because it has been vacant for so long; however, she is strongly opposed to a commercial vehicle being parked there. She stated that this vehicle can be seen from almost everywhere in her home. She stated that she feels this brings down the property value in the area. She stated that she is concerned that there are other business owners who live in the area and this will set precedent for them to also park their commercial vehicles on their property. She stated that the idea of the arborvitaes to cover the truck is not realistic, adding that it would take a good 10 years for it to grow enough to cover the sight of the truck. She stated that she is also concerned that this may cause a blind spot. She entered into the record pictures of views from her house and her neighbors across the street.

Chairman Vaughan, Jr. confirmed that her biggest objection is the sight of the vehicle; and if you couldn't see the vehicle then you wouldn't have a problem. Mrs. Milluzzo stated that she did not see any way for that to happen. Chairman Vaughan, Jr. stated that if the truck was 8' and 12,000 pounds then it would not need this variance. Mrs. Milluzzo stated that she then would not have a choice; but the truck is bigger than that and she is able to voice her objection. She stated that if the truck were able to fit in the garage she would not have a problem with it; but she does not want to see the truck in a residential area.

2. Attorney Malec, 84 Liberty Hill East, Wethersfield, CT – read two letters into the record from neighbors opposed to this application; one from Mark Lanskey, 258 Two Rod Highway and one from John Morra, 84 Liberty Hill East. Both letters were entered into the record. She stated that she agrees with everything that Mrs. Milluzzo has said. She stated that she lives right across the street and the vehicle is a real eyesore. She stated that she has to dispute the fact that it is hardly ever there; adding that she sees it every morning at 6:30 when eating her breakfast. She stated that it was there all weekend the weekends of Christmas and New Year; her company even commented on it. She stated that he said that he tries to be quite coming home late and he turns off the lights; but this poses a hazard as there are a lot of young drivers in the area. She stated that she really feels that this decreases her property value.

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Mrs. Stergiotis came up to speak to the Board and to clarify a few things. She stated that the arborvitaes that they were planning on planting would be full grown (6'-8') which will continue to go another 1'-2' per year, she stated that they are more money but they are willing to spend it to make everyone happy. She stated that they would not pose any type of blind spot. She stated that as far as Mrs. Milluzzo stating that she can see the vehicle from her home; she would have to come out of her home and down her driveway to see the truck because she has arborvitaes down her driveway; but she can probably see it from her second floor window. They are willing to outline their driveway which is kind of an "L Shape". She also stated that the truck was there more than usually a few weeks ago because of the Holidays. She stated that with regards to storing the truck offsite; there are problems with accessibility and also that would mean having to get another car to get to the storage facility. She stated that they really cannot afford that as he is the sole provider and she is a student. She stated that she does not feel that this brings the property value down in the neighborhood.

There were no further questions or comments from the Board.

Application No. 6081-12. Luz Perez, seeking a variance to maintain an addition which encroaches into the rear yard setback at 97 Brussels Ave, West side, B Zone (§3.7)

Mr. Perez, 97 Brussels Ave, Wethersfield, CT appeared before the Board on behalf of his wife Luz Perez seeking to maintain an addition which encroaches into the rear yard setback. Mr. Perez stated that they needed more room in their home and in the effort of saving money they decided to build out because they could not afford to build up. He stated that this is an approximately 12' x 18' addition.

Mr. O'Connor recommended to the Board that they table this application; he stated that they are waiting to get information from the surveyor so they can know exactly how much of a variance is needed.

Mr. Perez stated that he does not understand why there is a problem; he stated that his neighbor has an addition about the same size in back also. Mr. O'Connor stated that he did put the plot plan from the neighbor who received the variance in the packet for the Board members to review.

Mr. O'Connor stated that Mr. Perez did do a rec room addition in the basement in the past and pulled all the necessary permits for that so he does not know what happened and why no permits were pulled for this addition. Mr. Perez stated that they did not have the money.

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Chairman Vaughan, Jr. confirmed that Mr. O'Connor recommends that the Board table this application. Mr. O'Connor stated yes; that is his recommendation.

Commissioner Dellaripa questioned if neighbors received letters regarding this application. Mr. O'Connor stated that they did.

Mr. Perez stated that his surveyor said that the ground is too hard right now; that is why the surveyor is taking a while to get.

Chairman Vaughan, Jr. stated that the Board will table this application as recommended by Mr. O'Connor.

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Chairman Thomas Vaughan, Jr.

Commissioner Dellaripa, Acting Clerk

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ABSENT: Matthias DeAngelo, Clerk
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DECISIONS FROM PUBLIC HEARING

Application No. 6080-12. Dimitrois Stergiotis, seeking variance to park a commercial vehicle at 87 Liberty Hill East, West side, AA Zone (§3.5.5)

There was much discussion between the Board members regarding this application. Stating that the letters for and against are pretty much even; stating that the big objection is the fact that the vehicle can be seen. There was talk about putting a time limit on the variance; or if the applicant could make some significant changes, such as some type of enclosure so it cannot be seen at all and come back next month. A Board Member stated that they are seeing these types of applications more and more now because of the economy.

Upon motion made by Commissioner Dellaripa, seconded by Vice Chairman Logan and a poll of the Board it was voted that the above application be approved with the following stipulations.

1. Arborvitaes plantings as submitted.
2. Have removal signage on truck.

The motion failed to carry by a vote of 4-1 (with only Commissioner Dellaripa approving) Therefore this application was **DENIED**.

A second motion was made by Commissioner Dellaripa, seconded by Commissioner Rogers and a poll of Board that this application **BE DENIED without prejudice**. Meaning the applicant can come back after making significant changes to the application. This motion passed by a vote of 5-0.

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Application No. 6081-12. Luz Perez, seeking a variance to maintain an addition which encroaches into the rear yard setback at 97 Brussels Ave, West side, B Zone (§3.7)

Upon motion made by Commissioner Dellaripa, seconded by Vice Chairman Logan and a poll of the Board it was unanimously voted that this application **BE TABLED**.

APPROVAL OF MINUTES

Upon motion made by Commissioner Dellaripa, seconded by Commissioner Rogers and a poll of the Board it was voted that the minutes of December 19, 2011 **BE TABLED**.

ADJOURNMENT

The meeting was adjourned at 8:00 PM.

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CHAIRMAN VAUGHAN, JR.

Commissioner Dellaripa, Acting Clerk

I hereby certify that the above is a true copy of the minutes of the Zoning Board of Appeals on

Commissioner Dellaripa, Acting Clerk