

AGENDA
ZONING BOARD OF APPEALS
APRIL 26, 2017 - 7:00 P.M.
TOWN HALL ANNEX - 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

I. ROLL CALL

II. PUBLIC HEARING

1. ZBA#17-02 - 182 Fort Hill Road; Fort Hill Citgo, LLC - Owner; Clinton Brown - Applicant; for variances to Section 4.13-1 to allow the fuel pump islands 13-feet from the front property line in lieu of 19-feet; Section 4.13-2 to allow a new fuel pump canopy 3-feet from the front property line in lieu of 10-feet; Section 5.2 to allow 32% building coverage in lieu of 20%; and Section 7.3-6.B to allow a free-standing sign of 60 square feet in lieu of 24 square feet, a height of 18-feet in lieu of 8-feet, and a setback of 5-feet in lieu of 10-feet from the west property line; to allow a canopy sign of 60 square feet in lieu of 0 square feet and to allow 3 fuel pump topper signs in lieu of 0 permitted topper signs. PIN#169808989133, R-12 Zone
2. ZBA#17-05 - 200 Sandy Hollow Road; Mystic Professional Associates - Owner; Thomas Blum, MD - Applicant; for a variance to Section 8.6.2A to allow the extension/enlargement of a legal non-conforming use. The variance is requested to expand the parking areas by 15 parking spaces from the existing 33 spaces to 48 spaces where 36 parking spaces are required for the legal non-conforming use. PIN#261909162611, RS-20 Zone

III. MEETING FOLLOWING PUBLIC HEARING

3. ZBA#17-02 - 182 Fort Hill Road; Fort Hill Citgo, LLC - Owner; Clinton Brown - Applicant
4. ZBA#17-05 - 200 Sandy Hollow Road; Mystic Professional Associates - Owner; Thomas Blum, MD - Applicant

IV. CORRESPONDENCE

V. APPROVAL OF MINUTES

1. April 12, 2017*

VI. OLD BUSINESS

VII. NEW BUSINESS

1. New Applications

VIII. REPORT OF STAFF

IX. ADJOURNMENT

- * Enclosed

Next meeting: May 10, 2017

STAFF SUMMARY SHEET

PROJECT NAME/LOCATION: 182 Fort Hill Road - Citgo Gas Station	
CAM: No	
STAFF PLANNER: []	SUMMARY DATE: 4/20/17
TERMINAL ACTION DATE:	PUBLIC HEARING CLOSED:
EXISTING LAND USE/ZONING: Service Station/R	SITE AREA: 0.41 AC. SQ. FT.
SURROUNDING LAND USE/ZONING DISTRICT(S):	
North: Single Family Residence/R	South: School/R East: Duplex/R West: Park/Athletic Fields/R
<p>HISTORY: The service station is a legal-nonconforming use. The earliest plans in the street file are dated 1989. A variance was granted in 2003 for a 3'x11' addition to the front of the building. Currently there are three fuel pump stations at the service island, but the proximity of the pumps to each other are too close for all of them to be used at one time.</p>	
<p>PROJECT DESCRIPTION: The applicant is requesting a variance from Section 4.13-2 for setbacks of the canopy and fuel pump island from the front property line to allow for the reconfiguration of the pump stations. Spacing the pumps to allow three vehicles to fuel end-to-end requires an enlarged canopy and new signage on both the canopy and each pump station.</p> <p>The applicant requests variances to Section 7.3-6B to move the free-standing sign from its current location at the southwest corner of the lot to the south east corner of the lot. Variances from this section are also required for the canopy signs and fuel pump topper signs. Since this use is in a residential zone, the sign square footage allowed for the canopy and fuel pump stations is listed as zero square feet.</p>	
<p>LIST AGENCIES WITH OUTSTANDING COMMENTS: [] []</p> <p>[] [] [] []</p>	
WAIVERS: none	
<p>LAND USE/DEVELOPMENT ISSUES ANALYSIS:</p> <p>The applicant will be required to submit a building permit for the work. It is also anticipated that this proposed work coincides with replacing the underground storage tanks.</p>	
<p>ATTACH ANY RECOMMENDED ACTION, INCLUDING MODIFICATIONS AND/OR CONDITIONS AND TECHNICAL ITEMS.</p> <p>Staff will have a recommendation at the meeting.</p>	

MINUTES
TOWN OF GROTON
ZONING BOARD OF APPEALS
APRIL 12, 2017 - 7:00 P.M.
TOWN HALL ANNEX - 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

Chairman Stebbins called the meeting to order at 7:00 p.m.

I. ROLL CALL

Regular members present: Stebbins, Kravits, Manning, Mencer
Absent Russotto
Staff present: Allen, Zandarini, Silsby

Public hearing procedures were reviewed. Chairman Stebbins explained that since only four members were present, there would have to be four affirmative votes. He gave the applicants the option to wait until the April 26, 2017 meeting. The applicants chose to go forward tonight.

