

**AGENDA
ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
AND VIRTUALLY VIA ZOOM
FEBRUARY 28, 2024
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

[NAPOLITANO AND SOVERNS DEVELOPERS, LLC](#) – application #VAR-0061-2023 – Request a variance from Art. II, Sec. 15.01.01 to allow a proposal for a zone change to Central Business District (CBD) for a property with an existing multi-unit residential home (which is not a permitted use in CBD zone) at 12 Pearl Street, Residence B zone.

[AYAZ ENTERPRISES LLC](#) – application #VAR-0001-2024 – Request a variance from Art. II, Sec. 23.03 for a proposed canopy over fueling dispensers 5.3 feet from the front property line (25 feet required) at 220 Spruce Street, Neighborhood Business zone.

B. BUSINESS MEETING

1. Consideration of Public Hearings
2. Approval of Minutes
 - [January 24, 2024](#) – 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 February 28, 2024 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:

NAPOLITANO AND SOVERNS DEVELOPERS, LLC – application #VAR-0061-2023 – Request a variance from Art. II, Sec. 15.01.01 to allow a proposal for a zone change to Central Business District (CBD) for a property with an existing multi-unit residential home (which is not a permitted use in CBD zone) at 12 Pearl Street, Residence B zone.


AYAZ ENTERPRISES LLC – application #VAR-0001-2024 – Request a variance from Art. II, Sec. 23.03 for a proposed canopy over fueling dispensers 5.3 feet from the front property line (25 feet required) at 220 Spruce Street, Neighborhood Business 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 pzcomments@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 pzcomments@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: February 22, 2024

RE: Napolitano and Soverns Developers, LLC – Application #VAR-0061-2023
12 Pearl Street – Residence B zone

Introduction

The applicant is requesting a variance from Art. II, Sec. 15.01.01 to allow a proposal for a zone change to Central Business District (CBD) for a property with an existing multi-unit residential home (which is not a permitted use in CBD zone) at 12 Pearl Street, Residence B zone.

Variance Request

The subject property contains a 3-family residential house which predates the adoption of zoning regulations. The property owner also owns the adjacent property at 623 Main Street, which is a mixed-use building with a restaurant on the first floor and eight (8) apartments on the upper floors. They would like to construct parking at 12 Pearl Street to serve both properties. However, as currently zoned, parking is not permitted to be located in front of the existing house.

The applicant would therefore like to propose a zone change for 12 Pearl Street to Central Business District (CBD) zone to match the zoning of 623 Main Street, which would allow the parking to be located at the front of the property. However, the existing residential house is not a permitted use in the CBD zone. As such, the applicant is requesting a variance to allow the existing house to be in the CBD zone, so that they may then apply to the Planning & Zoning Commission for a zone change.

Stated Hardship

See attached narrative for answers to hardship questions.

Staff Review

Town staff has reviewed the plans and documents submitted with the application and the status of any outstanding comments will be provided at the February 28, 2024 meeting.

mp

R:\Planning\ZBA\2024\02 - February 28\Packet\VAR-0061-2023 (12 Pearl) - Memo.docx

