

**AGENDA
ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
AND VIRTUALLY VIA ZOOM
MARCH 29, 2023
7:00 P.M.**

This meeting will be held both in person and virtually, via Zoom. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at <https://manct.us/meeting> by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191.

A. PUBLIC HEARINGS

JESSE FERNANDEZ – application #ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

DR. WILLIAM SPECTOR – application #VAR-0043-2023 – Request a variance of Art. II, Sec. 3.01.01 to allow a generator approximately 11 feet from the side property line (15 feet required) at 81 Grissom Road, Residence AA zone.

ORFORD VILLAGE HOUSING DEVELOPMENT CORPORATION – application #VAR-0044-2023 – Request a use variance of Art. II, Sec. 4.01 to construct 4 senior multi-family units at 190 North Elm Street, Residence A zone.

BDC INVESTMENTS LLC – application #VAR-0045-2023 – Request a use variance from Art. II, Sec. 15.01.01(m) to convert the existing dentist office into a residential unit at 12 Myrtle Street (a.k.a. 12B Myrtle Street), Central Business District zone.

B. BUSINESS MEETING

1. Consideration of Public Hearings
2. Approval of Minutes
 - [February 22, 2023](#) – Public Hearing, Business Meeting
3. Acceptance of New Applications
4. Other Business
 - Upcoming Training Opportunities

**TOWN OF MANCHESTER
LEGAL NOTICE**

The Zoning Board of Appeals will hold a public hearing on March 29, 2023 at 7:00 p.m., both virtually and in person in the Lincoln Center Hearing Room, 494 Main Street, Manchester, Connecticut to hear and consider the following applications:

JESSE FERNANDEZ – application #ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

DR. WILLIAM SPECTOR – application #VAR-0043-2023 – Request a variance of Art. II, Sec. 3.01.01 to allow a generator approximately 11 feet from the side property line (15 feet required) at 81 Grissom Road, Residence AA zone.

ORFORD VILLAGE HOUSING DEVELOPMENT CORPORATION – application #VAR-0044-2023 – Request a use variance of Art. II, Sec. 4.01 to construct 4 senior multi-family units at 190 North Elm Street, Residence A zone.


BDC INVESTMENTS LLC – application #VAR-0045-2023 – Request a use variance from Art. II, Sec. 15.01.01(m) to convert the existing dentist office into a residential unit at 12 Myrtle Street (a.k.a. 12B Myrtle Street), Central Business District zone.

At this hearing interested persons may be heard, either in person or virtually via Zoom, and written communications received. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at <https://manct.us/meeting> by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. Individuals may also submit comments in writing to the Planning and Economic Development Department via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. All written comments received by 4:00 p.m. on the day of the meeting will be presented and recorded as part of the hearing. Information about these applications will also be available online at <https://Manchesterct.gov/zba> by the Friday before the hearing.

James R. Stevenson, Chair
Zoning Board of Appeals

**TOWN OF MANCHESTER
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner 

DATE: March 23, 2023

RE: Jesse Fernandez – Application #ZSE-0001-2022
346 Middle Turnpike West – Form-Based zone

Introduction

The applicant is requesting a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

Project Description

The applicant owns and operates Fun Luvin Daycare Center, which is currently located at 358 Hartford Road, and is seeking approval for a new location at the subject property. The proposed space is located near the middle of the existing shopping center and faces the south parking lot. The directly adjacent units are currently occupied by the Manchester branch of the CT Department of Children & Families (DCF) and the plaza's maintenance space. The proposed floor plan is attached.

Outdoor Play Area

Both local and state regulations require that child day care centers provide a securely enclosed outdoor play area. The original proposal showed a 168 sq. ft. fenced-in play space directly outside the main entrance of the proposed facility on what is currently the sidewalk. Town staff had several concerns with this location, and after discussions with staff, the applicant agreed to propose an alternative location for the play area. The final page of the attached plans shows an alternative location which would eliminate six (6) parking spaces in order to locate the fenced-in playground within the parking lot, adjacent to the existing dumpster enclosure.

Staff then suggested that if the playground must be located within the parking lot, a better location would be at the end of a row of parking stalls nearest to the facility entrance, reducing the distance that children would have to walk through the parking lot to reach the playground. The applicant agreed, but revised plans have not yet been submitted (see discussion below under *Staff Review*).

Traffic and Parking

Parking at the shopping center is adequate to meet the minimum requirements, and any increase in traffic is expected to be minimal in relation to the size of the shopping plaza. Customers of the proposed facility would most likely park in the rear of the shopping center off of Green Manor Boulevard, which is where the facility's entrance would be.

For the Board's Consideration

Child day care centers are permitted in the Form-Based zone by special exception from the Zoning Board of Appeals. The Board should consider whether the proposed day care center meets the requirements of Article IV, Section 10, as well as the general requirements for special exceptions as outlined in Article IV, Section 20.

Staff Review

Town staff have reviewed the plans and documents submitted with the application and noted several concerns with the original proposal. The applicant met with staff to discuss these issues and some modifications were agreed upon. As of the writing of this memo, revised plans have not yet been submitted. The applicant has been advised that revised plans must be submitted in advance of the March 29, 2023 meeting.

Staff concerns with the original proposal were as follows:

1. It was not clear if the proposed kitchen and utility closet have enough space to accommodate the equipment required for licensure of a day care center.
 - The applicant has stated that a revised floor plan will show all of the equipment required for licensure, but that plan has not yet been submitted.
2. The creation of the proposed interior space, which would be carved out of a larger existing space, would also create another unit with no entry/exit door. The floor plan should show the location of the new door to be installed for the other space.
 - The new door is shown hand drawn onto the attached *existing conditions* floor plan. The applicant has been advised that this needs to be properly drafted and shown on the *proposed* floor plan in context with all other proposed interior changes.
3. The originally proposed location of the outdoor play area was not appropriate, as it would block pedestrian use of the sidewalk and was also too close to vehicular traffic.
 - The applicant submitted the attached diagram showing an alternate playground location. As discussed above, staff suggested a different location, and advised the applicant that additional detail of the playground must be shown on the plan (exact location of fence and gate, location of play equipment, detail of surfacing material, etc.) A revised plan has not yet been submitted.

mp

\\TOWNFILE2\Users\Planning\ZBA\2023\03 - March 29\Packet\ZSE-0001 Fernandez - Memo.docx










Attachments

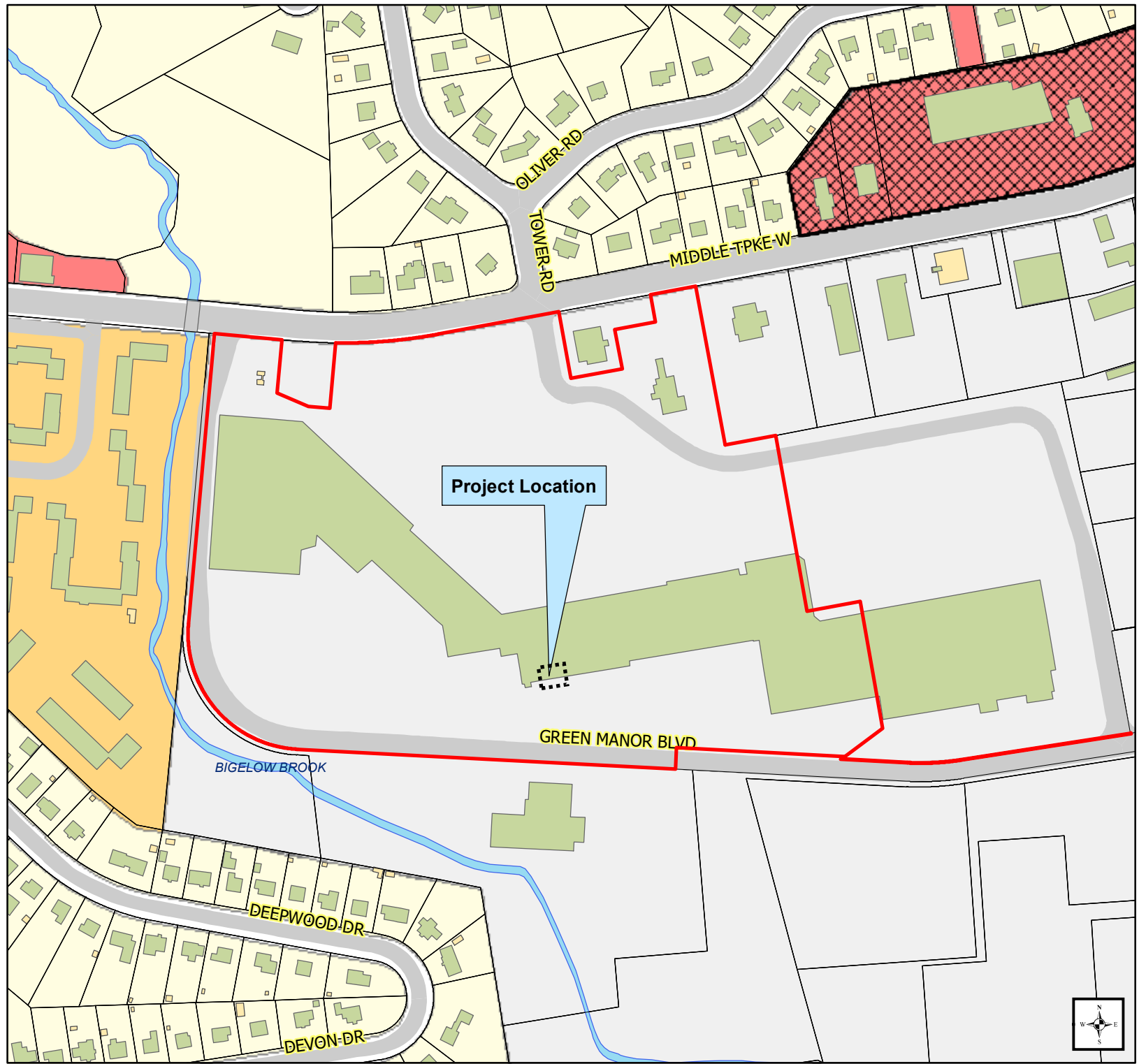
Town of
Manchester, CT



Geographic Information
Systems

346 Middle Tpk. West

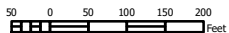
-  Bridges
-  Roads
-  Manchester Town Boundary
-  FBZ - Form-Based Zone
-  GB - General Business
-  RA - Residence A
-  RC - Residence C
-  RR - Rural Residence
-  Design Overlay Zone



DISCLAIMER:
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided "AS IS" without warranty of any kind.

NOTES:
Planimetric and topographic information were compiled by stereophotogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"=40' large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, as-builts and/or field survey data. Aerial photography dated April 24, 1999.

1 inch = 250 feet



Date: 11/21/2022



Fun Luvin Daycare Center Narrative

Fun Luvin Daycare Center opened in Manchester October 2015, fully license by the State of Connecticut, owned and operated by Yudyssa and Jesse Fernandez. It is a minority, veteran owned business. It's a daycare center, but when you walk in a lot of parents feel like they're walking into a home. With that said, "Everyone that works here loves children and wants to be here. It's more than a job."

We hire local Manchester residents and cater to low-income families. Yudyssa founded Fun Luvin Home Daycare in 2008. Yudyssa began in her home in Manchester, Connecticut and since 2008, she has always dreamed of someday opening her our own daycare center. She always wanted to expand and finally had the opportunity when the previous daycare in our current location was shut down. She has steadily grown her dream to its present state.

Jesse and Yudyssa have extensively renovated the property after acquiring it. Jesse did the work himself, inside and out. They even researched what colors influenced positive moods of children. New furniture, a playscape, paint, lights, and a number of other fixtures and additions have all become a part of the building that is now Fun Luvin Daycare Center.

They have two boys of their own. We perform thorough background checks on all workers, interviews parents, and even gives parents the opportunity to interview us. Also, every one of our staff members are certified in CPR and Infant First Aid.

Fun Luvin Daycare is truly a family affair.

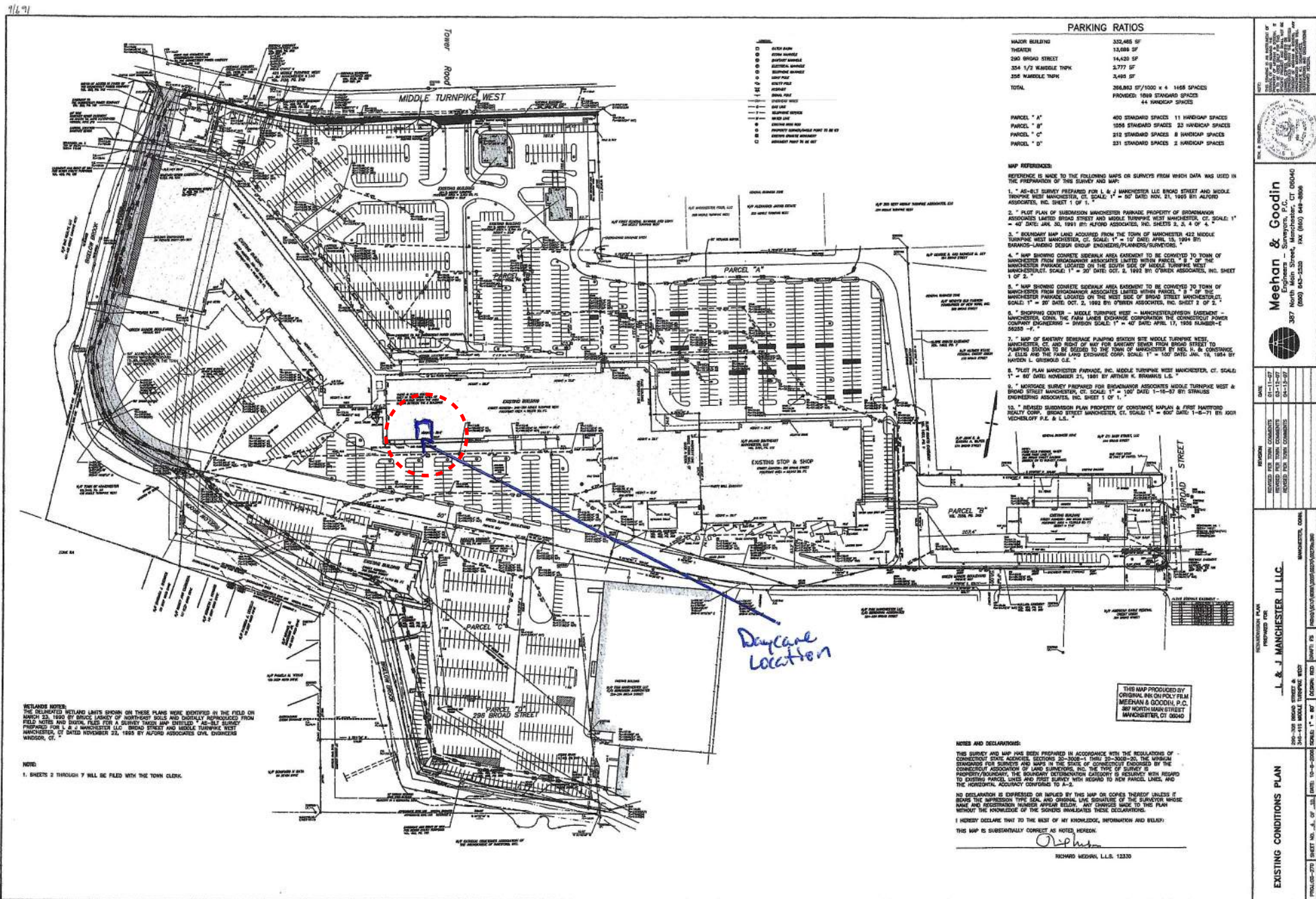
Now we are looking to expand into the 376RA Middle TPK W location. We see a need for quality daycare who focuses on quality care and teaching children from newborn to age 5. In Connecticut there is a dire need for childcare, especially low-income families. We have a waiting list and need to expand due to that need. We were searching for a location to stay in Manchester and found this location with is on a bus line and easy access to highways. We are excited to revitalize this space and bring life to this section of the plaza.

Additional information received 10/17/22:

Business operations are as follows: We will open from 7:30am - 5:45pm. We have a total of 7 employees currently, we will have to staff an additional 3 employees if we get approved for this location as enrollment increases. We will have a total of 38 children once enrollment is at capacity, we currently have 24 children in the Hartford Road location. We have a pre-k program that gets children ready for Kindergarten.

We do not anticipate any disruption to the traffic flow in the parking lot. There is ample parking on the back of the plaza that we will share with both DCF employees and parents.

Overall site plan showing location of the proposed space in the shopping center



PARKING RATIOS

MAJOR BUILDING	322,485 SF
THEATER	12,098 SF
2ND BROAD STREET	14,428 SF
354 1/2 NARDALE TRPK	2,777 SF
356 NARDALE TRPK	3,495 SF
TOTAL	380,883 SF/1030 x 4 1468 SPACES PROVIDED 1959 STANDARD SPACES 44 HANDICAP SPACES
PARCEL " A "	400 STANDARD SPACES 11 HANDICAP SPACES
PARCEL " B "	1056 STANDARD SPACES 22 HANDICAP SPACES
PARCEL " C "	212 STANDARD SPACES 8 HANDICAP SPACES
PARCEL " D "	221 STANDARD SPACES 2 HANDICAP SPACES

MAP REFERENCES:
REFERENCE IS MADE TO THE FOLLOWING MAPS OR SURVEYS FROM WHICH DATA WAS USED IN THE PREPARATION OF THIS SURVEY AND MAP:

1. " AS-BUILT SURVEY PREPARED FOR L & J MANCHESTER LLC BROAD STREET AND MIDDLE TURNPIKE WEST MANCHESTER, CT. SCALE 1" = 50' DATED NOV. 21, 1968 BY ALFORD ASSOCIATES, INC. SHEET 1 OF 1.
2. " PLAT PLAN OF SUBDIVISION MANCHESTER PARADE PROPERTY OF BROADMAN ASSOCIATED LIMITED BROAD STREET AND MIDDLE TURNPIKE WEST MANCHESTER, CT. SCALE 1" = 40' DATED JAN. 30, 1991 BY ALFORD ASSOCIATES, INC. SHEETS 2, 3, 4 OF 4.
3. " BOUNDARY MAP LAND ACQUIRED FROM THE TOWN OF MANCHESTER 422 MIDDLE TURNPIKE WEST MANCHESTER, CT. SCALE 1" = 12' DATED APRIL 15, 1994 BY BROADMAN ASSOCIATED LIMITED ENGINEERS/PLANNERS/SURVEYORS.
4. " MAP SHOWING CONCRETE SIDEWALK AREA EXTENDING TO BE CONVEYED TO TOWN OF MANCHESTER FROM BROADMAN ASSOCIATES LIMITED WITHIN PARCELS " B " & " C " OF THE MANCHESTER PARADE LOCATED ON THE SOUTH SIDE OF MIDDLE TURNPIKE WEST MANCHESTER, CT. SCALE 1" = 20' DATED OCT. 2, 1992 BY CROSBY ASSOCIATES, INC. SHEET 1 OF 2.
5. " MAP SHOWING CONCRETE SIDEWALK AREA EXTENDING TO BE CONVEYED TO TOWN OF MANCHESTER FROM BROADMAN ASSOCIATES LIMITED WITHIN PARCELS " B " & " C " OF THE MANCHESTER PARADE LOCATED ON THE WEST SIDE OF BROAD STREET MANCHESTER, CT. SCALE 1" = 80' DATED APRIL 11, 1992 BY CROSBY ASSOCIATES, INC. SHEET 1 OF 2.
6. " SHOPPING CENTER - MIDDLE TURNPIKE WEST - MANCHESTER/STATION EASEMENT - MANCHESTER, CT. THE FARM LABOR EXCHANGE CORPORATION THE CONNECTICUT POWER COMPANY ENGINEERING - BRIDGE SCALE 1" = 60' DATED APRIL 11, 1988 KRAMER-DE JONG 56520 - 1".
7. " MAP OF SANITARY SEWERAGE DRAINING SECTION SITE MIDDLE TURNPIKE WEST MANCHESTER, CT. AND RIGHT OF WAY FOR SANITARY SEWER FROM BROAD STREET TO MARTIN STATION TO BE ISSUED TO THE TOWN OF MANCHESTER BY THE CONNECTICUT POWER COMPANY ENGINEERING - BRIDGE SCALE 1" = 100' DATED JAN. 10, 1984 BY WATSON & CHRISTENSEN S.E.
8. " PLAT PLAN MANCHESTER PARADE, INC. MIDDLE TURNPIKE WEST MANCHESTER, CT. SCALE 1" = 80' DATED NOVEMBER 21, 1981 BY ARTHUR K. BRANNAN L.S."
9. " MORTGAGE SURVEY PREPARED FOR BROADMAN ASSOCIATES MIDDLE TURNPIKE WEST & BROAD STREET MANCHESTER, CT. SCALE 1" = 100' DATED 1-10-87 BY STRASSUS ENGINEERING ASSOCIATES, INC. SHEET 1 OF 1.
10. " BEARED SUBDIVISION PLAN PROPERTY OF CONSTANCE MEXAN & FIRST HANFORD REALTY CORP. BROAD STREET MANCHESTER, CT. SCALE 1" = 800' DATED 1-8-77 BY JOHN VECHERLOFF P.E. & L.L.S.

