

**WETHERSFIELD ZONING BOARD OF APPEALS
PUBLIC HEARING**

May 24, 2010

The Wethersfield Zoning Board of Appeals held a public hearing on May 24, 2010 at 7:00 PM in the Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael
George McKee
Daniel M. Logan, Alternate
Frank Dellaripa, Alternate
Sheila Hennessey, Alternate

ABSENT: Morris R. Borea, Chairman
Matthias DeAngelo

Also Present: Steve Lattarulo, Assistant Building Officer
Fred Valente, Building Officer

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

APPLICATION NO. 6032-10 Kocur, John R. seeking a variance to permit (12) table seats having less than the required parking (renewal) at 285 Main Street, west side, Bus. 2 Zone. (§6.2.8f).

John Kocur, Cove Deli, 285 Main Street, Wethersfield, CT appeared before the Board seeking a renewal permit to allow 12 table seats having less than the required parking.

Mr. Kocur stated that this is a renewal from the previous owners; he stated that he gets a lot of walk in local customers and a lot of customers that walk over from the DMV.

Commissioner Bockstael questioned if he will be keeping the same seating as the previous owners. Mr. Kocur stated that he will; however, he would take more if allowed.

Commissioner Bockstael read the following stipulations from the last approval:

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1. Trash pick-up will be clarified with the Town Health Inspector.
2. All stipulations set forth by the Central Connecticut Health District to be adhered to.
3. There will be no outdoor seating during the months of December, January and February.
4. Seating will consist of four (4) interior and eight (8) exterior seats.
5. Employees will park behind Hart Seed Company.

Mr. Kocur confirmed that he can have seating during the winter months inside. Commissioner Bockstael stated that this was correct.

Vice Chairman Vaughan, Jr. questioned if this is a renewal or a new owner variance. Mr. Lattarulo stated that the renewal should have been a year ago; however, they could not find the owners; now that there are new owners it is coming before the Board for approval.

Vice Chairman Vaughan, Jr. confirmed that he is fine with all the stipulations. Mr. Kocur stated that this is the first that he has heard of these stipulations; but stated that he does not have a problem with any of them; as long as Hart Seed Company is fine with his employees parking there. (Commissioner McKee gave a copy of the Stipulations to Mr. Kocur).

Commissioner Dellaripa questioned if he is open for business. Mr. Kocur stated that he has been open for about a month and a half.

There were no further questions or comments from the Board.

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

APPLICATION NO. 6033-10 Joanis, Kim seeking a variance to erect an addition not having the required side yard and rear yard setback at 30 Rutledge Road, south side, A Zone. (§3.7).

Kim Joanis, 30 Rutledge Road, Wethersfield, CT appeared before the Board seeking a variance to erect an addition not having the required side and rear yard setback.

Ms. Joanis stated that this is considered a corner lot which is also on a dead end street. She stated that she will not be close to the neighbor behind her; stating that the yard goes

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back about 71' adding that the addition will be coming out as far as the deck. She stated that she has spoken with her neighbor behind her; and they do not have a problem with this application.

Ms. Joanis stated that she is looking for this addition to be a big recreation room and to also add storage. She confirmed that all the Commissioners had copies of the plans.

Mr. Lattarulo informed the Commissioners that there is a letter from the Town Engineer in the file.

Ms. Joanis stated that across from her is Wintergreen Woods and Folly Brook which is wetlands and can never be built on. Commissioner Dellaripa questioned if the addition is on wetlands. Ms. Joanis stated that it is not; it is on her property which she has built up with a lot of fill.

Commissioner Dellaripa confirmed that this will be inspected by the Engineering Department. Mr. Lattarulo stated that it would.

Commissioner Logan questioned how far the addition will going out on the side of the property. Mr. Lattarulo stated that it will leave 11' to the property line.

There were no further questions or comments from the Board.

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

APPLICATION NO. 6034-10 Margarida, Augusto seeking a variance to construct an addition not having the required side yard setback, at 334 Silas Deane Highway, east side, O Zone. (§5.4)

Mr. Joe Pisarski, 334 Silas Deane Highway, Wethersfield, CT appeared before the Board speaking on behalf of Augusto Margarida, seeking a variance to construct an addition not having the required side yard setback. Mr. Pisarski stated that this property is zoned for mixed use and they plan on having a business on the first floor and an apartment on the second floor.

Vice Chairman Vaughan, Jr. confirmed that they are looking for a 2' – 3' variance. Mr. Pisarski stated that they currently are 10 ½' from the building line and they wish to square off the property.

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Vice Chairman Vaughan, Jr. confirmed that this zone was changed and that the property is non-conforming. Mr. Pisarski stated that this was correct; adding that because it is non-conforming anything they do would require a variance.

Commissioner Dellaripa questioned if they were adding on to the house. Commissioner Bockstael stated that they are just squaring off the house.