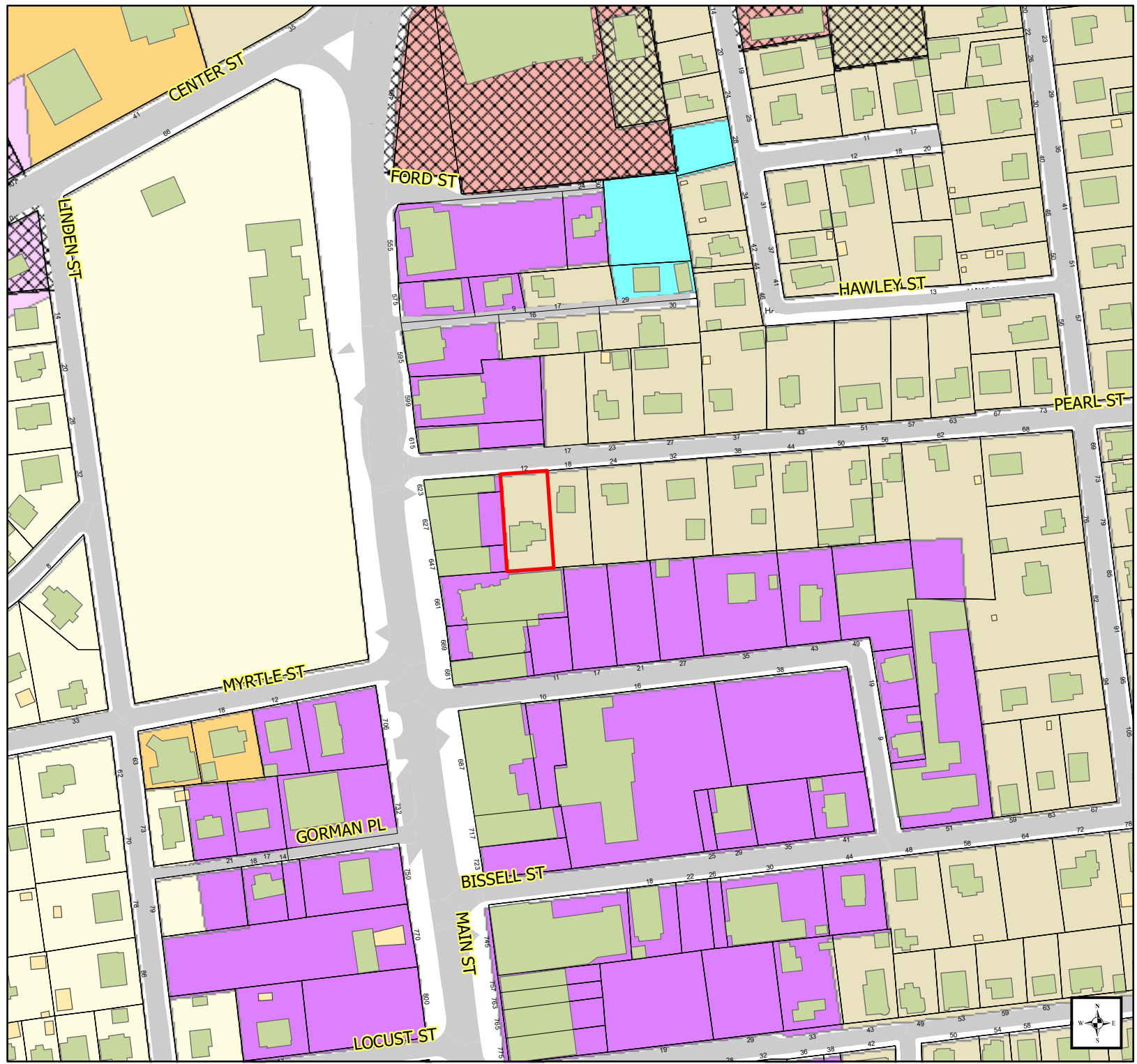
Attachments

Town of
Manchester, CT



Geographic Information
Systems

12 Pearl Street



☒ Design Overlay Zone

□ B2 - Business II

□ B3 - Business III

□ CBD - Central Business
District

□ OSP - Off Street Parking

□ RA - Residence A

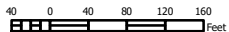
□ RB - Residence B

□ RC - Residence C

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 = 200 feet



Date: 10/23/2023



MANCHESTER PLANNING & ZONING COMMISSION

Applicant: **Napolitano and Soverns Developers, LLC**

Application: **Variance Approval**

Location: **12 Pearl Street**

Date: **December 29, 2023**

Item: **Application Narrative**

Variance to permit a Change of Zone that would incorporate an abutting multi-family residential property with a CBD-zoned commercial property under common ownership and use.