WETLANDS NOTICE:
THE DELINEATED WETLAND LIMITS SHOWN ON THESE PLANS WERE DETERMINED IN THE FIELD ON MARCH 23, 1999 BY BRUCE LARNEY OF NORTHEAST SOILS AND GEOTECHNICAL REPRODUCED FROM FIELD NOTES AND DATA FILES FOR A SURVEY TMSO MAP ENTITLED " AS-BUILT SURVEY PREPARED FOR L & J MANCHESTER LLC BROAD STREET AND MIDDLE TURNPIKE WEST MANCHESTER, CT DATED NOVEMBER 23, 1998 BY ALFORD ASSOCIATES CIVIL ENGINEERS WINDSOR, CT.

NOTE:
1. SHEETS 2 THROUGH 7 WILL BE FILED WITH THE TOWN CLERK.

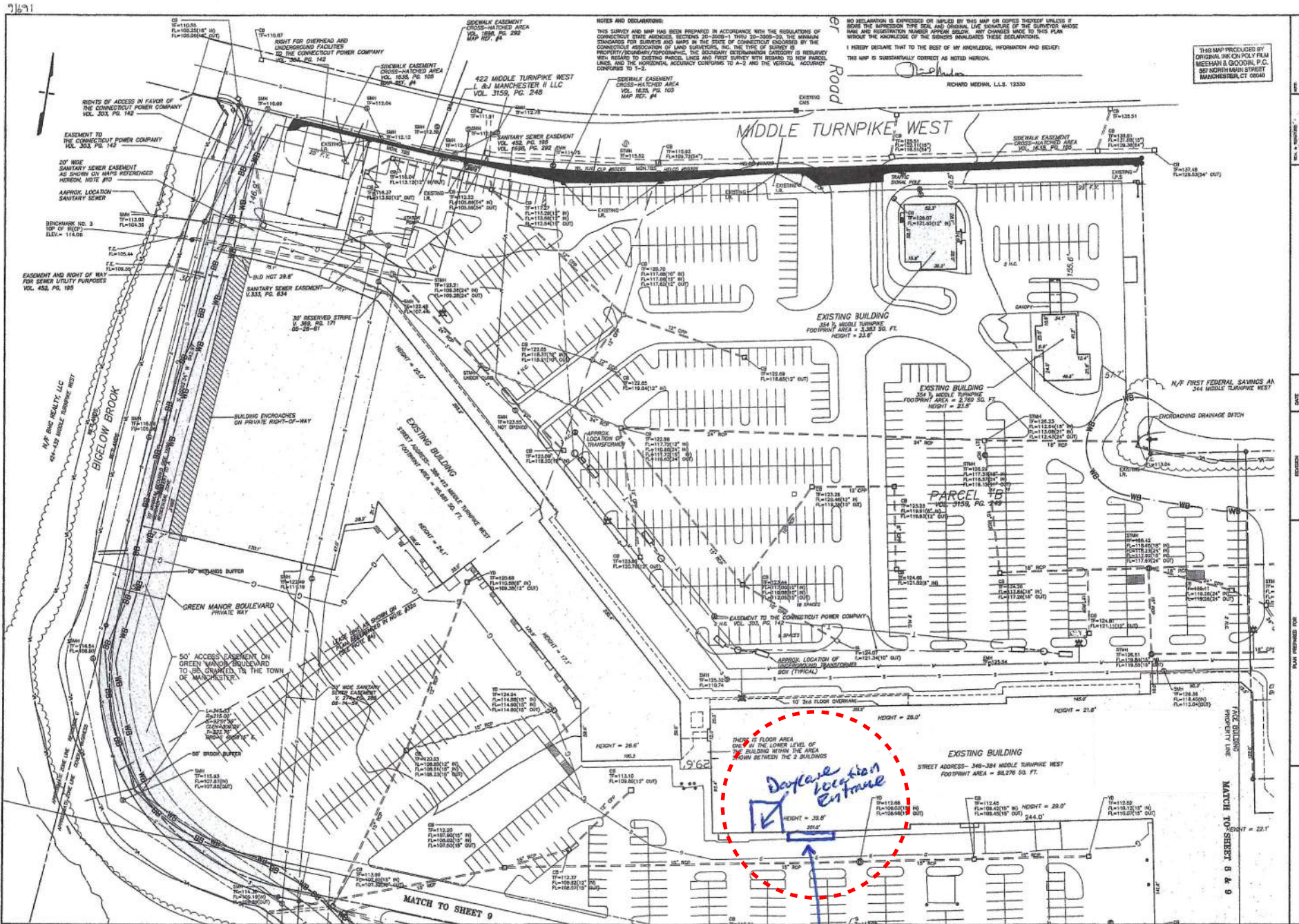
NOTES AND DECLARATIONS:
THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF THE CONNECTICUT STATE ACADEMY OF PROFESSIONAL SURVEYORS - REG. NO. 20548-0001. THE MEASUREMENTS OF DISTANCES AND ANGLES IN THIS SURVEY ARE CONSIDERED TO BE CORRECT BY THE PROFESSIONAL SURVEYOR AND HAVE BEEN CONDUCTED IN ACCORDANCE WITH THE REGULATIONS OF THE CONNECTICUT STATE ACADEMY OF PROFESSIONAL SURVEYORS. THE BOUNDARY DETERMINATION CATEGORICAL IS SUBJECT TO THE REQUIREMENT THAT THE SURVEYOR SHALL BE ADVISED WITH REGARD TO ANY CHANGES MADE TO THE PLAN WITHOUT THE KNOWLEDGE OF THE SURVEYOR. THE SURVEYOR'S LIABILITY IS LIMITED TO THE HORIZONTAL ACCURACY CONFORMS TO 4-2.
NO DECLARATION IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS IT BEAR THE SIGNATURE OF THE SURVEYOR AND THE ORIGINAL LINE SIGNATURE OF THE SURVEYOR WHOSE NAME AND REGISTRATION NUMBER APPEAR HEREIN. ANY CHANGES MADE TO THIS PLAN WITHOUT THE KNOWLEDGE OF THE SURVEYOR INVALIDATES THESE DECLARATIONS.
I HEREBY DECLARE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREIN.
Richard Mezani
RICHARD MEZANI, L.L.S. 12330

MECHANICAL PLAN
REPRODUCED FROM
MIDDLE TURNPIKE WEST
MANCHESTER, CT.
DATE: 01-11-2007
REVISED FROM COMMENTS: 04-11-2007
REVISED FROM COMMENTS: 04-11-2007

L. & J. MANCHESTER II, LLC
367 NORTH MAIN STREET
MANCHESTER, CT 06040
PHONE 1-860-646-2000

EXISTING CONDITIONS PLAN
SHEET NO. 1 OF 8

Overall site plan showing location of the proposed space in the shopping center



7/16/21

NOTES AND DECLARATIONS:

THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE MESSAGES SECTIONS 20-300(a) THROUGH 20-300(d) THE MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT ENDORSED BY THE CONNECTICUT DEPARTMENT OF LAND SURVEYING. THE TYPE OF SURVEY IS PROPERTY/BOUNDARY/TOPOGRAPHIC. THE BOUNDARY DETERMINATION CATEGORY IS RESURVEY WITH REGARD TO EXISTING PRICED LINES AND FIRST SURVEY WITH REGARD TO NEW PRICED LINES AND THE HORIZONTAL ACCURACY CONFORMS TO A-2 AND THE VERTICAL ACCURACY CONFORMS TO V-2.

NO WARRANTY IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS IT BEAR THE IMPRESSION OF THE SEAL AND ORIGINAL LIVE SIGNATURE OF THE SURVEYOR WHERE NAME AND REGISTRATION NUMBER APPEAR BELOW. ANY CHANGES MADE TO THIS PLAN WITHOUT THE KNOWLEDGE OF THE SURVEYOR VIOLATES THESE DECLARATIONS.

I HEREBY DECLARE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

RICHARD MEDINA, L.L.S. 12330

THIS MAP PROVIDED BY ORIGINAL INC OR COPY BY MEEHAN & GOODIN, P.C. 387 NORTH MAIN STREET MANCHESTER, CT 06040

DATE	01-11-21	DESIGNED	REVISIONS
	01-15-21	REVISIONS	
DRAWN	01-11-21	REVISED THE TYPING COMMENTS	
	01-15-21	REVISED THE TYPING COMMENTS	
SCALE	1" = 40'-0"	DATE	01-11-21
	1" = 40'-0"	SCALE	1" = 40'-0"
PROJECT	340-344 MIDDLE TURNPIKE WEST	SHEET NO.	10-1
	MANCHESTER, CT		
DRAWN BY	L. J. MANCHESTER II, L.L.C.	CHECKED BY	MEEHAN & GOODIN, P.C.
PROJECT NO.	200-300 BROAD ST. & 340-344 MIDDLE TURNPIKE WEST	SHEET NO.	10-1
PROJECT NO.	10-1	SHEET NO.	10-1

Meehan & Goodin
 Engineers - Surveyors
 387 North Main Street, Manchester, CT 06040
 (860) 643-2820 Fax (860) 644-5800

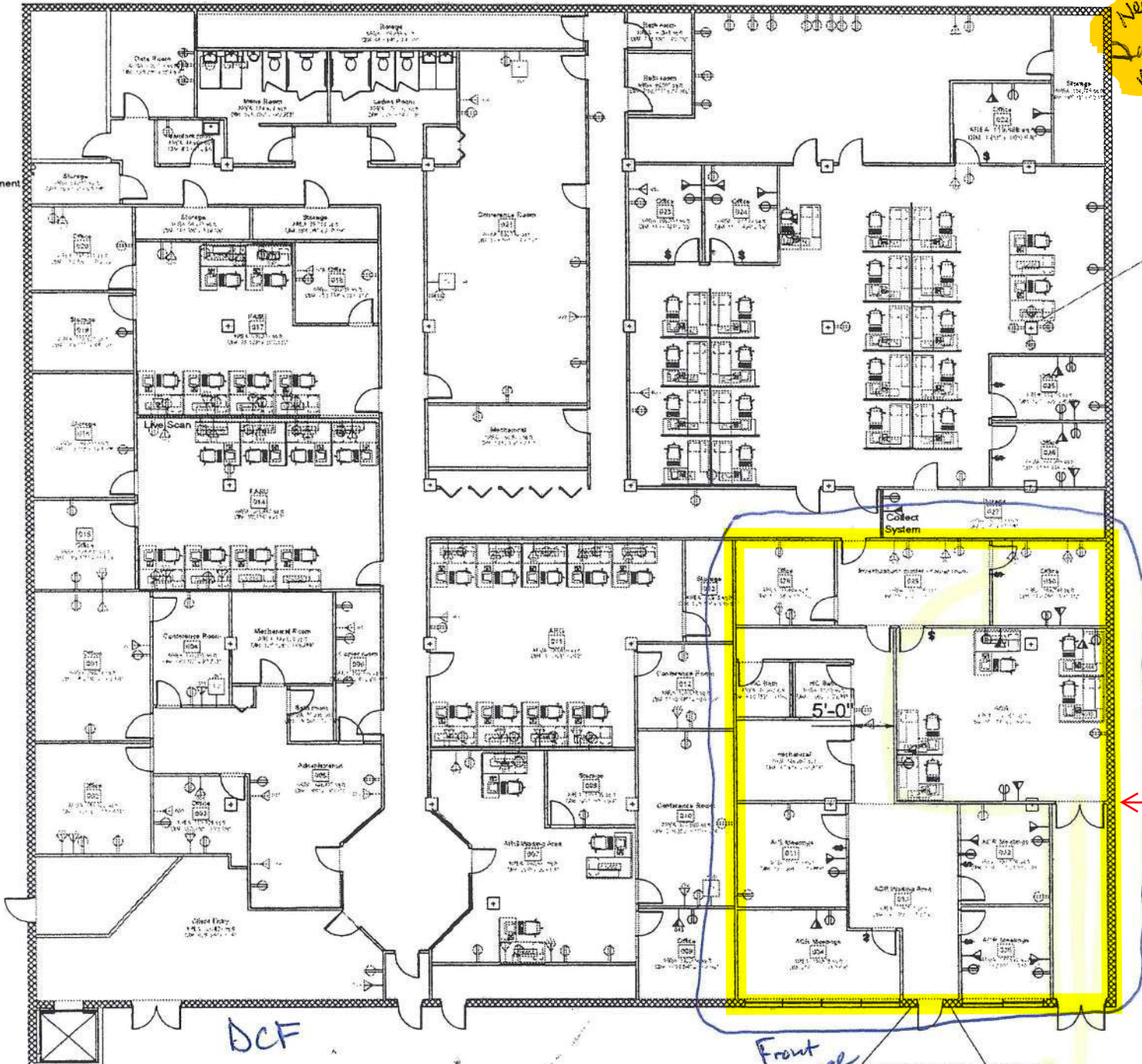
GRADING PLAN
 MATCH TO SHEET B & G

Existing Conditions Floor Plan showing proposed space in relation to DCF space

REV
1
2
3

*New Exit
has discuss with Fire
marshal*

4" and 2" conduit
from 2nd floor to basement
Data room



073B, 074B, 071B
072B, 070B, 068B

wall switch
with motion
sensor
nema
5-20R

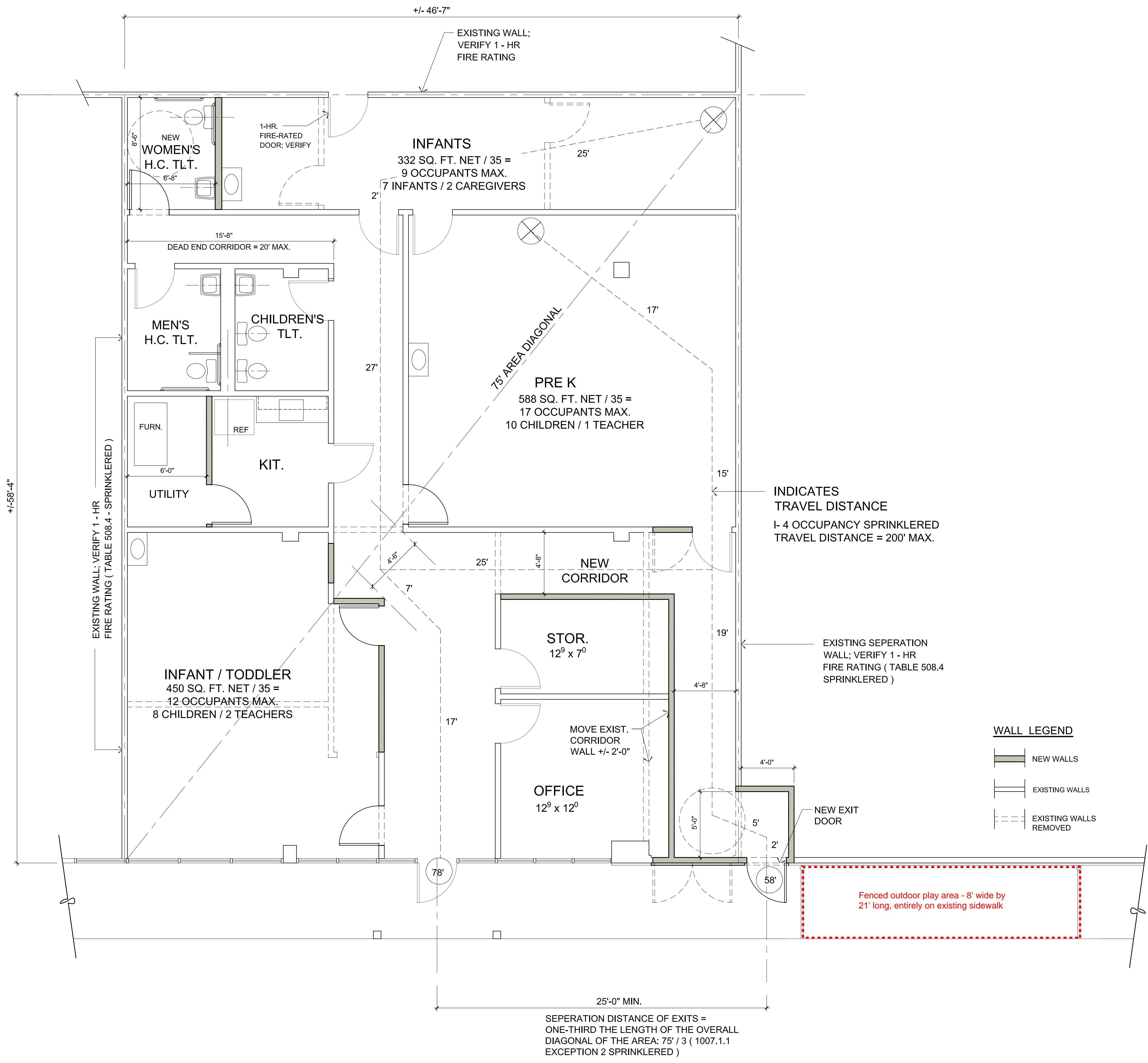
Interior space
(existing)

DCF

Front
Entrance
remove glass and replace with panel 15 or equal
for walls to butt against

ph
3/4
an

Proposed daycare space



1 NEW FLOOR PLAN
 A1 +/- 2715 SQ. FT. GROSS AREA
 +/- 2666 SQ. FT. NET AREA

1/4" = 1'-0"

PRELIMINARY
 5-4-2022

JAMES T. TUTTLE ARCHITECT 464 WOLCOTT ROAD WOLCOTT, CONNECTICUT 06716
FUN LUVIN DAYCARE CENTER 376RA MIDDLE TURNPIKE WEST MANCHESTER, CT.
REVISIONS
SHT. 1 OF 1 A1 JOB NO. 20XX

**TOWN OF MANCHESTER
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner *MP*

DATE: March 23, 2023

RE: Dr. William Spector – Application #VAR-0043-2023
81 Grissom Road – Residence AA zone

Introduction

The applicant is requesting a variance from Art. II, Sec. 3.01.01 to allow a generator approximately 11 feet from the side property line (15 feet required) at 81 Grissom Road, Residence AA zone.