Commissioner Bockstael questioned if they will be using vinyl siding. Mr. Pisarski stated that he is not sure what will be used yet; adding that the house is in need of a lot of work and they will be talking to architects for plans.

Mr. Lattarulo stated for the record that this will also need to go before the Planning and Zoning Commission for site plan review.

There were no further questions or comments from the Board.

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

APPLICATION NO. 6035-10 Bankowski, James seeking a variance to construct a detached garage, a portion of which will not have the required set back at 94 Hartford Avenue, north side, B Zone. (§3.6).

James Bankowski, 94 Hartford Avenue, Wethersfield, CT appeared before the Board seeking a variance to construct a detached garage of which a portion will not have the required setback. He confirmed that all the Commissioners had drawings of the plot plan.

Mr. Bankowski stated that he spoke to his neighbors at both 19 and 21 Megget Park and he has letters from both stating that they are in favor of this application. He stated that this mostly affects his neighbor at 21 Megget Park. He stated that currently the garage is 1 1/2' from the property line; and by constructing this new garage it will actually be moved further away from his neighbor's property.

Commissioner Bockstael questioned if he looked into moving the garage forward. Mr. Bankowski stated that they did look at doing that; however, they would have a tough time pulling out a second car.

Commissioner Bockstael questioned if he will be using the same foundation. Mr. Bankowski stated that there will be a new foundation. He stated that the garage will basically be in the same place, however, just further back.

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Commissioner McKee confirmed that he will be going back further from where it currently is. Mr. Bankowski stated that this was correct.

Commissioner Bockstael confirmed that a 2' variance is needed. Mr. Lattarulo stated that a 2'-3' variance is needed.

There were no further questions or comments from the Board.

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

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Vice Chairman Thomas Vaughan, Jr.

Commissioner Bockstael, Clerk

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PRESENT: Thomas J. Vaughan, Jr., Vice Chairman
Bruce T. Bockstael
George McKee
Daniel M. Logan, Alternate
Frank Dellaripa, Alternate
Sheila Hennessey, Alternate

ABSENT: Morris R. Borea, Chairman
Matthias DeAngelo

Also Present: Steve Lattarulo, Assistant Building Officer
Fred Valente, Building Officer

DECISIONS FROM PUBLIC HEARING

Voting Members: All Regular Members and Commissioner Hennessey

APPLICATION NO. 6032-10 Kocur, John R. seeking a variance to permit (12) table seats having less than the required parking (renewal) at 285 Main Street, west side, Bus. 2 Zone. (§6.2.8f).

Upon motion made by Commissioner Bockstael seconded by Commissioner McKee and a poll of the Board it was unanimously voted that this application **BE APPROVED** with the following stipulations for a period of 5 years:

1. Trash pick-up will be clarified with the Town Health Inspector.
 2. All stipulations set forth by the Central Connecticut Health District to be adhered to.
 3. There will be no outdoor seating during the months of December, January and February.
 4. Seating will consist of four (4) interior and eight (8) exterior seats.
 5. Employees will park behind Hart Seed Company.
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Voting Members: All Regular Members and Commissioner Logan

APPLICATION NO. 6033-10 Joanis, Kim seeking a variance to erect an addition not having the required side yard and rear yard setback at 30 Rutledge Road, south side, A Zone. (§3.7).

Upon motion made by Commissioner McKee seconded by Commissioner Logan and a poll of the Board it was unanimously voted that this application **BE APPROVED** as submitted.

Voting Members: All Regular Members and Commissioner Dellaripa

APPLICATION NO. 6034-10 Margarida, Augusto seeking a variance to construct an addition not having the required side yard setback, at 334 Silas Deane Highway, east side, O Zone. (§5.4)

Upon motion made by Commissioner Dellaripa seconded by Commissioner Bockstael and a poll of the Board it was unanimously voted that this application **BE APPROVED** as submitted.

Voting Members: All Regular Members and Commissioner Hennessey

APPLICATION NO. 6035-10 Bankowski, James seeking a variance to construct a detached garage, a portion of which will not have the required set back at 94 Hartford Avenue, north side, B Zone. (§3.6).

Upon motion made by Commissioner Bockstael seconded by Commissioner Hennessey and a poll of the Board it was unanimously voted that this application **BE APPROVED** as submitted in the site plan.

APPROVAL OF MINUTES

Upon motion made by Commissioner McKee seconded by Commissioner Bockstael and a poll of the Board it was unanimously voted that the minutes of December 28, 2009 **BE APPROVED**.

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Upon motion made by Commissioner Dellaripa; seconded by Commissioner Hennessey and a poll of the Board it was unanimously voted that the minutes of March 22, 2010 **BE APPROVED.**

ADJOURNMENT

The meeting was adjourned at 7:38 PM.

WETHERSFIELD ZONING BOARD OF APPEALS
VICE CHAIRMAN VAUGHAN, JR.

Commissioner Bockstael, Clerk

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

Commissioner Bockstael, Clerk