Strict application of the regulations would produce UNDUE HARDSHIP because:

The RB-zoned parcel is a 3-family dwelling (2 two bedroom and 1 one bedroom) developed since at least 1911. The CBD-zoned parcel is a mixed use building housing a restaurant with housing units on the two floors above, being: 4 one-bedroom units; 4 studio apartments. There is inadequate parking. Without a variance, the house would have to be removed to accommodate the proposed change of zone to CBD.

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

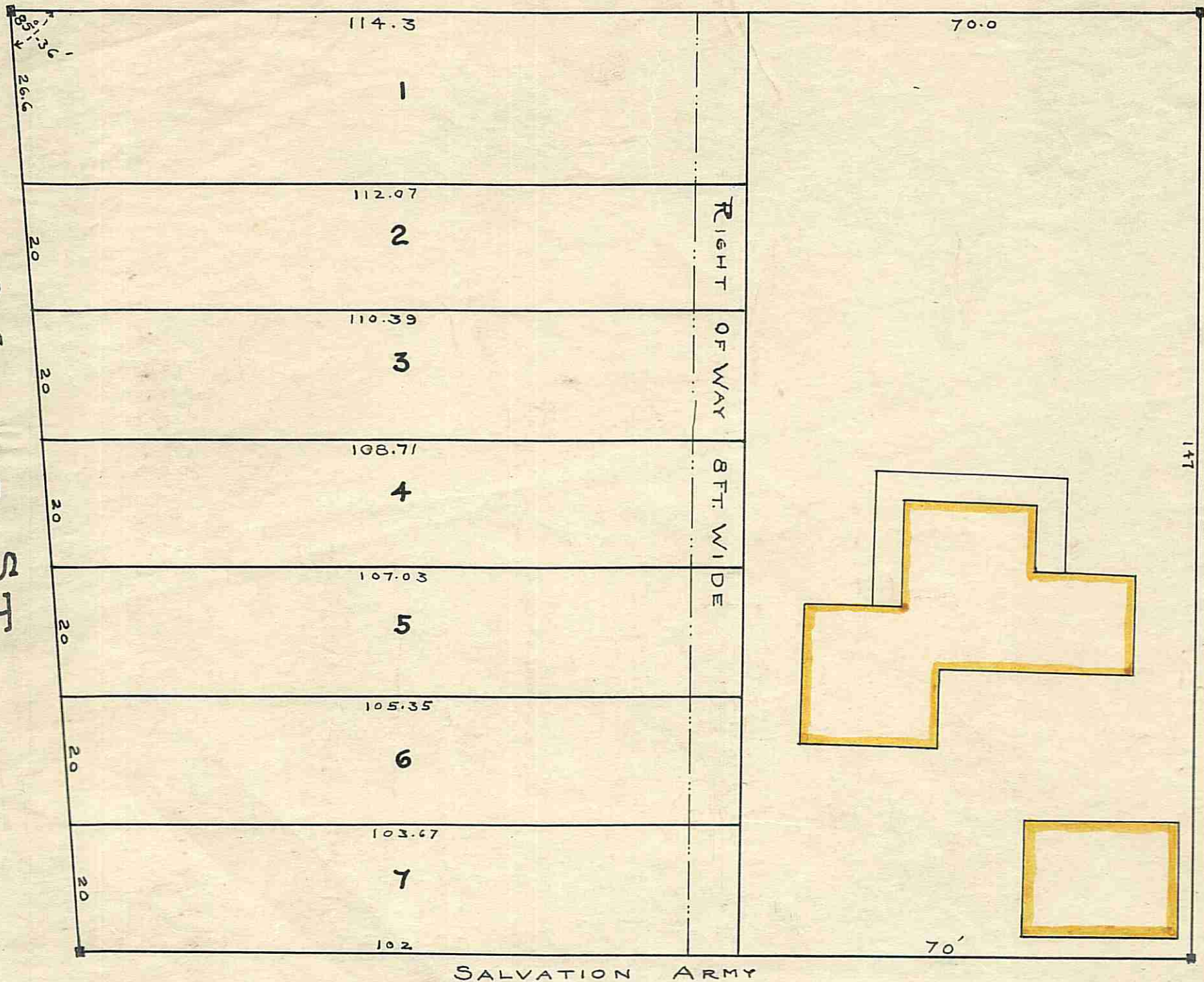
The common residential use of the RB and CBD-zoned abutting parcels is unusual. The property across Pearl Street from the house is a town-owned parking lot and the town has devoted 10 spaces therein for this property, but it is not enough to meet the regulations as there is no room for parking on the CBD-zoned property. A parking area is proposed on the residential lot.