Variance Request

Art. II, Sec. 3.01.01, which outlines the area, height, and bulk dimensional standards for single-family residences in the Residence AA zone, specifies that the minimum side yard setback is 15 ft.

The applicant is requesting a variance to allow a generator on the southeast side of the existing house, approximately 11 ft. from the side property line.

Stated Hardship

The applicant has provided the following answers regarding hardship:

Strict application of the regulations would produce UNDUE HARDSHIP because:

“At this time the gas installation for the standby generator has been permitted, completed and passed final inspection. The location for the generator is most suitable for the installation as it meets NEC requirements and Kohler Manufacturing requirements. Relocating to another location would cause undue additional costs to the homeowner.”

The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because:

“Alternate locations pose the following hazards: Carbon monoxide intake concerns, allowable distances to combustibles, window clearances and sources of ignition.”

The variance would not change THE CHARACTER OF THE NEIGHBORHOOD because:

“The installation of the generator would be on the side of the home. The distance between neighbors' home is approximately 40'. The generator is installed in such a way that it is not obtrusive to others. This is the best location for the exhaust direction taking into consideration both the homeowner and the neighbor.”

Staff Review

Town staff has reviewed the plans and documents submitted with the application and there are no outstanding comments.

mp

\\TOWNFILE2\Users\Planning\ZBA\2023\03 - March 29\Packet\VAR-0043-2023 (81 Grissom) - Memo.docx

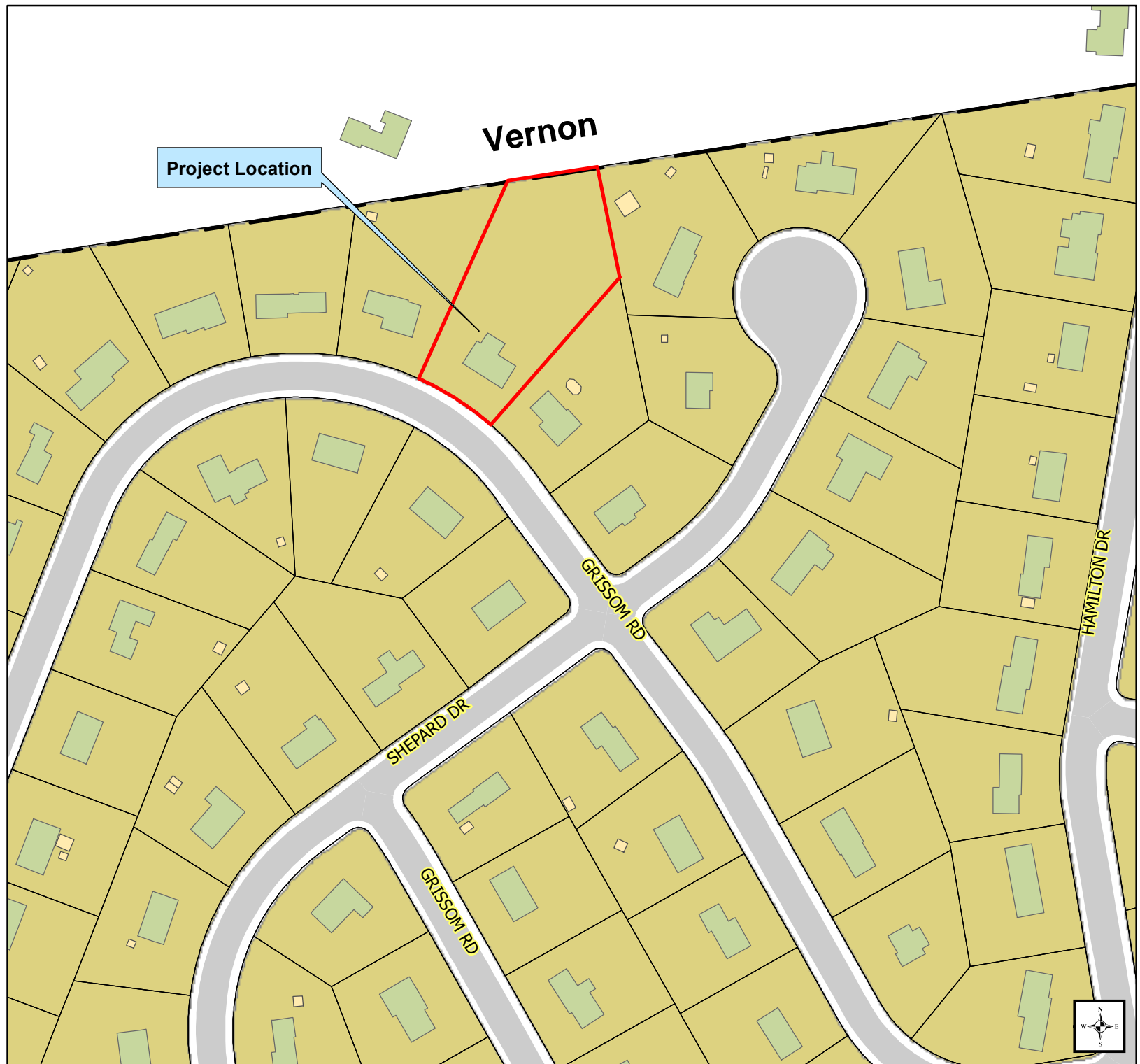
Attachments

Town of
Manchester, CT



Geographic Information
Systems

81 Grissom Road

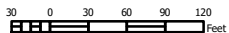


- Manchester Town Boundary
- AA - Residence AA

DISCLAIMER:
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided "AS IS" without warranty of any kind.

NOTES:
Planimetric and topographic information were compiled by stereophotogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"=40' large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, as-built and/or field survey data. Aerial photography dated April 24, 1999.

1 inch = 150 feet



Date: 3/23/2023



BARTHOLOMEW ELECTRIC LLC
SECURITY • FIRE • DATA SYSTEMS • VIDEO
Residential • Commercial • Industrial • Generators

363 Elm St. - Enfield, CT 06082
Tel (860) 749-5444 Fax (860) 749-0288

NARRATIVE

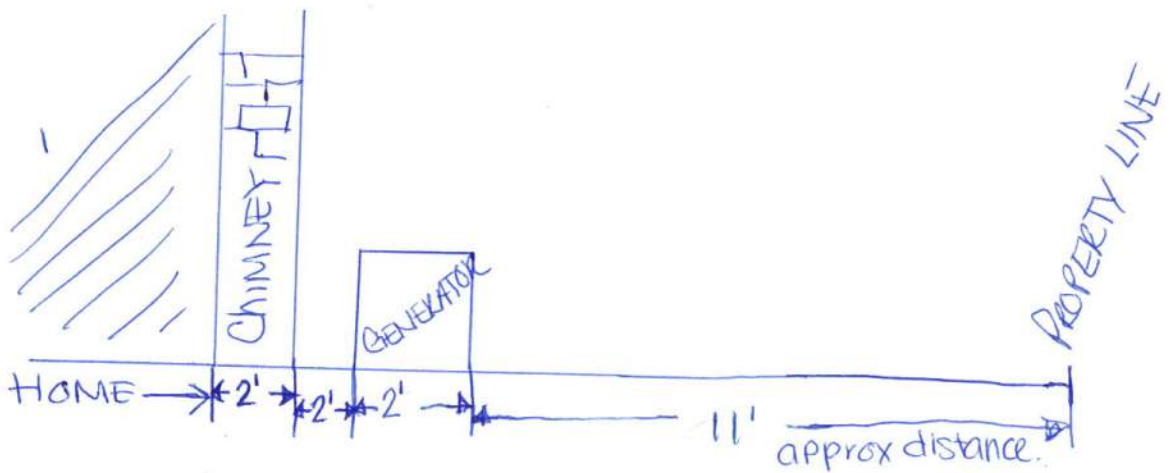
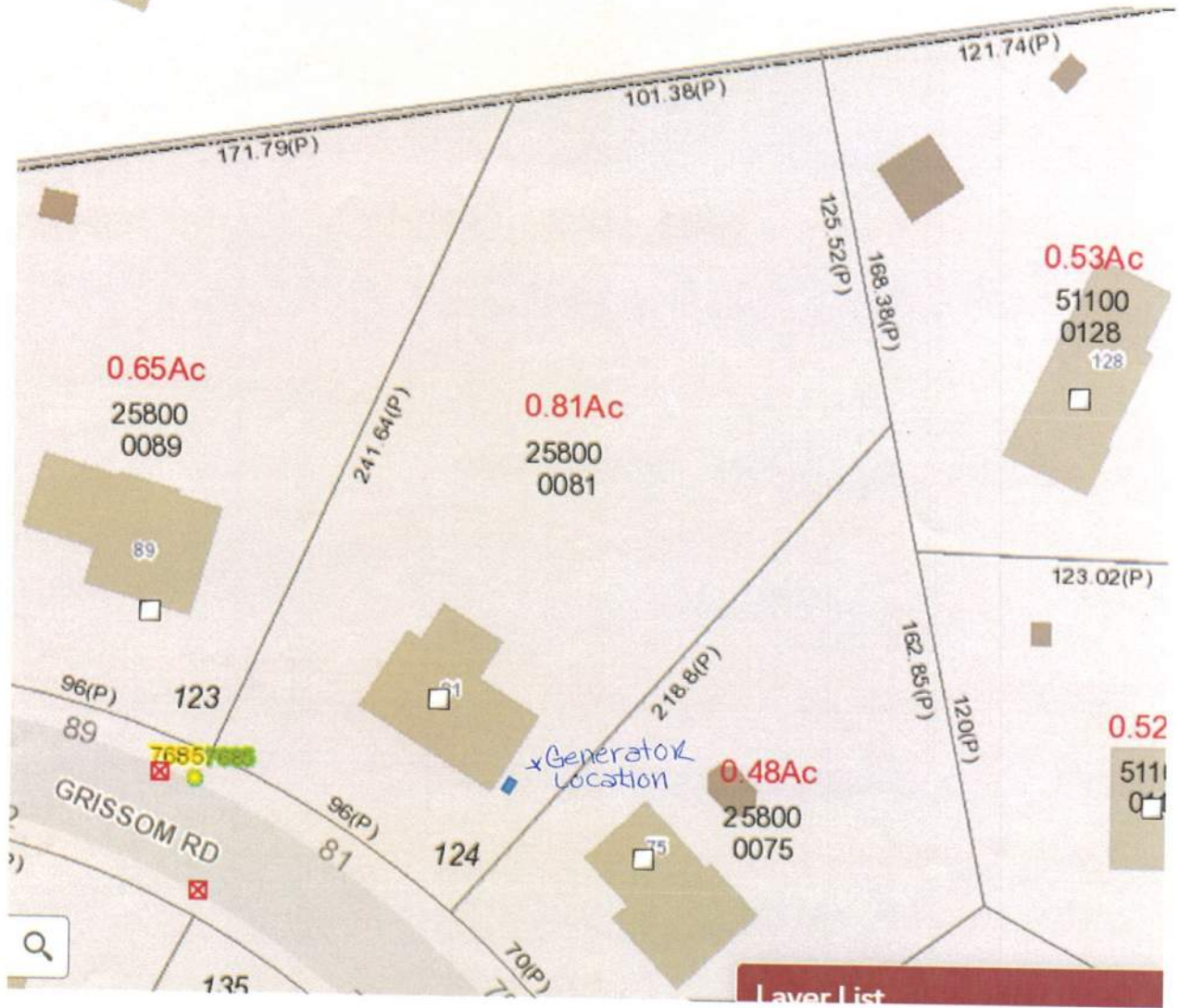
William Spector
81 Grissom Rd
Manchester, CT 06040

Installation of a Kohler 14 Kw standby generator to be located on the right side (East side) of the home.

Location to be in front of the chimney to meet NEC codes and regulations as well as Kohler Manufacturers regulations and specifications.

The installation to be performed by : Bartholomew Electric, LLC, 363 Elm St, Enfield, CT 06040

81 Grissom Rd, Manchester, CT



XX Measurements are APPROXIMATE XX

APPROX. 17' from home to property line


J. PECTOR
21 GRISSOM RD
MANCHESTER, CT

SITE SURVEY



**TOWN OF MANCHESTER
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner 

DATE: March 23, 2023

RE: Orford Village Housing Development Corporation – Application #VAR-0044-2023
190 North Elm Street – Residence A zone

Introduction

The applicant is requesting a variance from Art. II, Sec. 4.01 to construct 4 new senior multi-family units at 190 North Elm Street, Residence A zone.

Variance Request

Art. II, Sec. 4.01, which outlines the permitted uses in the Residence A zone, does not include multi-family housing. However, when the existing development was approved in 1985, multi-unit elderly housing was permitted in this zone with a special exception. At that time the property was owned by the Town, and a special exception was approved for a 24-unit elderly housing development. The Town decided to only construct 20 units, leaving 4 units not yet constructed but approved for future expansion. Then, in 1998, multi-unit elderly housing was removed from the list of special exception uses in this zone, effectively making the use nonconforming.

The applicant is now requesting a variance to allow the construction of 4 new residential units for a total of 24 units, as was originally approved, along with associated parking (6 new spaces) and sidewalks.

Stated Hardship

The applicant has provided the following answers regarding hardship:

Strict application of the regulations would produce UNDUE HARDSHIP because:

“This site was approved in 1985 for 24 elderly housing units when it was owned by the Town of Manchester. At that time, the Residence A zoning classification allowed for multi-family use as a special exception in the Residence A zone. Since then the regulations were changed with new multi-family and elderly housing zones and the use as a special exception was removed from the Residence A Zone.”

The Town decided to only construct 20 units leaving 4 units approved but not constructed for future expansion. Those four units were in two separate buildings – one building in the middle of what is now a well-used by the tenants open space area on the site and one building in the location along North Elm Street where the new building is proposed. When Orford Village Housing Development Corporation purchased the property to operate and maintain, it included all rights and uses associated with the property.

Since the property remains zoned Residence A, new units are no longer a permitted use. Changing the zoning to another zone designation that would allow, with site plan approval, the construction of the four additional units would make several physical aspects of the current residential use non-conforming. A variance would resolve the issue with the least impact.”

The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because:

“This is the only property in the neighborhood that has elderly housing on it and the previous approval for four more units. In fact, this is probably the only Residence A zoned lot in the Town with that condition.”

The variance would not change THE CHARACTER OF THE NEIGHBORHOOD because:

“The existing buildings on the property are small-scale residential use in design with one-story structures. The proposed units will match in size and scale those buildings and are smaller than surrounding single family structures in the neighborhood. This will not change the character of the neighborhood and not change the ultimate use of the property as envisioned by the Town of Manchester and The Planning and Zoning Commission in 1985 when the original approvals were received.”

Staff Review

Town staff has reviewed the plans and documents submitted with the application and an update on the status of any comments will be provided to the Board at the March 29, 2023 meeting.

mp

\\TOWNFILE2\Users\Planning\ZBA\2023\03 - March 29\Packet\VAR-0044-2023 (190 N Elm) - Memo.docx

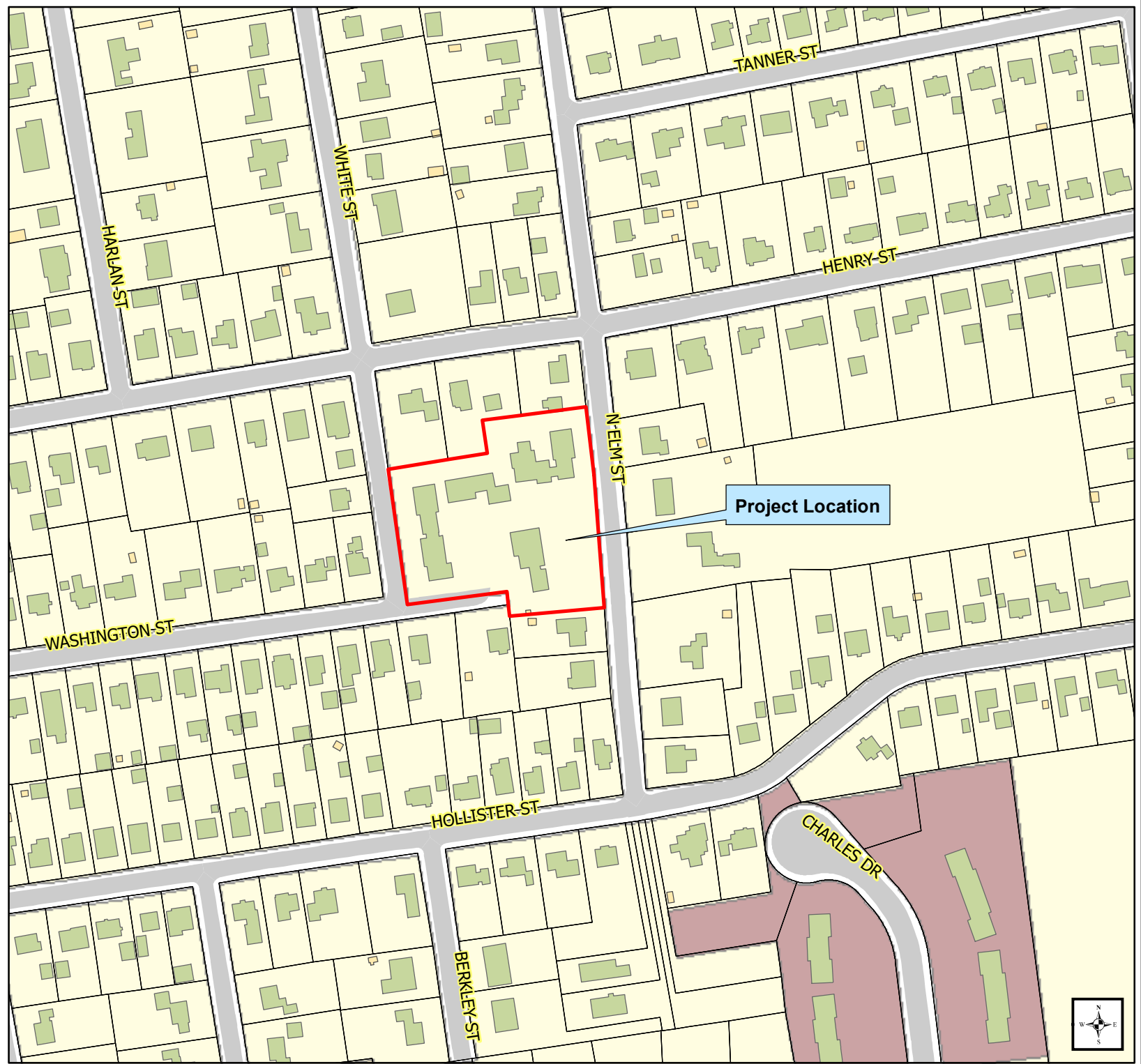
Attachments

Town of
Manchester, CT



Geographic Information
Systems

190 North Elm Street

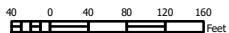


-  Manchester Town Boundary
-  RA - Residence A
-  RB - Residence B
-  RM - Residence M

DISCLAIMER:
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided "AS IS" without warranty of any kind.

