

MINUTES  
TOWN OF GROTON  
ZONING BOARD OF APPEALS  
OCTOBER 14, 2015 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

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

I. ROLL CALL

Regular members present: Stebbins, Grady, Russotto, Kravits  
Absent: Manning, Mencer  
Staff present: Cullen, Silsby

Stebbins appointed Russotto to sit for Manning as Acting Secretary.

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 October 28, 2015 meeting. The applicants chose to go forward tonight.

II. PUBLIC HEARING

1. ZBA#15-13 – 200 Hazelnut Hill Road, Christ United Methodist Church/Owner, for a variance to Section 7.3-3B to allow a sign to project beyond the property line, and Section 7.3-7 to allow a freestanding sign on a parcel not containing the principal use and to vary the 10' setback requirement as shown on the submitted plan. PIN#169920913342E, IP80C zone.

Acting Secretary Russotto read the call of the hearing and stated that the mailings are in order.

Austin Alvarez, Applicant and a Trustee for Christ United Methodist Church, explained the proposal and presented a sketch and photos. He stated that the sign will not be lighted. Dimensions and the location of the freestanding sign were given as well as the location of the church. Background information was given about the church, which was built in 1972. He stated that the undocumented sign had been in place for over 40 years but was recently taken down due to its deteriorated condition and a new one put up. Alvarez stated that he was recently notified by the Town that the sign is in violation of Town and State requirements. He stated that Groton Utilities, the owner of the property where the sign would be located, has given permission to the church to erect a sign. He spoke about the numerous programs and events that the church holds on a regular basis that benefits the community. He believes that the Pequot sign is also in violation. Information was given about the right-of-way and setbacks. He explained why he believes a hardship exists. Numerous church members were also present.

Staff will look into whether Pequot was granted a variance for their sign. She stated that letters and phone calls in support of the proposed sign have been received. Discussion followed about the size and location of the old sign, which was only facing one direction. The narrative and photos were marked as Exhibits 1 and 2. It was noted that there is a sign at the physical location of the church.

Chairman Stebbins asked the public if anyone would like to speak in favor or against this application.

Larry Timpani, 321 Brook Street, Noank, a member of the church, spoke about the many services that the church provides to the community throughout the year. He explained the importance of the sign helping to give more exposure to the church since the church itself is quite a distance up Hazelnut Hill Road and cannot be seen from Route 117.

Pastor Ha-Soon Han, 62 Johl Drive, spoke in favor of the variance. She explained how the existence of the church strengthens the community and believes that more exposure would increase the church's visibility.

Staff received a call from a neighbor who spoke in support of the variance. A letter of support from a neighbor living at 181 Hazelnut Hill Road was entered into the record as well as a letter of support from the Montessori School who holds classes at the church on a regular basis.

Russotto read the Planning Commission comments into the record. Staff referred to concerns expressed by the Planning Commission in a memo dated 10-14-15. She spoke about the elevation and noted that the sign will not be lighted. The Board expressed concerns about the clutter of signage at the proposed location and the potential for setting a precedent.

The public hearing closed at 7:40 p.m.

### III. MEETING FOLLOWING PUBLIC HEARING

#### 1. ZBA#15-13 – Christ United Methodist Church, 200 Hazelnut Hill Road

Russotto reiterated that the sign was in place for over 40 years and the Town had not cited a violation until recently. In terms of the concern about setting a precedence, Russotto stated that every application is unique and stands alone on its own merit.

Grady appreciates the good work that the church does for the community but does not believe a hardship exists and cannot support the request to grant a variance.

Stebbins stated that the proposed sign would be double the signage compared to the old sign. He would prefer a new sign, the same size as the old sign.

Although Russotto agrees with Grady that a hardship does not exist, he does acknowledge that the old sign was in existence for over 40 years and the Town's ineffectiveness has played a large part in this situation. He believes that the Town was remiss to not notify the owners of this violation sooner.

Grady spoke against allowing the church to put up any size sign in that location.

It was noted that the area is zoned Industrial although 90% of the area is currently used as residential.

Stebbins stated that the Board cannot vote in favor of replacing the sign as proposed and would suggest that the applicant submit a new application and propose the exact same height, size and signage of the old sign. He explained that the new application would be received without prejudice.

**MOTION:** To grant a variance as requested

Motion made by Russotto, seconded by Grady, so voted 0-4. Variance was denied.

IV. CORRESPONDENCE

V. APPROVAL OF MINUTES

1. August 26, 2015

MOTION: To adopt the minutes of August 26, 2015 as written

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

2. September 9, 2015 Special Meeting

MOTION: To adopt the minutes of September 9, 2015 as written

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

3. September 23, 2015 Special Meeting

MOTION: To adopt the minutes of September 23, 2015 as written

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

VI. OLD BUSINESS

Staff stated that the Town Attorney is working on details of what the Board requested regarding the Stonington Institute. She noted that phone calls have been received regarding this matter.

VII. NEW BUSINESS

1. New Applications

a. ZBA#15-14 – Oyster Club, 13 Water Street

b. ZBA#15-15 - Community of Hope, 120 Walker Hill Road

Staff noted the new applications above and gave a brief summary of the proposals.

c. Meeting Schedule for 2016

MOTION: To adopt the 2016 ZBA meeting schedule

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

VIII. REPORT OF STAFF

1. Notice of Decision and Applicant Letter updates

Staff spoke about the Notice of Decision (NOD) language and noted that the Town Attorney has advised Staff to change the forms to reflect whether the applicant has agreed to have the NOD recorded on Land Records and pay the recording fee. Discussion followed about the process and how the variance relates to building permits and other town records.

IX. ADJOURNMENT

Motion to adjourn at 8:15 p.m. made by Russotto, seconded Grady, so voted unanimously.

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Scott Russotto, Acting Secretary  
Zoning Board of Appeals

Prepared by Robin Silsby  
Office Assistant II

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