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

The house and commercial building and their respective uses have existed for decades, and with a town parking lot across the street from the house the addition of a parking area on the residential lot will be compatible.

PEARL STREET

MAIN ST.



RECEIVED
MAY 22 1919

Surveyed by Newton, Dan Cook

MAP OF PROPERTY OF
E. J. HOLL
So. Manchester Conn.

OLD FILE PLAN
Book No. 3
Page No. 8

Scale 1 in = 20 Ft.

May 1919

*Substantially correct
Geo. Johnson*

No. 1930

SBI-1a

Town of
Manchester, CT



Geographic Information
Systems

12 Pearl Street

- Catch Basins
- Storm Manholes
- Drainage Pipes



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1 inch = 50 feet



Date: 10/24/2023

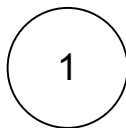
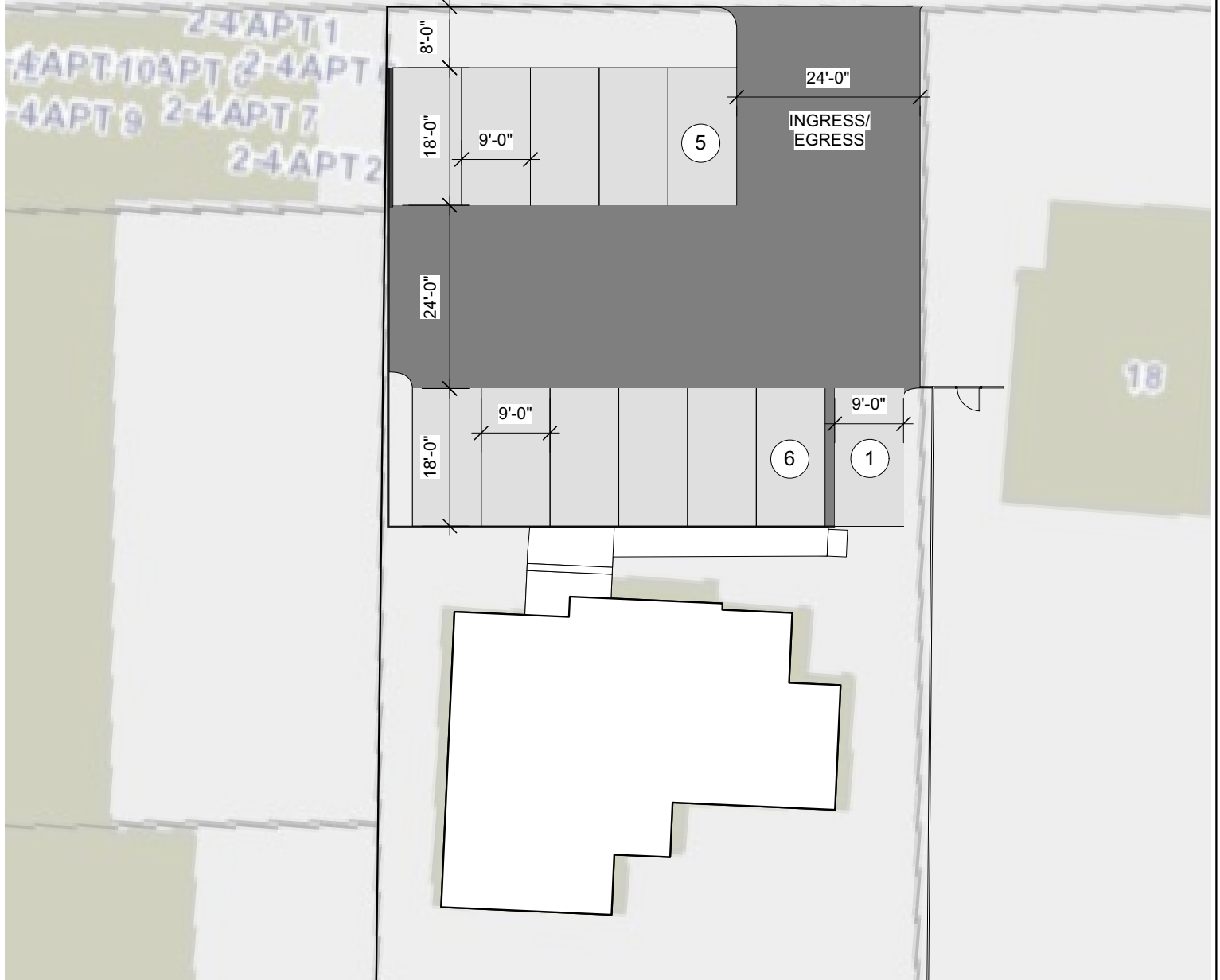