NOTES:
Planimetric and topographic information were compiled by stereophotogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"=40' large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, as-built and/or field survey data. Aerial photography dated April 24, 1999.

1 inch = 200 feet



Date: 3/23/2023



**TOWN OF MANCHESTER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

Variance Application – Hardship Information

CASE: VAR-0044-2023

APPLICANT: Orford Village Housing Development Corporation

ADDRESS: 190 North Elm Street

Answers provided by applicant:

1. Strict application of the regulations would produce UNDUE HARDSHIP because:

This site was approved in 1985 for 24 elderly housing units when it was owned by the Town of Manchester. At that time, the Residence A zoning classification allowed for multi-family use as a special exception in the Residence A zone. Since then the regulations were changed with new multi-family and elderly housing zones and the use as a special exception was removed from the Residence A Zone.

The Town decided to only construct 20 units leaving 4 units approved but not constructed for future expansion. Those four units were in two separate buildings – one building in the middle of what is now a well-used by the tenants open space area on the site and one building in the location along North Elm Street where the new building is proposed. When Orford Village Housing Development Corporation purchased the property to operate and maintain, it included all rights and uses associated with the property.

Since the property remains zoned Residence A, new units are no longer a permitted use. Changing the zoning to another zone designation that would allow, with site plan approval, the construction of the four additional units would make several physical aspects of the current residential use non-conforming. A variance would resolve the issue with the least impact.

2. The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because:

This is the only property in the neighborhood that has elderly housing on it and the previous approval for four more units. In fact, this is probably the only Residence A zoned lot in the Town with that condition.

3. The variance would not change THE CHARACTER OF THE NEIGHBORHOOD because:

The existing buildings on the property are small-scale residential use in design with one-story structures. The proposed units will match in size and scale those buildings and are smaller than surrounding single family structures in the neighborhood. This will not

change the character of the neighborhood and not change the ultimate use of the property as envisioned by the Town of Manchester and The Planning and Zoning Commission in 1985 when the original approvals were received.

SURVEY NOTES:

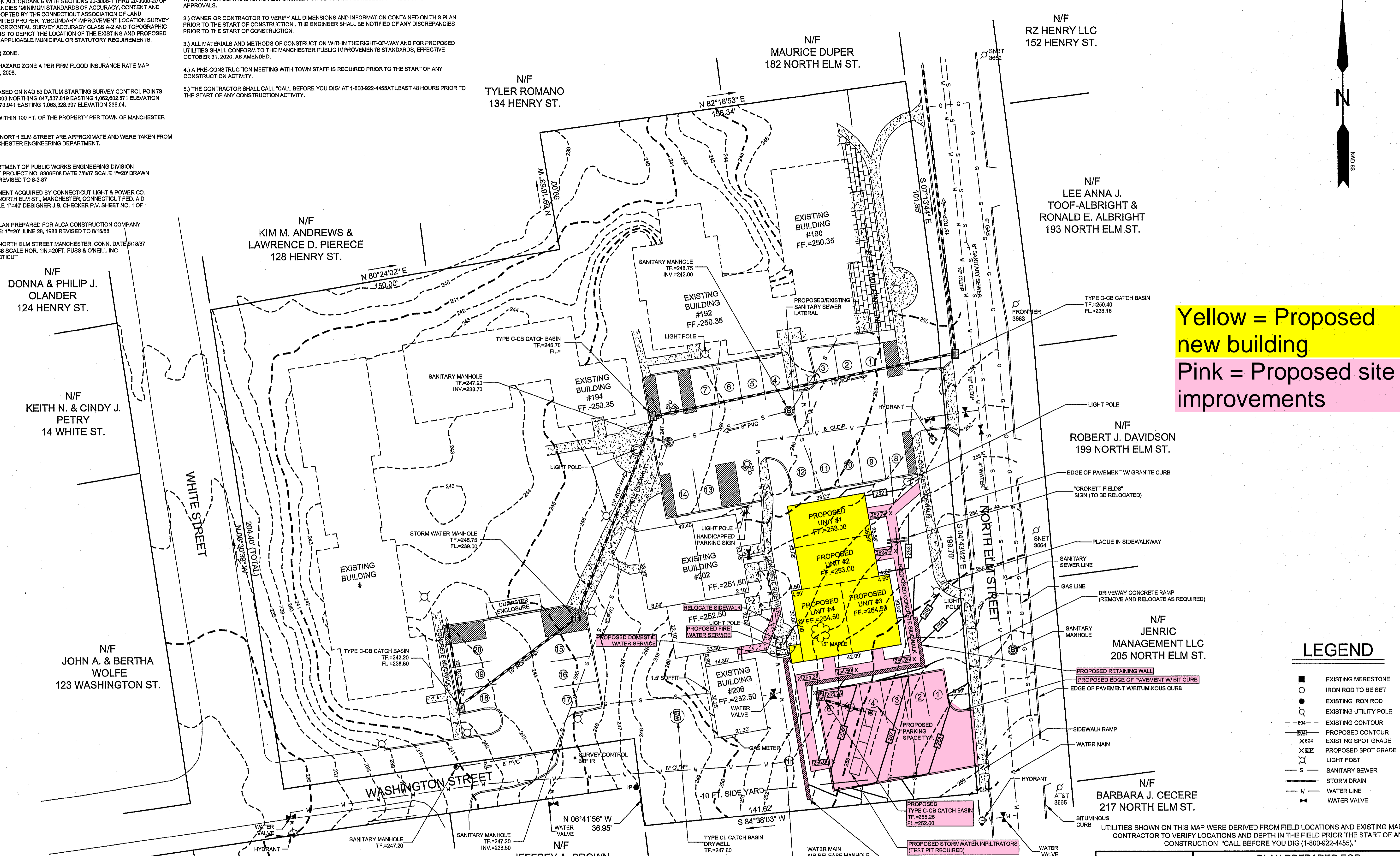
- 1.) THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES' MINIMUM STANDARDS OF ACCURACY, CONTENT AND CERTIFICATION FOR SURVEYS AND MAPS, AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. ON AUGUST 29, 2019. IT IS A LIMITED PROPERTY/BOUNDARY IMPROVEMENT LOCATION SURVEY MAP BASED ON A RESURVEY CONFORMING TO HORIZONTAL SURVEY ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2. THE INTENT OF THIS MAP IS TO DEPICT THE LOCATION OF THE EXISTING AND PROPOSED IMPROVEMENTS SHOWN WITH RESPECT TO THE APPLICABLE MUNICIPAL OR STATUTORY REQUIREMENTS.
- 2.) PROPERTY IS LOCATED IN A RA (RESIDENCE A) ZONE.
- 3.) THE PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE A PER FIRM FLOOD INSURANCE RATE MAP NUMBER 09003C0392F EFFECTIVE SEPTEMBER 26, 2008.
- 5.) BEARINGS AND COORDINATES SHOWN ARE BASED ON NAD 83 DATUM STARTING SURVEY CONTROL POINTS WERE TOWN OF MANCHESTER CONTROL POINT 003 NORTHING 847,537.819 EASTING 1,082,602.571 ELEVATION 233.23 AND CONTROL POINT 004 NORTHING 847,673.941 EASTING 1,083,328.997 ELEVATION 236.04.
- 6.) NO WETLANDS EXIST ON THE PROPERTY OR WITHIN 100 FT. OF THE PROPERTY PER TOWN OF MANCHESTER GIS MAPPING.
- 7.) EXISTING UTILITY LOCATIONS SHOWN ALONG NORTH ELM STREET ARE APPROXIMATE AND WERE TAKEN FROM INFORMATION PROVIDED BY THE TOWN OF MANCHESTER ENGINEERING DEPARTMENT.

MAP REFERENCES:

- 1.) TOWN OF MANCHESTER CONNECTICUT DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION HOUSING GOT THE ELDERLY NORTH ELM STREET PROJECT NO. 8308E08 DATE 7/8/87 SCALE 1"=20' DRAWN BY F.F., M.S. CHECKED BY P.V. SHEET NO. 1 OF 1 REVISED TO 8-3-87
- 2.) TOWN OF MANCHESTER CONNECTICUT EASEMENT ACQUIRED BY CONNECTICUT LIGHT & POWER CO. FROM THE TOWN OF MANCHESTER WHITE ST. & NORTH ELM ST., MANCHESTER, CONNECTICUT FED. AID PROJ. NO. - PROJ. NO. 8306E08 DATE 7/20/88 SCALE 1"=40' DESIGNER J.B. CHECKER P.V. SHEET NO. 1 OF 1 REVISED TO 8/19/88
- 3.) ELDERLY HOUSING FOUNDATION LOCATION PLAN PREPARED FOR ALCA CONSTRUCTION COMPANY NORTH ELM STREET MANCHESTER, CONN. SCALE: 1"=20' JUNE 29, 1988 REVISED TO 8/16/88
- 4.) GRADING & UTILITY PLAN ELDERLY HOUSING NORTH ELM STREET MANCHESTER, CONN. DATE 5/18/87 PROJECT 85-348 SHEET 3 OF 8 REVISED TO 1-18-88 SCALE HOR. 1"=20FT. VERT. 1"=10FT. FUSS & O'NEILL INC CONSULTING ENGINEERS MANCHESTER, CONNECTICUT

CONSTRUCTION NOTES:

- 1.) OWNER OR CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
- 2.) OWNER OR CONTRACTOR TO VERIFY ALL DIMENSIONS AND INFORMATION CONTAINED ON THIS PLAN PRIOR TO THE START OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION.
- 3.) ALL MATERIALS AND METHODS OF CONSTRUCTION WITHIN THE RIGHT-OF-WAY AND FOR PROPOSED UTILITIES SHALL CONFORM TO THE MANCHESTER PUBLIC IMPROVEMENTS STANDARDS, EFFECTIVE OCTOBER 31, 2020, AS AMENDED.
- 4.) A PRE-CONSTRUCTION MEETING WITH TOWN STAFF IS REQUIRED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.
- 5.) THE CONTRACTOR SHALL CALL "CALL BEFORE YOU DIG" AT 1-800-922-4455 AT LEAST 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.

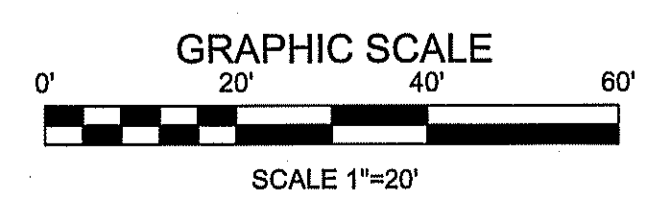


Yellow = Proposed new building
Pink = Proposed site improvements

LEGEND

- EXISTING MERESTONE
- IRON ROD TO BE SET
- EXISTING IRON ROD
- ⊕ EXISTING UTILITY POLE
- - - EXISTING CONTOUR
- - - PROPOSED CONTOUR
- X004 EXISTING SPOT GRADE
- X003 PROPOSED SPOT GRADE
- ⊕ LIGHT POST
- S - SANITARY SEWER
- SD - STORM DRAIN
- W - WATER LINE
- V - WATER VALVE

PLAN PREPARED FOR			
ORFORD VILLAGE HOUSING DEVELOPMENT			
190 NORTH ELM STREET		MANCHESTER, CT.	
SITE PLAN			
SCALE: 1"=20'	DATE: 3/17/2023	FILE NO. 2022-128	SHEET: 1 OF 2
BUSHNELL ASSOCIATES LLC.			
CIVIL ENGINEERING AND LAND SURVEYING			
563 WOODBRIDGE STREET		MANCHESTER, CT. 06042	
860-643-7875			
REVISIONS:			



TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

ANDREW F. BUSHNELL, P.E. L.S. 24591
 THIS MAP IS NOT VALID UNLESS IT BEARS THE EMBOSSED SEAL OF THE LICENSED LAND SURVEYOR WHOSE REGISTRATION NUMBER AND SIGNATURE APPEAR ABOVE.

CONSTRUCTION NOTES:
 1.) OWNER OR CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 2.) OWNER OR CONTRACTOR TO VERIFY ALL DIMENSIONS AND INFORMATION CONTAINED ON THIS PLAN PRIOR TO THE START OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION.
 3.) ALL MATERIALS AND METHODS OF CONSTRUCTION WITHIN THE RIGHT-OF-WAY AND FOR PROPOSED UTILITIES SHALL CONFORM TO THE MANCHESTER PUBLIC IMPROVEMENTS STANDARDS, EFFECTIVE OCTOBER 31, 2020, AS AMENDED.
 4.) A PRE-CONSTRUCTION MEETING WITH TOWN STAFF IS REQUIRED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.
 5.) THE CONTRACTOR SHALL CALL "CALL BEFORE YOU DIG" AT 1-800-922-4454 AT LEAST 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.

EROSION CONTROL CONSTRUCTION SEQUENCE PLAN SITE DEVELOPMENT
 NOTE: ALL EROSION AND SEDIMENT CONTROL ACTIVITIES SHALL CONFORM TO THE METHODS OUTLINED IN THE 2002 CONNECTICUT GUIDELINES FOR EROSION AND SEDIMENT CONTROL MANUAL.
 1.) CLEAR TREES AS REQUIRED.
 2.) PRIOR TO SOIL DISTURBANCE INSTALL EROSION CONTROL MEASURES, SILT FENCE AND ANTI-TRACKING PAD (SEE PLAN DETAILS AND LOCATIONS). ADDITIONAL MEASURES MAY BE REQUIRED AS SITE CONDITIONS REQUIRE. COORDINATE AN INSPECTION OF INSTALLED MEASURES WITH THE EROSION CONTROL OFFICER. SUPPLY THE TOWN EROSION CONTROL OFFICER WITH THE NAME AND PHONE NUMBER OF A CONTACT PERSON RESPONSIBLE FOR THE EROSION CONTROL MEASURES.
 3.) PERIODICALLY AND AFTER LARGE RAIN EVENTS INSPECT EROSION CONTROL MEASURES AND REPAIR AS NECESSARY.
 4.) GRUB AND STRIP TOPSOIL. STOCKPILE TOPSOIL IN AREAS INDICATED ON THE APPROVED PLAN.
 5.) CONSTRUCT AND STABILIZE DRIVEWAY.
 6.) CONSTRUCT BUILDING, DRIVEWAY, UTILITIES AND OTHER IMPROVEMENTS AS SHOWN.