II. PUBLIC HEARING

1. ZBA#17-01 - 2906 Gold Star Highway, TYE LLC/Owner/Applicant, Frank Borawski/Engineer, for variances to Section 5.2 to allow a 10-foot side yard setback in lieu of 30-feet for a maximum 2,040 square foot one-story addition on the east side of the property; and to Section 7.2-3F to allow 32 parking spaces in lieu of the required 46 spaces. PIN#271014339797, CB-15 zone

The applicant submitted the mailings. Secretary Manning stated that the mailings were reviewed and found to be in order. The public hearing notice was read.

Frank Borawski, 107 Old Windsor Road, Bloomfield, CT, reviewed plans for the proposed addition. He explained that the site drops down from the highway. Wetlands were reviewed. Photos were presented from various angles showing the wetland area, parking lot, the existing propane tank location, and the astro turf area where the proposed addition will be enclosed all year long. Photos were marked as exhibits.

Inquiries were made about the present lot coverage, alternate locations, and parking spaces. Borawski noted that there are currently 32 parking spaces, which will not change. Borawski believes there are no other alternative locations.

Stebbins asked if there was anyone to speak in favor or against this application.

Gina Drab, 511 Groton Long Point Road, spoke in favor of this application. She noted that the parking lot is never full.

There was no one to speak in opposition.

Manning read the Planning Commission memo dated March 28, 2017. The Planning Commission felt that the variance should be tied to this specific use.

The Public Hearing closed at 7:20 p.m.

2. ZBA#17-03 – 281 Flanders Road; Custom Sitework, LLC – Owner; Mark Shaw - Applicant; for variances of Section 5.2 to allow an addition 32 feet from the front property line where a 50 foot setback is required, and Section 8.6-4A to allow the enlargement, extension and alteration of an existing legal non-conforming building. The variances are requested to raise the roof 3.5 feet, construct a second story addition, and add a deck and stairway to the rear of the house. PIN# 260918324200, IP-80B Zone

Mencer disclosed that Mr. Shaw has done construction work for him. The Board did not have any concerns.

Secretary Manning stated that the mailings were reviewed and found to be in order. The public hearing notice was read.

Mark Shaw explained his plan to move into his parents' home, which was built in 1942. The house is approximately 1164 square feet. The plan is to build up, above the existing house. The footprint will not be changed. Plans and photos were reviewed and submitted. Details were given about the existing stairs and a deck. Shaw referred to Section 8.6-2 of the zoning regulations pertaining to non-conforming uses.

Inquiries were made about the deck and stairs. Discussion followed about zones across the street and setbacks.

Manning believes that a hardship exists as the house was built prior to zoning regulations being in place.

Stebbins asked if there was anyone to speak in favor or against this application. There were none.

The Public Hearing closed at 7:47 p.m.

III. MEETING FOLLOWING PUBLIC HEARING

1. ZBA#17-01, 2906 Gold Star Highway, TYE, LLC/Owner/Applicant, Frank Borawski/Engineer

Mencer sees a hardship because of wetlands on site and supports this application. Other members agreed.

MOTION: To approve the application as presented.

Motion made by Manning, seconded by Kravits, so voted unanimously

2. ZBA#17-03, 281 Flanders Road; Custom Sitework, LLC – Owner; Mark Shaw - Applicant

An inquiry was made about the stairs being a permanent structure.

Mencer stated that this is a pre-existing non-conforming structure. Manning stated that the applicant is only asking to increase the non-conformity, not the footprint. The hardship exists due to the house predating zoning.

MOTION: To approve the application as presented.

Motion made by Mencer, seconded by Kravits, so voted unanimously

IV. CORRESPONDENCE – None

V. APPROVAL OF MINUTES

1. January 25, 2017

MOTION: To adopt the minutes of January 25, 2017, as written.

Motion made by Mencer, seconded by Kravits, so voted unanimously

VI. OLD BUSINESS

Discussion followed about tying a variance to the specific use approved.

VII. NEW BUSINESS

1. New Applications were reviewed.

ZBA17-02 – Fort Hill Citgo, 182 Fort Hill Road

ZBA17-04 – Olio Restaurant, 33 Kings Highway

ZBA17-05 – Mystic Professional Associates, 200 Sandy Hollow Road

ZBA17-06 – Community of Hope (owner) 120 Walk Hill Road (APPEAL)

VIII. REPORT OF STAFF

Allen introduced Thomas Zanarini, Enforcement Officer/Planner I, who will be taking over as staff person for Zoning Board of Appeals. Allen stated that it has been a privilege to work with the Board and thanked them for all he has learned from them. The Board thanked Matt Allen and welcomed Thomas Zanarini.

IX. ADJOURNMENT

Motion to adjourn at 8:05 pm made by Mencer, seconded by Manning, so voted unanimously.

Thomas Manning, Secretary
Zoning Board of Appeals

Prepared by Robin M. Silsby
Office Assistant II