PEARL ST

12

17

18



12 PEARL STREET: SHARED PARKING

Scale: 1" = 20'-0"

URFORM, LLC

Bret Bowin, Architect

bret@ur-form.com
860 922-8999

25 Westborough Drive
West Hartford, CT 06107



Proposed Parking Lot

**12 Pearl Street,
Manchester, CT 06040**

Schematic Plan

SD1.3

2/15/24

12 Pearl Street
Manchester, CT 06040

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

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner *MP*

DATE: February 22, 2024

RE: Ayaz Enterprises LLC – Application #VAR-0001-2024
220 Spruce Street – Neighborhood Business zone

Introduction

The applicant is requesting a variance from Art. II, Sec. 23.03 for a proposed canopy over fueling dispensers 5.3 feet from the front property line (25 feet required) at 220 Spruce Street, Neighborhood Business zone.

Variance Request

Art. II, Sec. 23.03, which outlines the height and bulk dimensional standards in the Neighborhood Business zone, specifies that the minimum front yard setback is 25 ft.

The applicant is requesting a variance to allow a new 20-ft. by 24-ft. canopy to be installed over the existing fueling dispensers, which would be approximately 5.3 ft. from the front property line.

Stated Hardship

The applicant has provided the following answers regarding hardship:

Strict application of the regulations would produce **UNDUE HARDSHIP** because:

“Lack of shelter has caused premature deterioration of electronic fuel dispensing equipment. Also, to provide protection to customers from elements.”

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

“Site is pre-existing gas station / convenience store.”

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

“Canopy fascia would be in alignment with the adjacent structures on street.”

Staff Review

Town staff has reviewed the plans and documents submitted with the application and the status of any outstanding comments will be provided at the February 28, 2024 meeting.

Because the parcel is also located in the Design Overlay zone, the design of the proposed canopy will be administratively reviewed for approval by the Planning Director and the Planning & Zoning Commission Chair.

mp

R:\Planning\ZBA\2024\02 - February 28\Packet\VAR-0001-2024 (220 Spruce) - Memo.docx

Attachments





Town of Manchester, CT



Geographic Information Systems

220 SPRUCE STREET

Legend

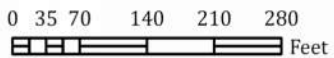
-  Overlay Zone
- Zoning**
-  CBD - Central Business District
-  NB - Neighborhood Business
-  RB - Residence B



Project Location

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1 inch = 200 ft

Date: 2/23/2024



Ken Coomes
Ayaz Enterprises LLC
708 Washington Street
Middletown, CT 06457
Cell: 860-303-4203

January 8, 2024

RE: 220 Spruce Street, Manchester, CT – Front Yard Setback Variance Application

Greetings:

This application is being submitted on behalf of Mustafa Ayaz, owner/member of Ayaz Enterprises LLC. Ayaz Enterprises is the legal owner of the 220 Spruce Street real property.