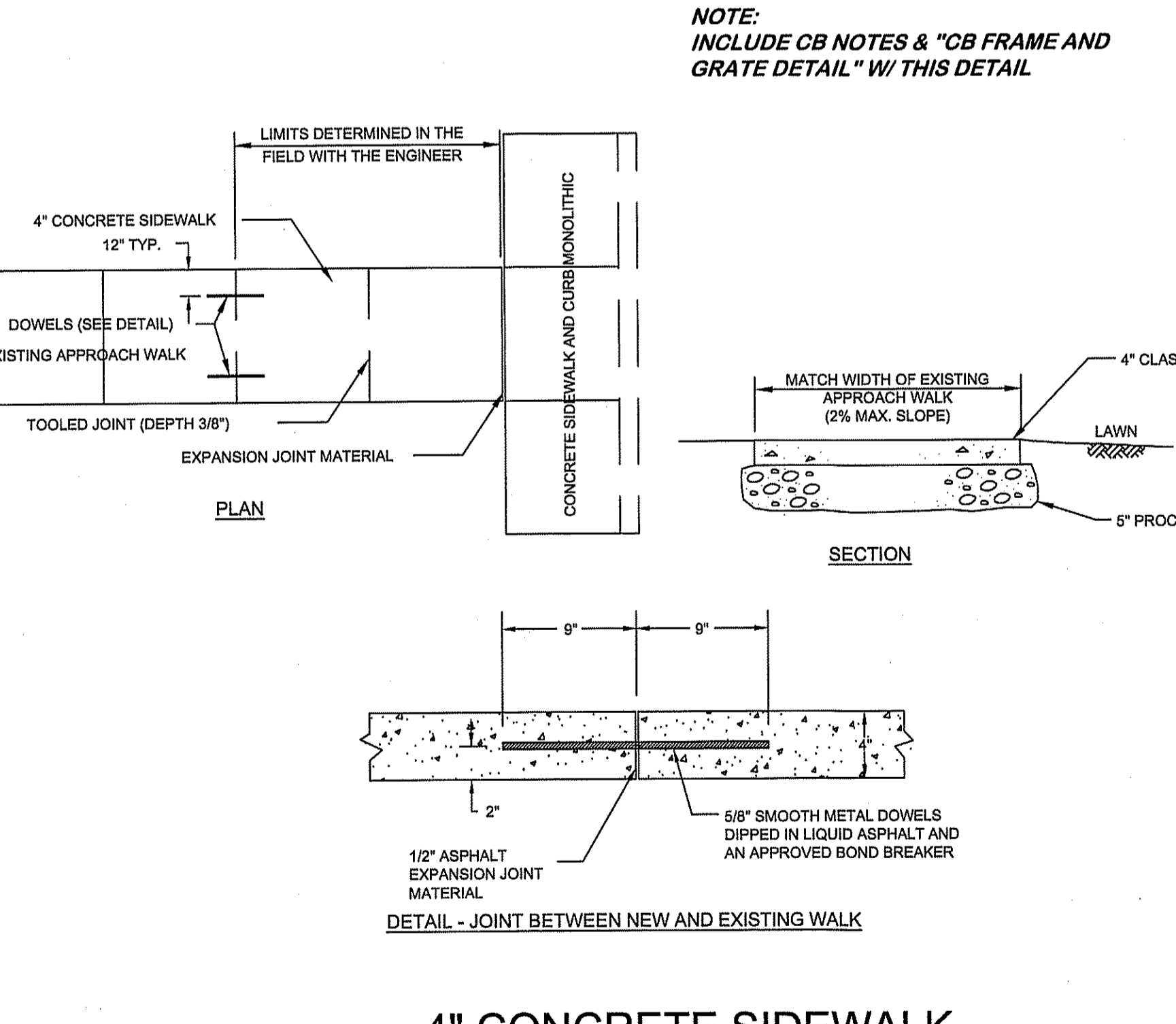
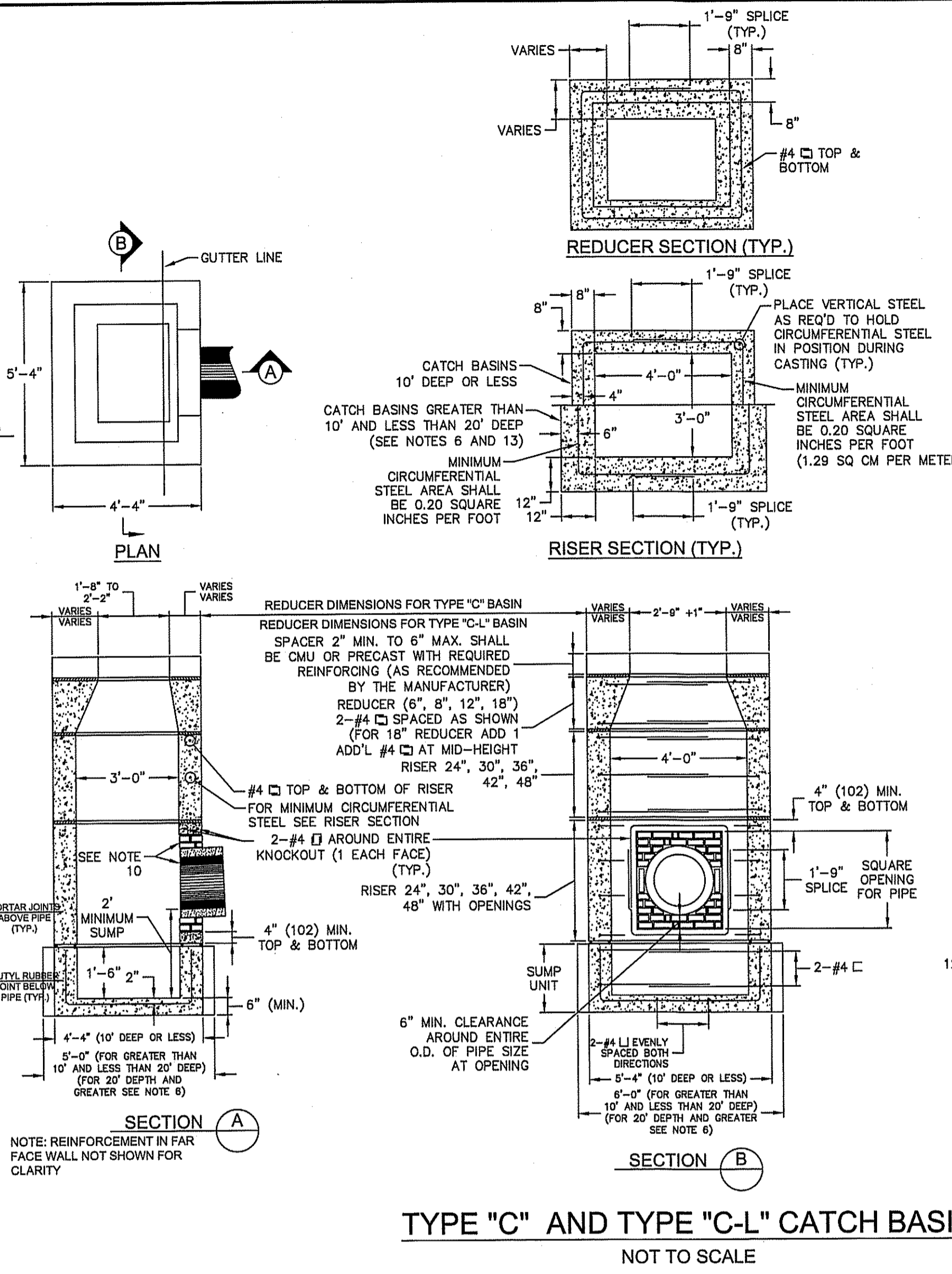
7.) SPREAD STOCKPILED TOPSOIL. MACHINE RAKE, FERTILIZE, SEED AND MULCH DISTURBED AREAS. USE GRASS SEED THAT IS ACCEPTABLE FOR THE SITE CONDITIONS (I.E. SUN OR SHADE) AND THE SEASON OF THE YEAR IN WHICH THIS ACTIVITY IS COMPLETED. PROVIDE TEMPORARY STABILIZATION OF THE SITE (I.E. STRAW OR HAY ETC.). IF THE TOPSOIL IS SPREAD DURING A TIME OF YEAR WHEN GRASS SEED WILL NOT GERMINATE, PROVIDE PERMANENT STABILIZATION WHEN WEATHER CONDITIONS ALLOW.
 8.) REMOVE EROSION CONTROL MEASURES AFTER THE SITE HAS BECOME FULLY ESTABLISHED.
 9.) ANY EXISTING DISTURBED AREAS MUST BE SEEDED WITH PERMANENT OR TEMPORARY GROUND COVER AND MULCHED BY OCTOBER 15.
 10.) DEWATERING OPERATIONS, IF REQUIRED, SHALL UTILIZE A CRUSHED STONE INTAKE SUMP AND A TEMPORARY OUTLET SILT POOL LOCATED WITHIN THE LIMITS OF DISTURBANCE.

SITE SEEDING NOTES:
 PREPARATION: FINE GRADE AND RAKE SOIL SURFACE TO REMOVE STONES LARGER THAN 2" IN DIAMETER. INSTALL SEEDED EROSION CONTROL DEVICES SUCH AS SURFACE WATER DIVERSIONS AS REQUIRED. APPLY LIMESTONE AT A RATE OF 2 TONS/AC, OR 50 LBS./1000 SQ. FT. FERTILIZE WITH 10-10-10 AT A RATE OF 300 LBS./AC, OR 7.5 LBS. PER 1000 SQ. FT. WORK LIME AND FERTILIZER INTO SOIL UNIFORMLY TO A DEPTH OF 4".
 SEED APPLICATION: APPLY SEED MIXTURE FROM THE CHART BELOW BY HAND, CYCLONE SEEDER OR HYDRO SEEDER. INCREASE SEED MIXTURE BY 10% IF HYDRO SEEDER IS USED. LIGHTLY DRAG OR ROLL THE SEEDED SURFACE TO COVER SEED. SEEDING SHOULD BE DONE DURING THE TIMES SHOWN ON THE CHART BELOW. IF SEEDING CANNOT BE DONE DURING THESE TIMES, REPEAT MULCHING PROCEDURE BELOW UNTIL SEEDING CAN TAKE PLACE.
 MULCHING: IMMEDIATELY FOLLOWING SEEDING, MULCH THE SEED SURFACE WITH STRAW OR HAY AT A RATE OF 2 TO 3 TONS/AC. SPREAD MULCH BY HAND OR MULCH BLOWER. PUNCH MULCH INTO SOIL SURFACE WITH A TRACK MACHINE OR DISK HARROW SET STRAIGHT UP. IF USING HYDRO SEED MIX USE TACTIFIER ADDITIVES TO ADHERE MULCH MATERIAL TO THE SURFACE.

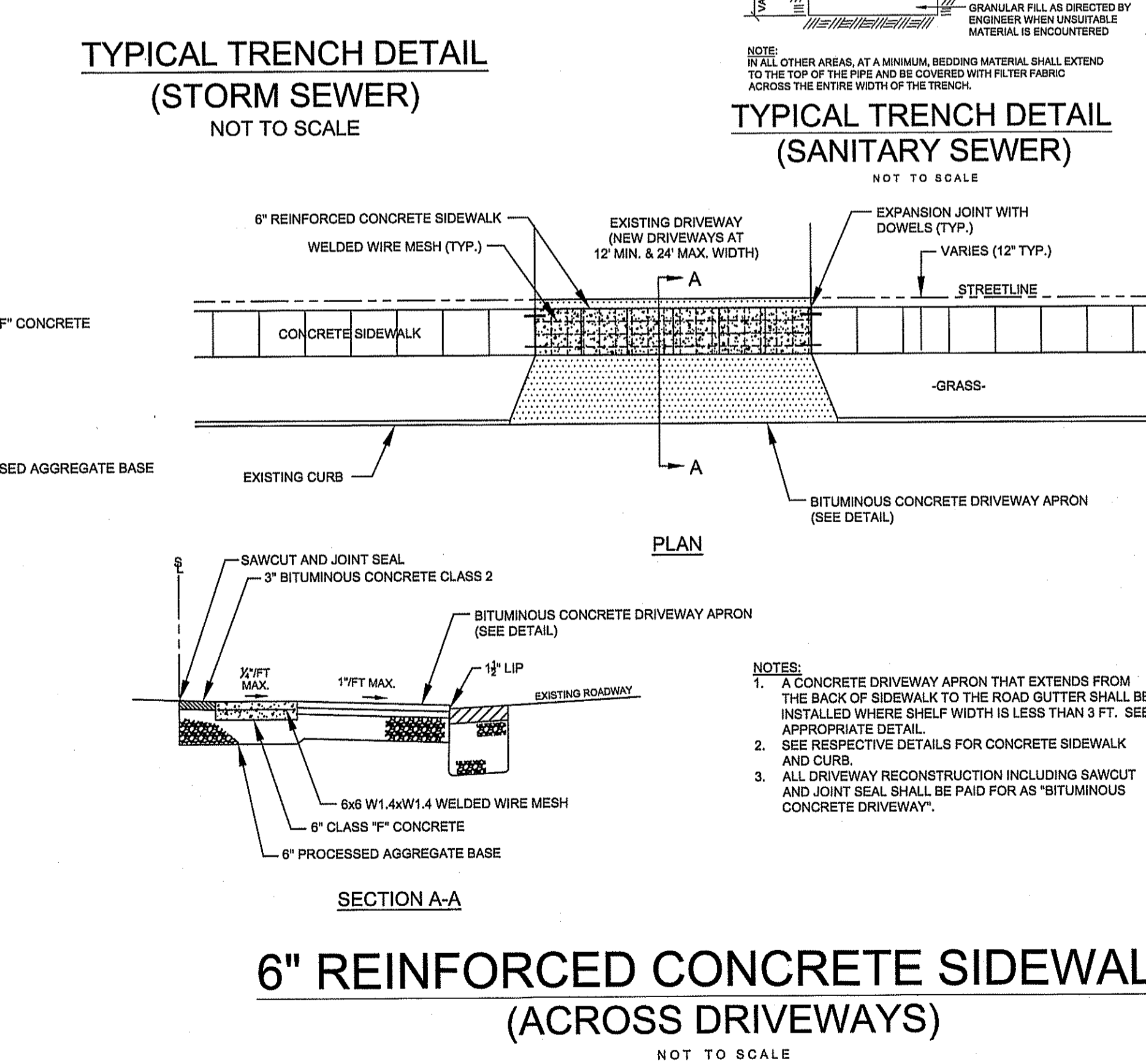
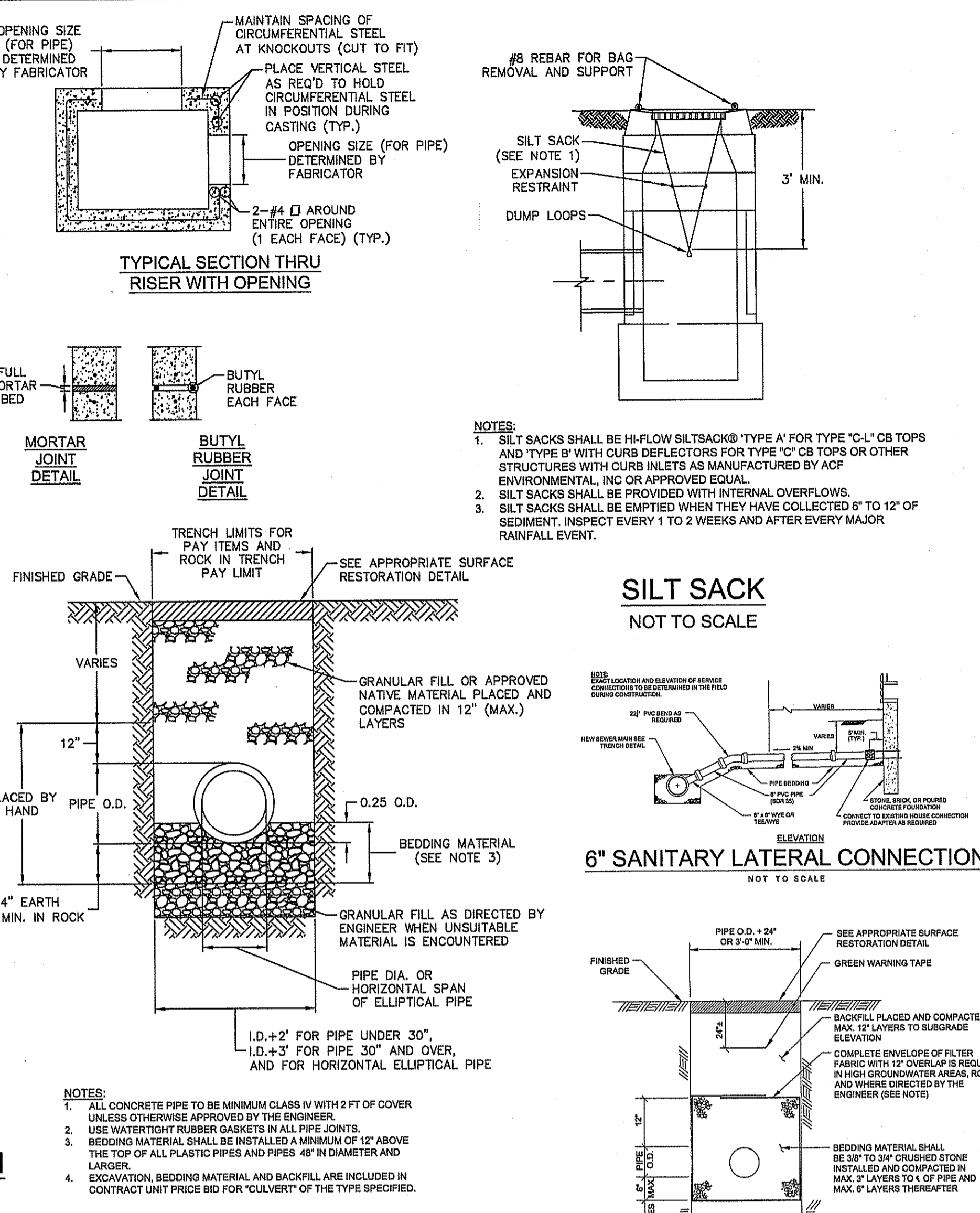
SEED SELECTION:	LB/1000 SQ. FT.	SEED MIXTURE	RECOMMENDED SEEDING DATES
PERMANENT LAWN	0.45	KENTUCKY BLUEGRASS	4/1-6/15
	0.45	CREeping RED FESCUE	8/15-10/1
	0.10	PERENNIAL RYEGRASS	
SLOPES & COARSE LAWN	0.45	CREeping RED FESCUE	4/1-6/15
	0.45	RED TOP	8/15-10/1
	0.45	TALL FESCUE	
SLOPES (NO MOWING)	1.8	CREeping RED FESCUE	4/1-6/15
	0.2	RED TOP	8/15-10/1
TEMPORARY COVER	3.0	WINTER RYE	4/15-6/15, 8/15-10/15
	1.0	ANNUAL RYEGRASS	3/1-6/15, 8/15-10/15

IF SEED IS PLANTED OUTSIDE THE RECOMMENDED SEEDING DATES IRRIGATION MAYBE REQUIRED AT A UNIFORM APPLICATION RATE OF 1 TO 2 INCHES OF WATER APPLIED PER APPLICATION, SOAKING THE GROUND TO A DEPTH OF 4 INCHES.