We are proposing a new 20' x 24' canopy to provide shelter and protection for our customers and fuel dispensing equipment. While the existing fuel dispensers will be upgraded, their location will remain unchanged. It should also be noted that the two fuel dispensers facing Maple Street were removed as part of the storage tank upgrade in 2018. There will be no expansion of fueling capacity.

Should this variance request be granted, we will work with city officials to select a canopy fascia that retains the flavor of the neighborhood.

Thank you for your consideration. Please reach out with any questions or comments. We look forward to working with you.

Sincerely,

Ken Coomes
On behalf of Ayaz Enterprises LLC
E-Mail: kencoomes@outlook.com

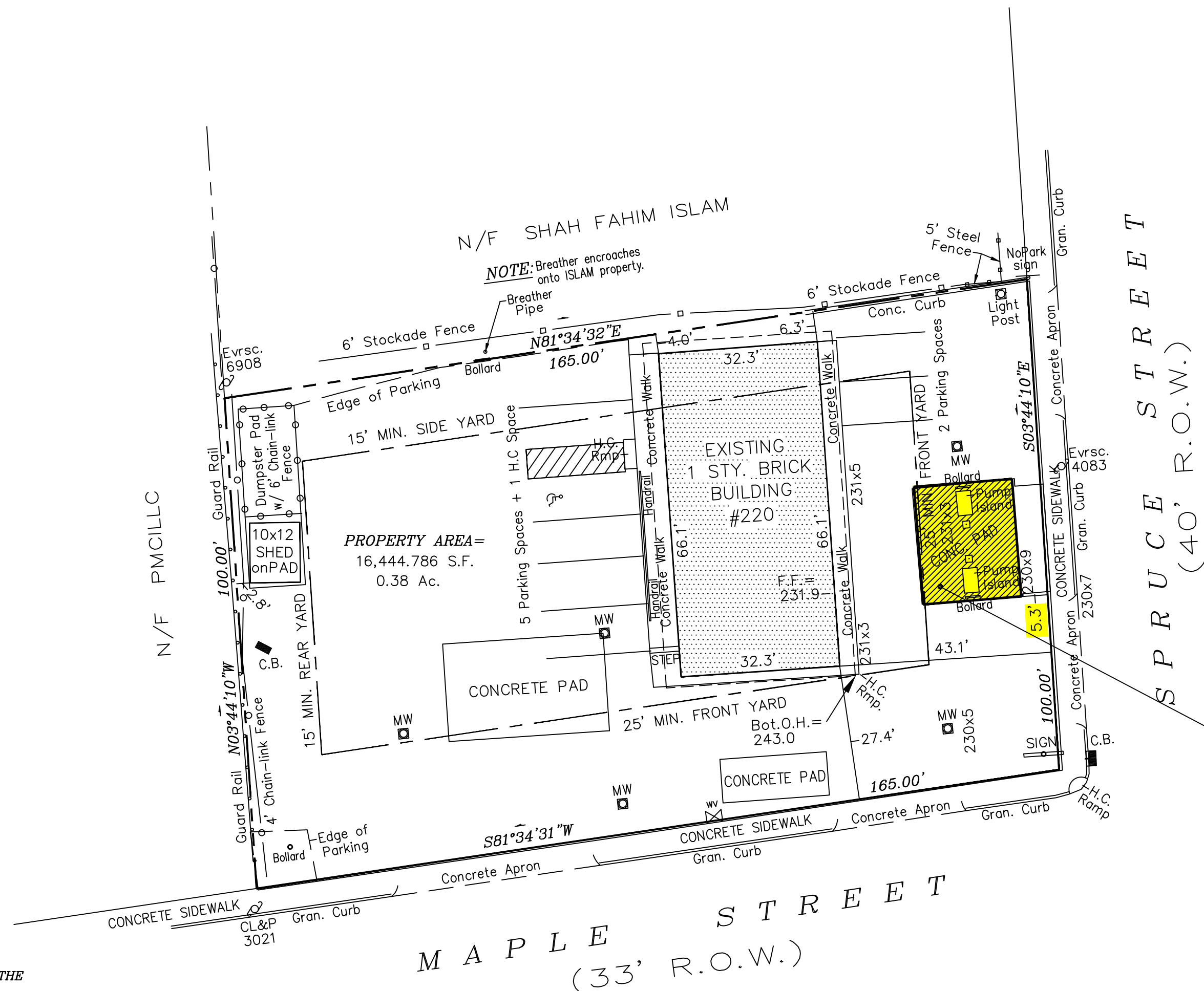
MAP REFERENCES:

1). "PROPERTY OF WILLIAM SCHULTZ. SPRUCE AND MAPLE STREETS
MANCHESTER, CONN. SCALE 1"=10'. AUGUST 28, 1959.
HAYDEN L. GRISWOLD C.E."

REGULATIONS FOR "NB" ZONE

ITEM	REQUIRED	EXISTING
MIN. LOT AREA	N/R	N/R
MIN. LOT FRONTAGE	N/R	N/R
MIN. LOT WIDTH	N/R	N/R
MIN. FRONT YARD	25 FT	27.4 FT
MIN. SIDE YARD	15 FT	*4.0 FT
MIN. REAR YARD	15 FT	88.4 FT
MAX. BLDG. HEIGHT	3 STY/40 FT	1 STY.

* NON-CONFORMING BUT PRE-EXISTING CONDITION.



CERTIFICATION:

- THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300B-1 THRU 20-300B-20, AND THE "RECOMMENDED STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT EFFECTIVE OCTOBER 26, 2018 PREPARED AND ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. PURSUANT TO AND AS SET FORTH THESE STANDARDS:
THE TYPE OF SURVEY PERFORMED AND THE MAPPED FEATURES DEPICTED HEREON ARE IN ACCORDANCE WITH THE REQUIREMENTS OF AN IMPROVEMENT LOCATION SURVEY.
- PROPERTY LINES, AS THEY ARE DEPICTED HEREON, PRESENT PROFESSIONAL OPINIONS THAT PERTAIN TO A "DEPENDENT RESURVEY". THIS MAP PRESENTS THE RESULTS OF MEASUREMENTS WHICH WERE MADE UPON THE GROUND IN ACCORDANCE WITH THE ACCURACY STANDARDS OF A CLASS A-2 SURVEY.
- THIS MAP AND SURVEY WERE PREPARED FOR A & E REALTY GROUP TO BE USED IN MATTERS THAT RELATE TO EXISTING CONDITIONS. USE OF THIS MAP FOR OTHER PURPOSES OR BY OTHER PARTIES IS NOT AUTHORIZED OR VALID.
- NO DECLARATION IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS IT BEARS THE IMPRESSION TYPE SEAL AND ORIGINAL LIVE SEAL AND ORIGINAL LIVE SIGNATURE OF THE SURVEYOR WHOSE NAME AND REGISTRATION NUMBER APPEAR BELOW. ANY CHANGES MADE TO THIS PLAN WITHOUT THE KNOWLEDGE OF THE SIGNERS INVALIDATES THESE DECLARATIONS.

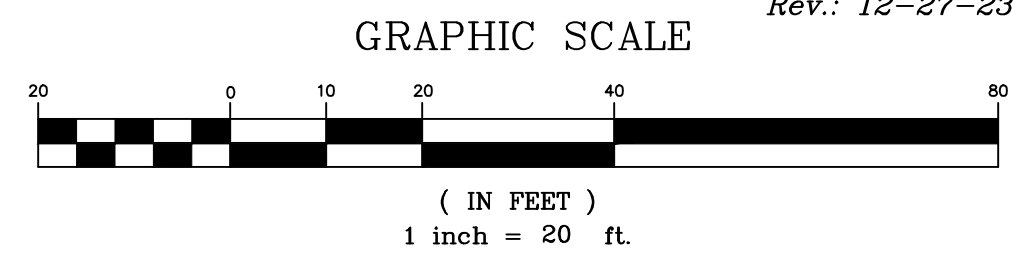
TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