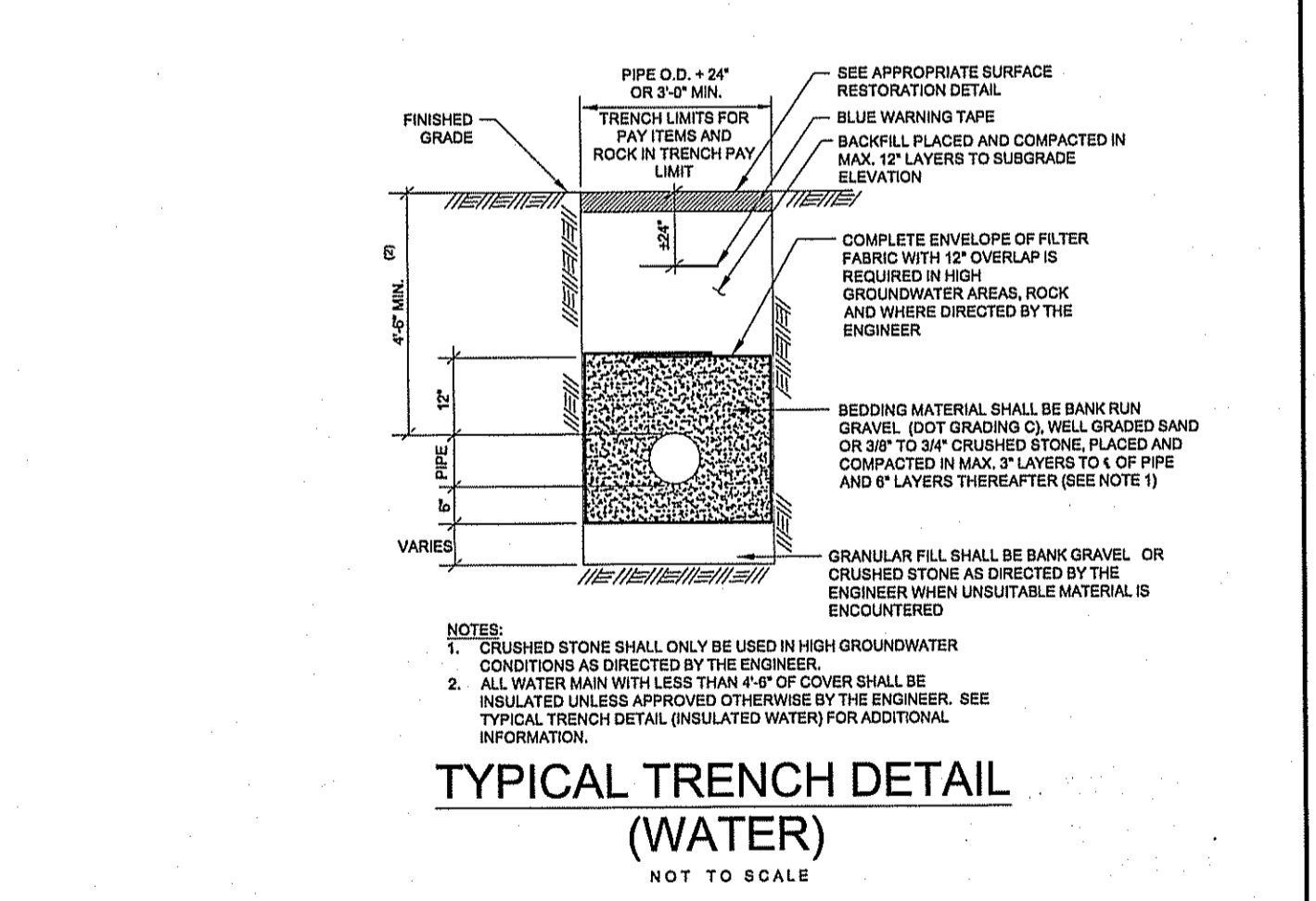
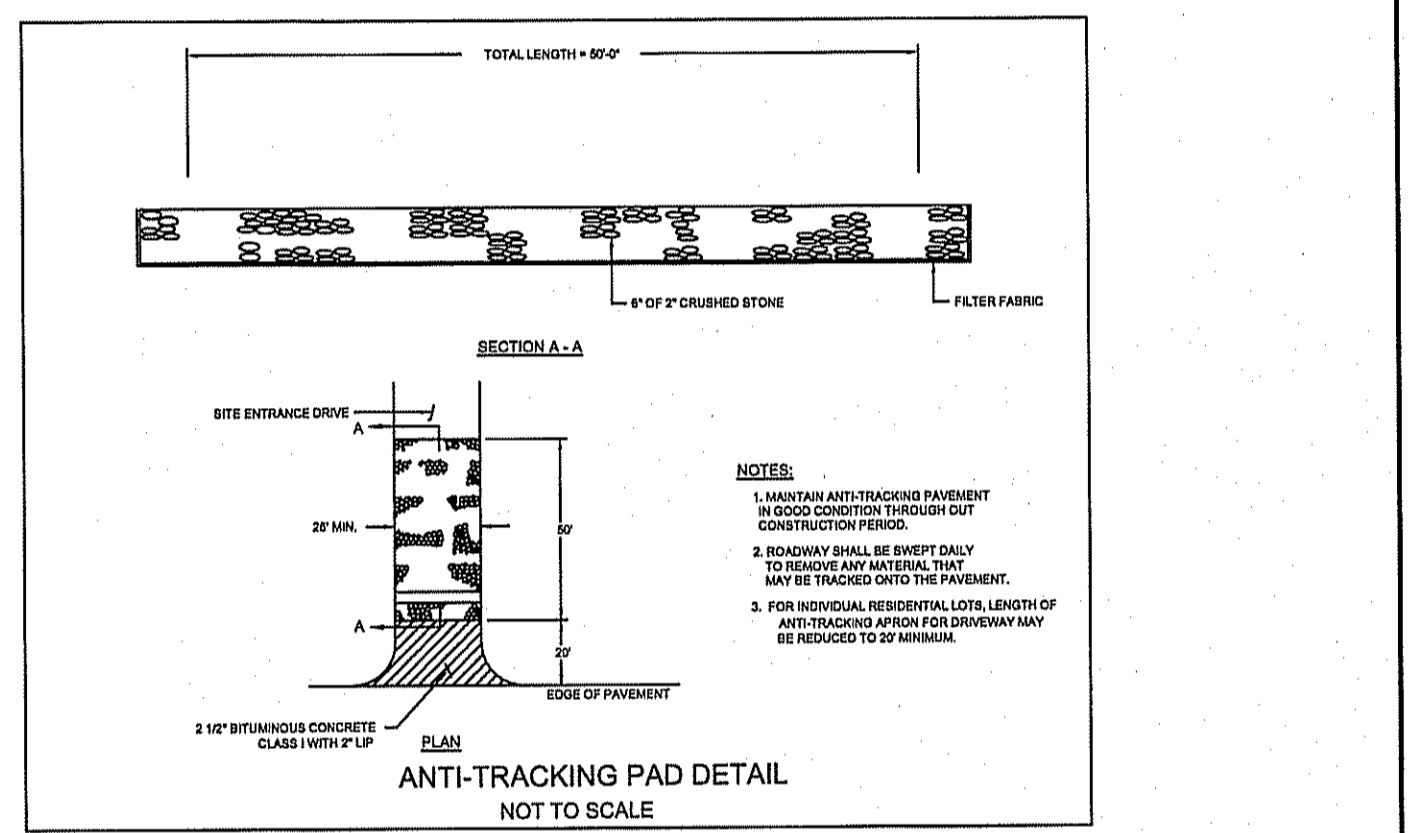
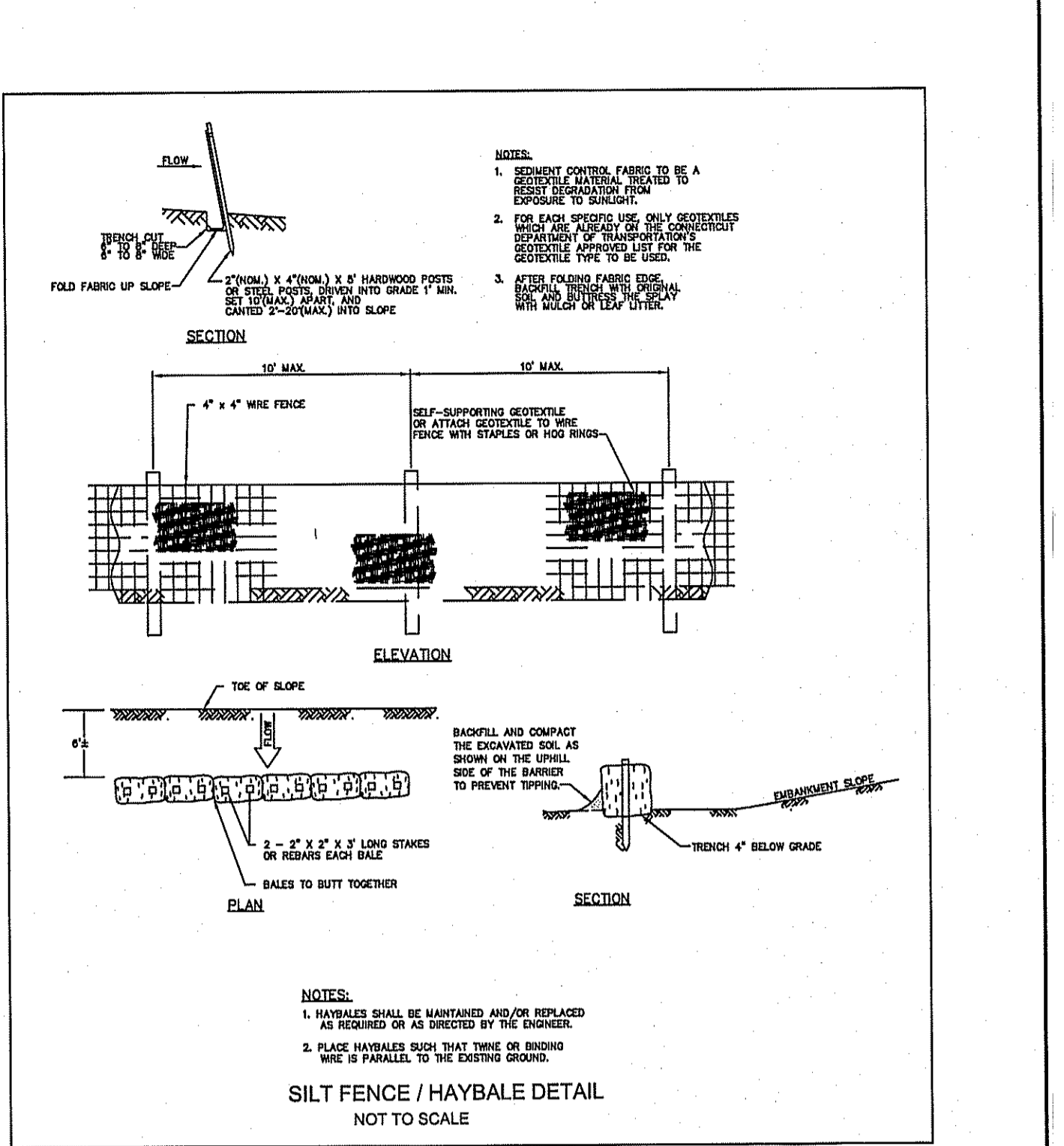
CATCH BASIN NOTES:
 1. REINFORCEMENT SHALL CONFORM TO ASTM A615, GRADE 60.
 2. CATCH BASIN DETAILS SHOW STANDARD REINFORCEMENT. WELDED WIRE FABRIC WITH AN AREA EQUAL TO OR GREATER THAN THE REINFORCING SHOWN MAY BE SUBSTITUTED.
 3. ALL LAP SPICES, DEVELOPMENT LENGTHS, BENDS FOR REINFORCEMENT, AND WELDED WIRE FABRIC SHALL CONFORM TO AASHTO STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES.
 4. ALL REINFORCEMENT SHALL HAVE A MINIMUM CLEAR COVER OF 2".
 5. MINIMUM CONCRETE COMPRESSIVE STRENGTH $f_c = 4000$ PSI SHALL BE OBTAINED PRIOR TO SHIPPING.
 6. BASES AND RISERS AT A DEPTH OF 20' OR MORE SHALL BE DESIGNED BY THE CONTRACTOR AND WORKING DRAWINGS SHALL BE SUBMITTED TO THE TOWN FOR REVIEW.
 7. SEE APPROPRIATE DETAIL FOR CATCH BASIN FRAMES AND GRATES.
 8. RISERS MAY BE PREFABRICATED WITH PIPE OPENINGS IN ALL FOUR WALLS. ADEQUATE REINFORCING AROUND PIPE OPENINGS CONFORMING TO THESE PLANS SHALL BE PROVIDED. ANY RISERS USED WHERE A PIPE OPENING IS TO REMAIN IN PLACE, MUST BE FORMED UP WITH BRICK AS DIRECTED BY THE TOWN.
 9. RISERS SHALL NEVER HAVE CORNER PIPE ENTRIES.
 10. ALL OPENINGS SURROUNDING PIPES SHALL BE CLOSED USING CEMENT RUBBLE MASONRY CONFORMING TO THE LATEST STATE OF CONNECTICUT STANDARD SPECIFICATIONS MATERIAL SECTION M8.08. IF THE TOWN DETERMINES THAT THE CLOSURE OF ANY PIPE OPENING IS UNSATISFACTORY, THE CONTRACTOR SHALL IMMEDIATELY RECLOSE SAID OPENING. THE LOCATION OF PIPE OPENINGS SHALL NOT REDUCE THE WALL THICKNESS.
 11. THE LATEST CONNECTICUT D.O.T. STANDARD SPECIFICATIONS AND SUPPLEMENTALS SHALL GOVERN.
 12. WALL THICKNESS OF ALL CATCH BASINS OVER 10' DEEP SHALL BE INCREASED TO 12" THICK INSIDE DIMENSION SHALL REMAIN THE SAME (THE 12" THICKNESS WILL START AFTER THE FIRST 10').
 13. BUTYL RUBBER JOINT SEAL SHALL CONFORM TO AASHTO M-198 AND MORTAR SHALL CONFORM TO THE LATEST STATE OF CONNECTICUT STANDARD SPECIFICATIONS MATERIAL SECTION M11.04. ALL CATCH BASINS SHALL BE BUILT WITH SPACERS AS SHOWN IN THE DETAILS.
 14. SHRINKAGE AND TEMPERATURE REINFORCEMENT SHALL BE PROVIDED IN THE TOPS OF SLABS. THE TOTAL AREA OF REINFORCEMENT PROVIDED SHALL BE AT LEAST 0.125 SQUARE INCHES PER FOOT IN EACH DIRECTION. THE MAXIMUM SPACING OF THIS REINFORCEMENT SHALL NOT EXCEED 18 INCHES.
 15. ALL CONCRETE CATCH BASIN TOPS SHALL BE CAST TO MATCH ADJACENT CURB TYPE AND HEIGHT.
 16. CATCH BASIN TOP DIMENSIONS PROVIDED ON THE PLANS ARE APPROXIMATE. ACTUAL DIMENSIONS ARE SUBJECT TO APPROVAL BY THE TOWN.



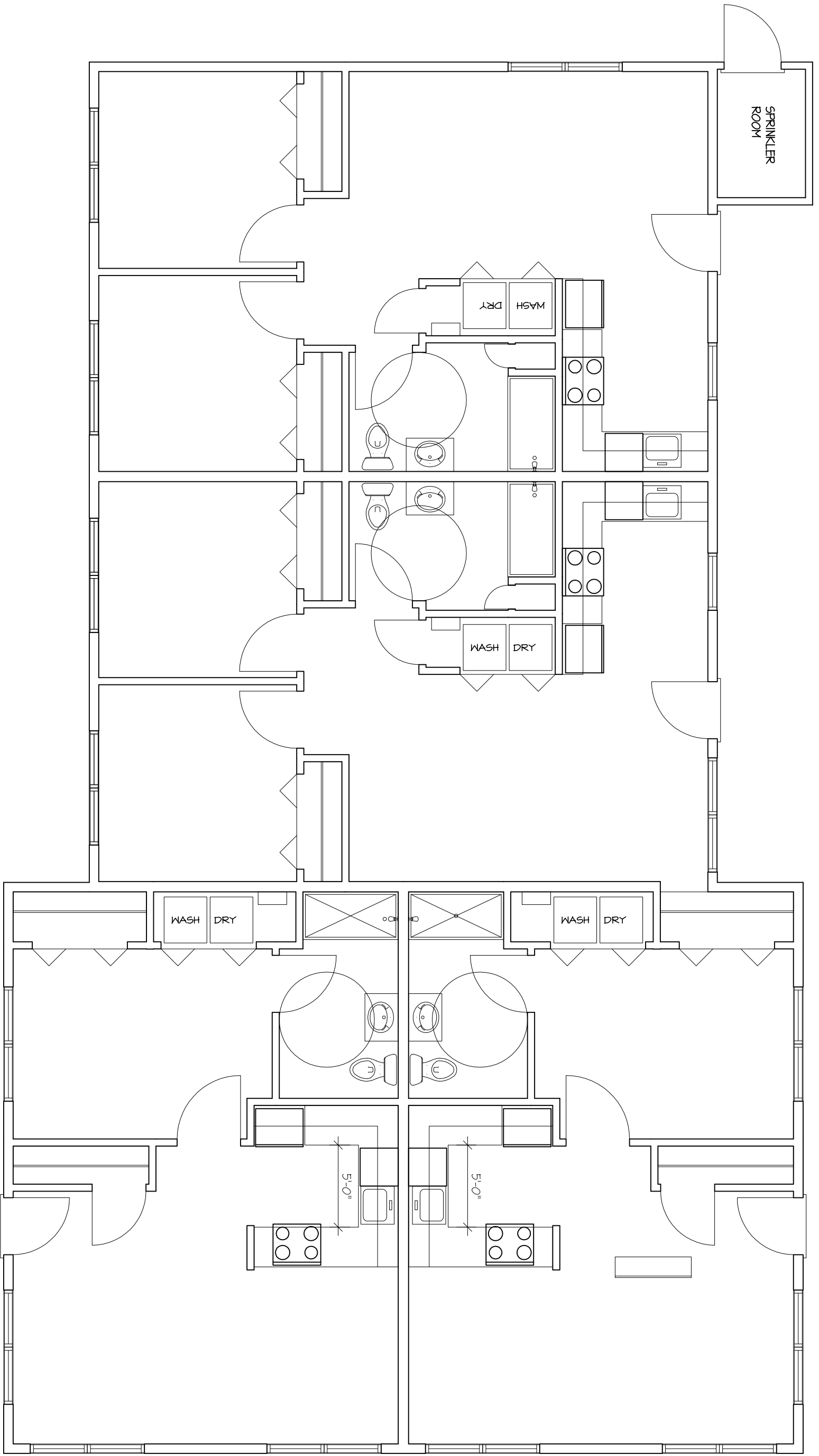
CATCH BASIN NOTES
 NOT TO SCALE



6" REINFORCED CONCRETE SIDEWALK (ACROSS DRIVEWAYS)
 NOT TO SCALE



PLAN PREPARED FOR
ORFORD VILLAGE HOUSING DEVELOPMENT
 190 NORTH ELM STREET MANCHESTER, CT.
 CONSTRUCTION / E&S DETAILS
 SCALE: NONE DATE: 2/1/2023 FILE NO. 2022-128 SHEET: 2 OF 2
BUSHNELL ASSOCIATES LLC.
 CIVIL ENGINEERING AND LAND SURVEYING
 583 WOODBRIDGE STREET MANCHESTER, CT. 06042
 860-643-7875
 REVISIONS:




3/16"=1'-0"



3/16"=1'-0"

**TOWN OF MANCHESTER
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner 

DATE: March 23, 2023

RE: BDC Investments LLC – Application #VAR-0045-2023
12 Myrtle Street – Central Business District zone

Introduction

The applicant is requesting a variance from Art. II, Sec. 15.01.01(m) to convert the existing dentist office into a residential unit at 12 Myrtle Street (a.k.a. 12B Myrtle Street), Central Business District zone.

Variance Request

Art. II, Sec. 15.01.01 lists the permitted uses in the CBD zone, and item (m) specifically states that residential unit are permitted on the second floor and above.

The applicant is requesting a variance to convert a first floor unit from an unoccupied dentist office to a residential unit.

Stated Hardship

The applicant has provided the following answers regarding hardship:

Strict application of the regulations would produce UNDUE HARDSHIP because:

“12 Myrtle is located in the CBD although it is in the beginning of a residential neighborhood and across from the park. This is not a typical commercial building and is not located on the main street. The assessor card also says the property is a 4-family with an occupancy of 4 instead of a mixed-use property.

This commercial unit will be difficult to lease and due to its current condition very expensive to renovate for another commercial tenant if it was possible to find one at all. The commercial market is seeing an oversupply of office / commercial space due to the tide change of working from home while the housing market continues to tighten. The trend of converting commercial space into residential space has started and is only increasing as more large commercial buildings lose their tenants. Our goal is to clean up the property which has been ignored for years by reinvesting in the building and

community. We will bring high quality housing to downtown Manchester which helps support the local businesses as well as increase the tax base for Manchester as a whole.

There is a shortage of housing, especially quality and affordable housing all across the United States. There is an oversupply of commercial space and undersupply of residential housing. One additional residential unit doesn't fix this problem, but every unit helps.”

The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because:

“A unique hardship is the property would be less concerning for the fire marshal by converting this property to residential. If the property is left with a commercial unit the fire marshal is going to require that this property is sprinkled. If the unit is converted to residential they will allow it to continue without a sprinkler. The cost of sprinkling a 4-unit existing and occupied building will not be financially feasible and a significant hardship. All current tenants will be disturbed or displaced because of the required work that would need to happen if the property was sprinkled. This is a significant hardship for the tenants and ownership.”

The variance would not change THE CHARACTER OF THE NEIGHBORHOOD because:

“This commercial space has sat vacant for years and from the exterior, it looks like a standard residential property. This request does not change the footprint of the building or require any site work. All work will stay confined inside the current four walls of the commercial unit. It will require minimal interior work as well since there is already a full bathroom and 2 rooms that are large enough for 2 bedrooms. The work will consist of removing several partition walls, adding a kitchen, and updating the flooring, walls, and lighting for residential use vs commercial use.

By converting this unit to a residential unit it will require less parking than a commercial unit. A dentist's office requires multiple hygienists, at least one dentist, and one person at the front desk. Then there will be clients coming and going who also need parking. The residential unit will be a two-bedroom unit which will be less parking than a commercial unit. It will also be much less impactful from a traffic point of view. A commercial unit on a residential street will significantly increase the traffic vs a 100% residential street and neighborhood.”

Staff Review

Town staff has reviewed the plans and documents submitted with the application and an update on the status of any comments will be provided to the Board at the March 29, 2023 meeting.

mp

\\TOWNFILE2\Users\Planning\ZBA\2023\03 - March 29\Packet\VAR-0045-2023 (12 Myrtle) - Memo.docxx








Attachments

Town of
Manchester, CT



Geographic Information
Systems

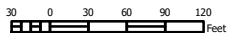
12 Myrtle Street

-  Manchester Town Boundary
-  B2 - Business II
-  CBD - Central Business District
-  RA - Residence A
-  RB - Residence B
-  RC - Residence C
-  Design Overlay Zone

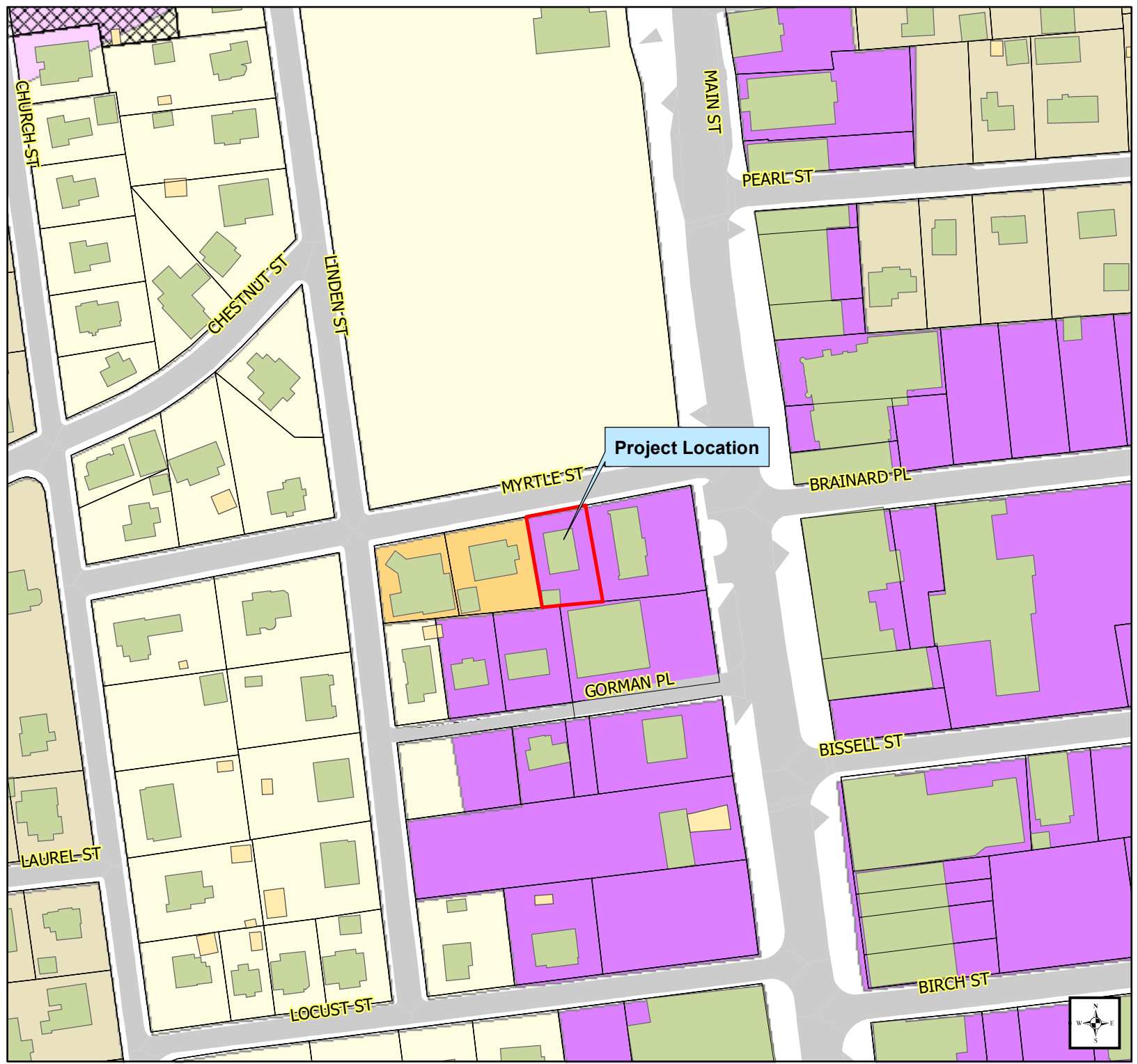
DISCLAIMER:
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided "AS IS" without warranty of any kind.

NOTES:
Planimetric and topographic information were compiled by stereophotogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"=40' large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, as-builts and/or field survey data. Aerial photography dated April 24, 1999.

1 inch = 150 feet



Date: 3/23/2023



12 Myrtle Street Manchester CT Variance Narrative

March 1st, 2023

Town of Manchester
Planning and Zoning
41 Center St, Manchester, CT 06045

Re: 12 Myrtle Street variance to convert dental office into a 2 bedroom residential apartment

To Whom It May Concern:

I'm writing this letter to provide a narrative for the variance request at 12 Myrtle Street Manchester CT. This request is to convert an old dental office into a 2-bedroom residential apartment. The building is located in the CBD zoning district although it resides on a purely residential street.

The existing building is currently configured as 3 residential apartments and 1 dental office on the first floor. The new proposed use would be a 4-unit residential building.

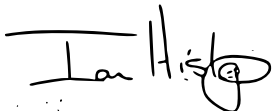
The existing unit is currently several dental offices, a full bathroom, a mudroom and door to the basement. All utilities for the building are separated as if this is a 4 unit property.

The proposed conversion would be 100% inside the existing unit with minimal construction. The dental offices would be turned into bedrooms, a kitchen would be added to the unit and the commercial fixtures would be changed for residential fixtures. There would be no modification to the footprint of the building or common areas of the building.

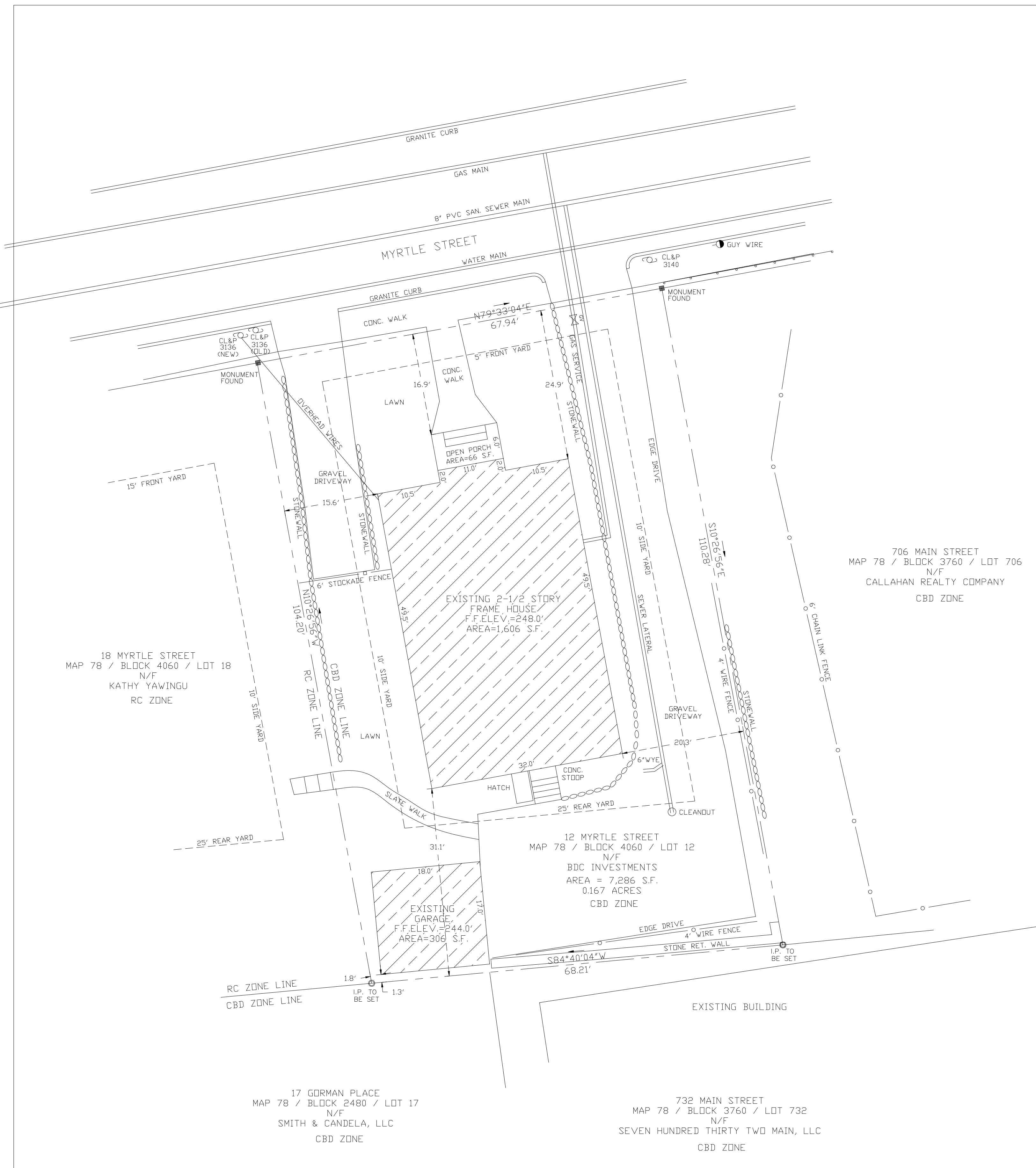
The dental office has sat vacant and in disrepair for many years. The conversion to a residential unit would make the property purely residential and conform with the other properties on the street and neighborhood.

Thank you for considering this request.

Best,

A handwritten signature in black ink that reads "Ian Hislop". The signature is written in a cursive style with a horizontal line above the first name.

Ian Hislop



18 MYRTLE STREET
MAP 78 / BLOCK 4060 / LOT 18
N/F
KATHY YAWINGU
RC ZONE

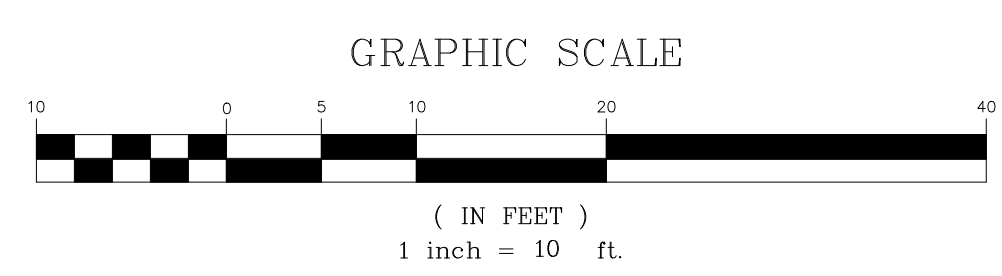
706 MAIN STREET
MAP 78 / BLOCK 3760 / LOT 706
N/F
CALLAHAN REALTY COMPANY
CBD ZONE

12 MYRTLE STREET
MAP 78 / BLOCK 4060 / LOT 12
N/F
BDC INVESTMENTS
AREA = 7,286 S.F.
0.167 ACRES
CBD ZONE

17 GORMAN PLACE
MAP 78 / BLOCK 2480 / LOT 17
N/F
SMITH & CANDELA, LLC
CBD ZONE

732 MAIN STREET
MAP 78 / BLOCK 3760 / LOT 732
N/F
SEVEN HUNDRED THIRTY TWO MAIN, LLC
CBD ZONE

UNDERGROUND FEATURES DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART FROM RECORD MAPPING, PAROL TESTIMONY, FIELD INVESTIGATIONS, AND OTHER SOURCES. THIS INFORMATION IS TO BE CONSIDERED APPROXIMATE AND KENNETH J. PICARD DOES NOT TAKE RESPONSIBILITY FOR SUBSEQUENT ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATED INTO THIS DOCUMENT AS A RESULT. THE LOCATIONS OF ALL UNDERGROUND UTILITIES, STRUCTURES, AND FACILITIES SHOULD, THEREFORE, BE CONSIDERED APPROXIMATE IN NATURE AND ALL SUCH FEATURES MAY NOT BE SHOWN. CALL BEFORE YOU DIG 1-800-922-4455.



- LEGEND:
- I.P. FOUND
 - LOT CORNER
 - x SPOT ELEVATIONS
 - MONUMENT
 - MONUMENT FOUND
 - BOUNDARY LINE
 - SETBACK LINE
 - CONTOUR LINE
 - FLOOD ZONE
 - (ELEV) PROPOSED ELEVATION

EXISTING STRUCTURE AREAS

DESCRIPTION	BUILDING COVERAGE
HOUSE	1,606 S.F.
OPEN PORCH	66 S.F.
GARAGE	306 S.F.
TOTAL	1,978 S.F.

ZONING INFORMATION TABLE

	CBD DISTRICT	
	REQUIRED	EXISTING
MINIMUM LOT AREA	7,200 S.F.	7,286 S.F.
MAXIMUM LOT COVERAGE (S.F.)	2,880 S.F.	1,978 S.F.
MAXIMUM LOT COVERAGE (%)	40%	27.1%
MINIMUM LOT FRONTAGE	60 FEET	67.94 FEET
STREET SETBACK - MYRTLE STREET - NORTH	15 FEET	16.9 FEET
SIDE YARD SETBACK - EAST	10 FEET	20.3 FEET
SIDE YARD SETBACK - WEST	10 FEET	15.6 FEET
REAR YARD SETBACK - SOUTH	25 FEET	31.1 FEET
MAXIMUM BUILDING HEIGHT	75 FEET	28+ FEET
REAR YARD SETBACK - GARAGE (SOUTH)	10 FEET	1.3 FEET
SIDE YARD SETBACK - GARAGE (WEST)	10 FEET	1.8 FEET

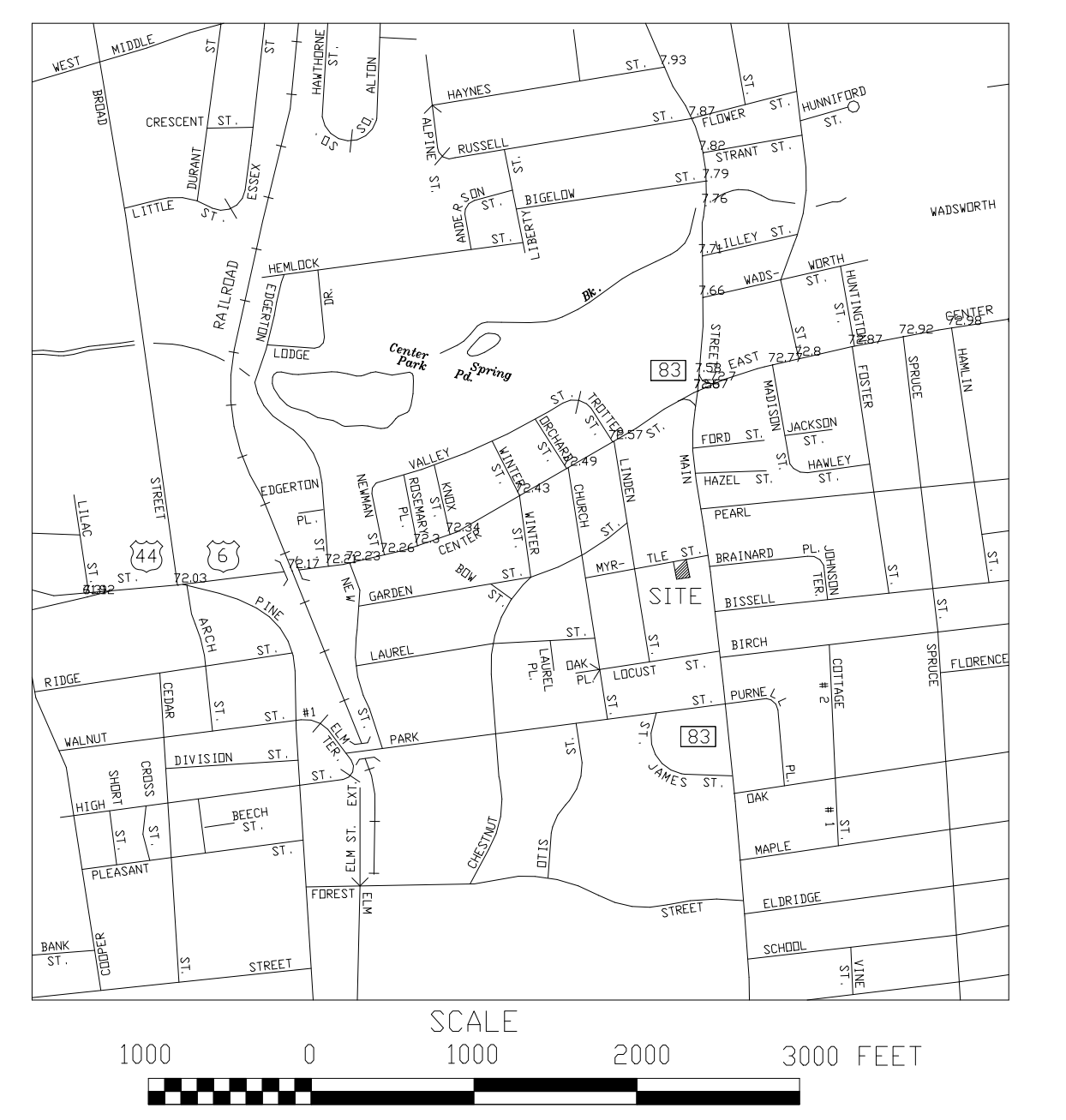
REVISIONS

NO.	DATE	DESCRIPTION	BY

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

THIS MAP VALID ONLY WITH A LIVE SIGNATURE AND AN EMBOSSED SEAL.

KENNETH J. PICARD, L.S. 18143
PICARD LAND SURVEYING, LLC
459 JONES HOLLOW ROAD
MARLBOROUGH, CT 06447



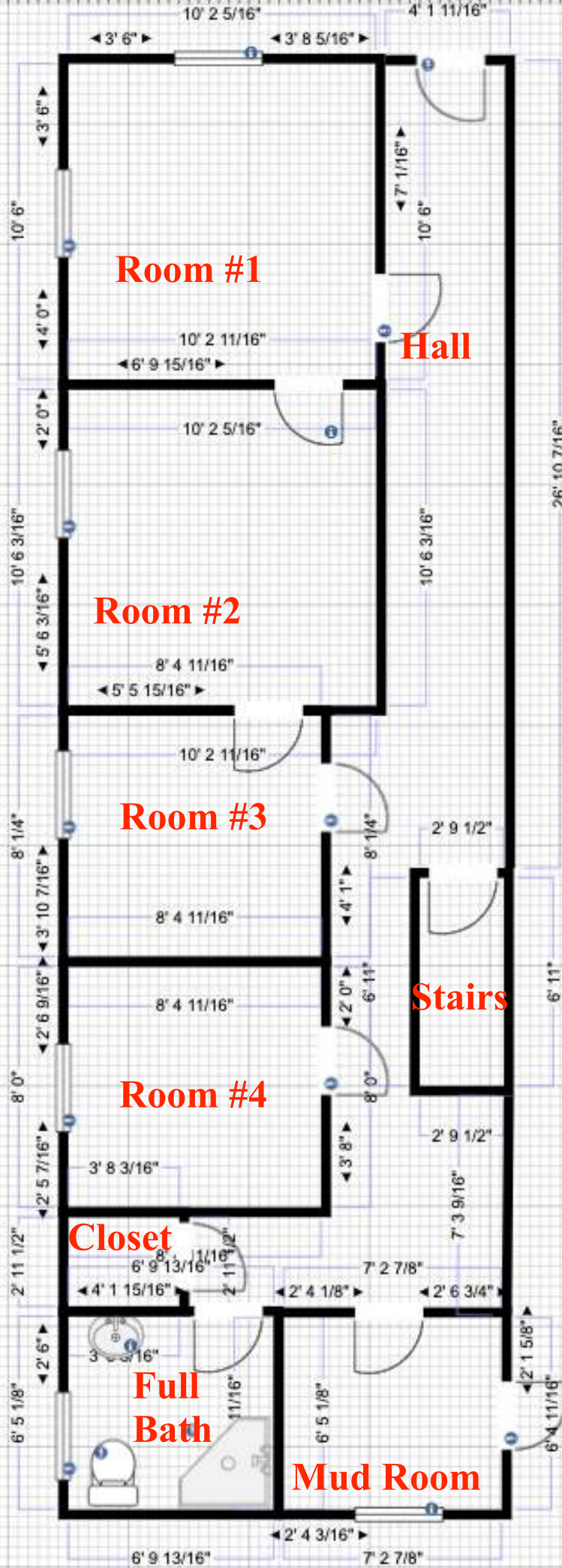
- NOTES:
- THIS SURVEY AND MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996.
 - THIS MAP SHOWS A PROPERTY SURVEY DEPICTING THE EXISTING CONDITIONS IN RELATION TO THE EXISTING BOUNDARY LINES UNDER THE PROPERTY/BOUNDARY SURVEY CATEGORY.
 - BOUNDARY DETERMINATION/OPINION IS A DEPENDENT RESURVEY AS NOTED. SEE NOTE 9.
 - THIS SURVEY CONFORMS TO A CLASS A-2.
 - THE HORIZONTAL DATUM IS NAD 83 WITH 1996 ADJUSTMENTS. THE VERTICAL DATUM IS NAVD 88.
 - THIS PROPERTY IS IN AN "CBD" ZONE.
 - THE AREA FOR #12 MYRTLE ST. = 7,286 S.F. / 0.167 ACRES.
 - THIS PROPERTY IS NOT WITHIN ANY FLOOD ZONE.
 - REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - PLAN IN SUBDIVISION OF DWELLING PROPERTIES OF CHENEY BROTHERS AT MANCHESTER-CONNECTICUT MAP "B" SCALE: 1" = 100' DATED: SEPT. 1, 1937 PREPARED BY: WILLIAM THOMPSON MAP BOOK S81 / PAGE 18 ON FILE AT THE MANCHESTER TOWN CLERKS OFFICE.
 - PLAN PREPARED FOR THOMAS TOMKO 732 MAIN STREET MANCHESTER, CONN. BOUNDARY SURVEY SCALE: 1" = 20' DATED: 11-8-86 PREPARED BY: MEEHAN ASSOCIATES MAP BOOK M27 / PAGE 11 ON FILE AT THE MANCHESTER TOWN CLERKS OFFICE.
 - THE STONEWALLS AND/OR THE WIRE FENCES SHOWN AS BOUNDARIES MAY HAVE IRREGULARITIES OF COURSE BETWEEN THE PRINCIPAL POINTS OF COURSE INDICATED.

PROPERTY SURVEY
PREPARED FOR
BDC INVESTMENTS, LLC

12 MYRTLE STREET
ASSESSOR'S MAP 78/BLOCK 4060/LOT 12
MANCHESTER, CONNECTICUT

DRAWN BY: K.J.P.	CHECKED BY:
SCALE: 1 INCH = 10 FEET	
DATE: FEBRUARY 21, 2023	
PROPERTY SURVEY	SHEET: 1 OF 1

Proposed Layout



Room #1

Hall

Room #2

Room #3

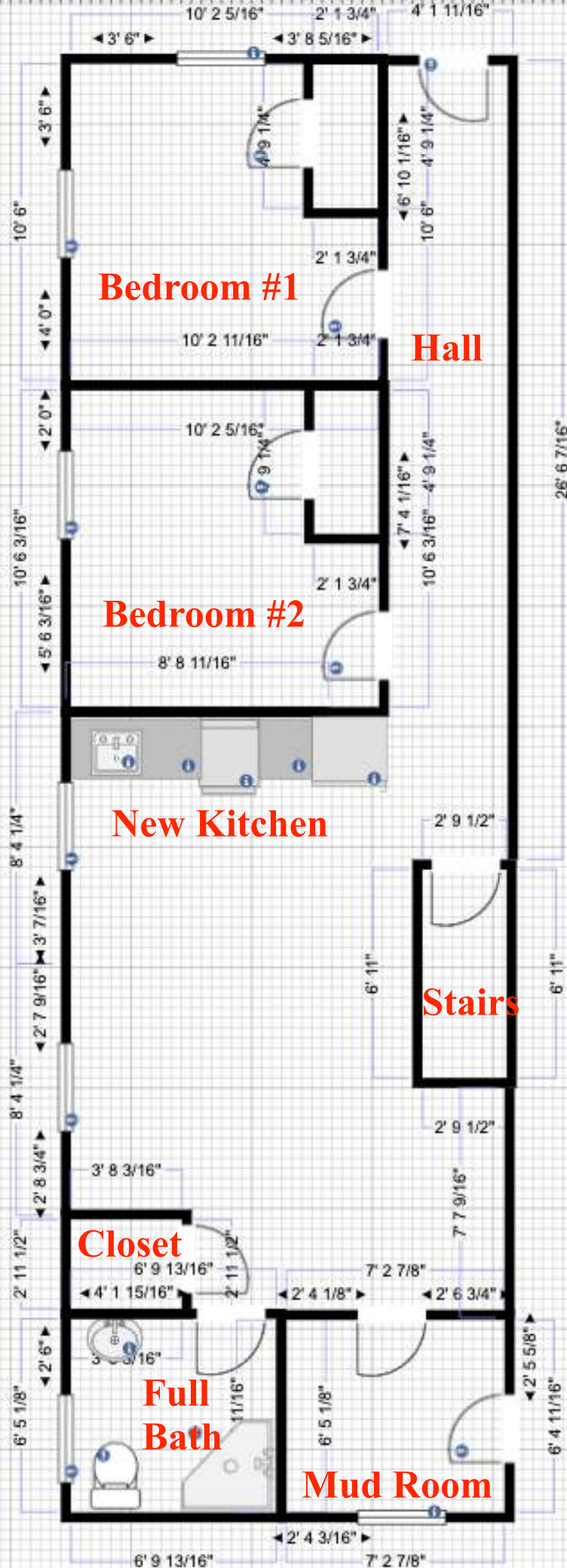
Stairs

Room #4

Closet

Full Bath

Mud Room



Proposed Layout

DRAFT

**MINUTES OF PUBLIC HEARING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
FEBRUARY 22, 2023**

MEMBERS PRESENT:

In Person: James R. Stevenson, Chair
Robert Haley, Vice Chair
Edward Slegeski
Sandra DeCampos

ALTERNATES PRESENT:

In Person: Kevin Hood, Sitting
Harun Ahmed

ABSENT:

Keshet Spadaccini, Secretary
Linda Harris

STAFF PRESENT:

In Person: Megan Pilla, Principal Development Planner
Electronically: James Davis, Zoning Enforcement Officer
Nancy Martel, Recording Secretary

The Chair opened the Public Hearing at 7:00 P.M. The Secretary read the legal notice for the application when the call was made.

HERMES BAEZ, SOCHLO CREAM LLC – Application #VAR-0036-2022 – Request a variance of Art. II, Sec. 1.03.01 (b) to allow a commercial vehicle exceeding one ton on a personal residential driveway at 15 Chester Drive, Residence A zone.

Mr. Hermes Baez, 15 Chester Drive, introduced himself. Mr. Baez explained that he is requesting the variance to allow him to park his business truck in his driveway. The truck runs on electricity, which is necessary to preserve the product inside.

Mr. Haley inquired about Mr. Baez's business. After Mr. Baez gave an explanation of his business, Mr. Haley asked where Mr. Baez picks up the ice cream. It was explained that it is picked up from a distributor in Enfield.

Mr. Haley asked how often the product is picked up. Mr. Baez stated that he picks up the product every other day or once a week. Mr. Haley further asked how much product is left on the truck at night, to which Mr. Baez reported that approximately 3,000 lbs. are left. After a question from Mr. Haley, Mr. Baez stated that he just started his business.

Mr. Slegeski commented that the State Business Registry reports the company, SOCHLO, was formed in March 2022. He asked the weight of Mr. Baez's truck, and Mr. Baez responded that it weighs approximately 10,000 lbs. Mr. Slegeski asked about the voltage to the truck and Mr. Baez responded that it is 220.

Mr. Baez remarked that, in his neighborhood, there are approximately four tractor-trailers parked in driveways. He noted that his truck is smaller than his neighbor's RV.

Mr. Ahmed asked if there is noise when the truck is being charged. Mr. Baez reported that it is approximately the same as a home air conditioner.

After a question from Mr. Ahmed, Mr. Baez noted that he and his neighbor have had differences in the past. Currently, in his opinion, the neighbor does not want him in the neighborhood. He relayed some of the issues that have occurred in the past. Mr. Baez reported that he charges the truck for approximately four to five hours each night.

Mr. Stevenson requested clarification of the charging time and how it ceases to run. Mr. Baez stated that he turns it off at approximately 10:00 P.M. and does not run it all night. Mr. Stevenson assumed it only charges from approximately 4:00 P.M. to 10:00 P.M., though he speculated that Mr. Baez would not be able to set a specific timeframe.

Mr. Davis commented that this is a commercial distribution based on the description by the applicant. He also raised the concern that, if the Board planned to approve the variance with a time limit on charging in the evening hours, enforcement does not take place in the evening hours. Additionally, he referred to the Town of Manchester Noise Ordinance.

Mr. Stevenson asked about the hours of the noise ordinance. Mr. Davis could not give the details, though he speculated it is 9:00 P.M. Mr. Stevenson asked who enforces the noise ordinance, to which Mr. Davis replied, "the Manchester Police Department."

After a question from Mr. Stevenson, Mr. Baez stated that his truck complies with noise regulations.

Mr. Stevenson inquired about the class of Mr. Baez's vehicle, to which Mr. Baez replied that it is a small semi-truck.

Mr. Haley requested more information about other locations Mr. Baez has explored for parking his truck. Mr. Baez reported the locations he sought, as far away as Springfield, but stated that he found nothing with electricity.

Mr. Haley asked whether Mr. Baez was aware of the zoning issue when he purchased the truck. Mr. Baez stated that he did not know he couldn't have the truck on his own property and reiterated that there are tractor-trailer trucks parked in his neighborhood.

Mr. Haley explained that a hardship must be presented to the Board. Mr. Baez stated that his hardship is his inability to find a spot to park his vehicle with electricity available.

Mr. Stevenson inquired whether Mr. Baez is a franchisee, which was explained. Mr. Stevenson asked whether there are other individuals in the same situation. Mr. Baez stated that the other individuals have trucks that run on gas compressors.

Mr. Haley asked if Mr. Baez has investigated the option of a freezer where his product could be unloaded at night and reloaded in the morning. Mr. Baez explained the difficulties of that option.

Mr. Slegeski observed that Mr. Baez's business formed on March 1st. He asked how long the truck has been parked on his property. Mr. Slegeski speculated whether Mr. Baez could obtain a rental bay, purchase a freezer, and pick up less product to remedy the situation.

Mr. Baez responded that would not work for him.

Mr. Romny Tejeda, Rocky Hill, introduced himself. He stated that he has visited the property many times and has observed the vehicle noise, which is just air conditioning noise. He has been present when the neighbor complained about other issues. The truck is similar to a pickup truck.

Ms. Linda Templeton, 19 Chester Drive, introduced herself. In her opinion, the air conditioning is not comparable to a home air conditioner. In addition, she does not believe a commercial vehicle belongs in that neighborhood. She acknowledged that she owns an RV but pointed out that it is allowable in Manchester. Ms. Templeton stated that she does not believe the commercial vehicle is acceptable in the area.

Mr. Derek Threats, 698 Center Street, introduced himself. He stated that, though he shares a back yard with Mr. Baez, he cannot hear the truck at all. When speaking with Mr. Baez in close proximity to the truck, he could not hear the truck, noting it sounds like a fan. In his opinion, allowing Mr. Baez to operate his business is good for the community.

Mr. Dale Wagner, 11 Chester Drive, introduced himself, stating that he is friends with Mr. Baez and with Ms. Templeton. He noted that he cannot hear the noise or see the truck from his yard. He stated that he, personally, does not have an issue with the truck.

Ms. Adalgisa Beato, 15 Chester Drive, introduced herself as Mr. Baez's wife. She agreed that there have been problems in the past with Ms. Templeton. They have never had any noise complaints since moving into their home. She concurred with the statement regarding the number of tractor-trailer trucks in the neighborhood.

Mr. Davis mentioned that a Notice of Violation letter was initially sent on May 6, 2022. He added that there was nothing sent out regarding noise and noted that he never heard the vehicle. Zoning Enforcement does hear complaints on a regular basis, and they encourage individuals to seek out industrial properties and to speak with the owner regarding electricity and storage of the vehicle. He added that this is not a unique situation and, if there are other properties with tractor-trailers, the Town would be happy to look at them.

Ms. Johanna Tejeda, 45 Fern Street, Rocky Hill, reported that she has been at the home and has never heard any noise louder than a dog barking or an RV running. In her opinion, this is more of a personal issue, not a vehicle issue.

Ms. Pilla read a comment from Mr. Robert Jones, 25 Chester Street:

“Zoning Board Members: I am writing in concern of the application. I live in the neighborhood in question and have many concerns about the future of this quiet neighborhood. My wife and I have lived in this neighborhood since 1998 and raised our three children here. This is a very quiet place to live, and this truck causes a continuous droning noise that is disturbing to the neighbors. The additional commercial traffic will have an impact on people that like to walk through and the kids that play in the neighborhood. This truck has also had a couple of major oil spills in the driveway. The owner proceeded to take his hose and rinse the oil down his driveway into the street. This is not an environmentally friendly means of cleaning up an oil spill. I also have concerns about the future of the area if we allow this truck in; who will be next? It’s bad enough we have a trucking company being run out of a house on Thomas Drive. We also have someone running an illegal repair service out of their house on Olcott Street. That house has a back yard full of junk cars and trucks. I have nothing against someone starting a business, but commercial vehicles have no place in a neighborhood. Please think twice about allowing this application to go through. I will not be able to attend the meeting tonight due to having to take my daughter to soccer practice.”

Mr. Baez reported that Mr. Jones has made disrespectful comments to him in the past.

Ms. Pilla reported no Staff technical comments on the application. There was an unanswered question from Mr. Davis, who asked whether the truck can be parked in the garage and whether the applicant has considered an alternative garage.

Mr. Baez reported that his garage needs to be rebuilt and he speculated about his neighbor’s reaction to reconstructing the entire garage. The truck will not fit in the current garage.

Mr. Haley asked Staff, if the Board were to deny the application, whether there would be a timeframe for Mr. Baez to find a location.

Mr. Davis explained that, if the application were denied, as with any other application in such a proceeding, the goal is to encourage compliance and is not punitive in any nature. As long as the applicant was moving forward with coming into compliance, Zoning would allow a reasonable amount of time. He expressed the hope that it would be quicker than this process has been thus far.

Mr. Haley asked whether the Board could place a time limit on the compliance.

Mr. Stevenson said, if the Board denies the application, there are no conditions on a denial.

Mr. Baez remarked that, if his application is denied, he will have to shut down his business.

The public hearing was closed at 7:50 P.M.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.

DRAFT

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
FEBRUARY 22, 2023**

MEMBERS PRESENT:

In Person: James R. Stevenson, Chair
Robert Haley, Vice Chair
Edward Slegeski
Sandra DeCampos

ALTERNATES PRESENT:

In Person: Kevin Hood, Sitting
Harun Ahmed

ABSENT:

Keshet Spadaccini, Secretary
Linda Harris

STAFF PRESENT:

In Person: Megan Pilla, Principal Development Planner
Electronically: James Davis, Zoning Enforcement Officer
Nancy Martel, Recording Secretary

The Chair opened the Business Meeting at 7:50 P.M.

CONSIDERATION OF PUBLIC HEARINGS:

HERMES BAEZ, SOCHLO CREAM LLC – Application #VAR-0036-2022 – Request a variance of Art. II, Sec. 1.03.01 (b) to allow a commercial vehicle exceeding one ton on a personal residential driveway at 15 Chester Drive, Residence A zone.

MOTION: Mr. Slegeski moved to deny the variance. Mr. Haley seconded the motion. Mr. Stevenson, Mr. Haley, Mr. Slegeski, and Mr. Hood voted in favor. Ms. DeCampos voted against the motion. The motion passed 4 to 1.

The reason for denial is that the proposal would set an unintended precedent.

Mr. Baez expressed his anger over the ruling.

APPROVAL OF JANUARY 25, 2023 MINUTES: PUBLIC HEARING AND BUSINESS MEETING

MOTION: Mr. Haley moved to approve the minutes with the modification to the public hearing minutes that “Mr. Haley” be changed to “Mr. Slegeski” in the sentence, “Mr. Haley

speculated whether there would be alarms on the doors for the safety of the clientele.”
Ms. DeCampos seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

DR. WILLIAM SPECTOR – Application #VAR-0043-2023 – Request a variance from Art. II, Sec. 3.01.01 to allow a generator approximately 11 feet from the side property line (15 feet required) at 81 Grissom Road, Residence AA zone.

UPCOMING TRAINING OPPORTUNITIES

Ms. Pilla reported that the Connecticut Federation of Planning and Zoning Agencies (CFPZA) is having its annual conference. According to the program, the session is on Affordable Housing and would satisfy the requirement for one hour of affordable housing training. The event is on Thursday, March 23rd and registration ends on March 21st.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.