PETER D. FLYNN CT.L.L.S. #8792 DATE
KENNETH R. CYR CT.L.L.S. #70116

NOT VALID UNLESS ORIGINAL SIGNATURE, LIVE STAMP, & RAISED SEAL ARE AFFIXED.
FLYNN & CYR LAND SURVEYING, LLC
1204 FARMINGTON AVE. 860-828-7886
BERLIN, CONNECTICUT 06037

INDICATED UNDERGROUND UTILITIES ARE BASED ON AVAILABLE DATA. THE LOCATIONS ARE APPROXIMATE AND ALL UTILITIES MAY NOT BE SHOWN. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CALL 1-800-922-4455 AND HAVE ALL UTILITIES MARKED.
THIS DRAWING HAS BEEN PREPARED BASED, IN PART, ON INFORMATION PROVIDED BY OTHERS RELATING TO THE LOCATION OF UNDERGROUND SERVICES. WE CANNOT VERIFY THE ACCURACY OF THIS INFORMATION AND SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS, WHICH MAY BE INCORPORATED HEREIN AS A RESULT.

IMPROVEMENT LOCATION MAP
SHOWING PROPOSED CANOPY
PROPERTY OF
A & E REALTY GROUP
#220 SPRUCE STREET
MANCHESTER, CT.
SCALE 1"=20' DEC. 1, 2023





FUEL+

REGULAR CASH
2.97 ⁹
REGULAR CREDIT
3.05 ⁹

FOOD - LOTTO - ATM
GROCERIES - TOBACCO
CONVENIENCE AT ITS BEST

FOOD - LOTTO - ATM
GROCERIES - TOBACCO
CONVENIENCE AT ITS BEST

FUEL+

FUEL+



FOOD - LOTTO - ATM
GROCERIES - TOBACCO
CONVENIENCE AT ITS BEST

FUEL + 1

FUEL + 1

FUEL +



FUEL + 1

FUEL + 1

Rite Aid
FOOD PLUS
CONVENIENCE STORE

FOOD -
GROCERIES

ATM
ACCOUNTS
BEST



DRAFT

**MINUTES OF PUBLIC HEARING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
JANUARY 24, 2024**

MEMBERS PRESENT:

In Person: Robert Haley, Vice Chair
Sandra DeCampos, Secretary
Edward Slegeski
Kevin Hood
Electronically: Jim Stevenson, Chair

ALTERNATES PRESENT:

In Person: Harun Ahmed
Electronically: Linda Harris

ABSENT: Gailyn Hill

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 PM. The Secretary read the legal notice for the application when the call was made.

MANCHESTER PUBLIC SCHOOLS – Application #VAR-0060-2023 – Request variances from Art. IV, Sec. 13.06.01 and 13.09 for the height of signage and for use of an electronic message board in a residential zone at 134 Middle Turnpike East, Residence A and Residence B zones.

Mr. Lindsey Boutilier introduced himself as the Director of Operations for Manchester Public Schools, as well as the Athletic Director. He noted that this is ultimately a project for the students of Manchester High School (MHS). He commented on questions from the prior meeting:

- There will be no additional signage. They are replacing a sign.
- The sign does have the ability to dim.
- The sign will not change more than twice in a 24-hour period.

Mr. Evan Austin, senior at Manchester High School, introduced himself and reported his school credentials. He is in support of the signage, as many people utilize technology and digital signs are becoming more common.

Ms. Chloe Fontaine, junior at Manchester High School, introduced herself and reported her school credentials. She is in support of the sign to highlight sporting events and students' successes for the community. The information on the signs would be very inclusive and helpful to both students and the community, as some sports are underrepresented and unrecognized within the community.

Ms. Madelyn Spina, President of the Senior Class, Manchester High School, introduced herself and reported her school credentials. Such signage would help to showcase the students' talents and opportunities.

Ms. Zoe Evans, senior at Manchester High School, introduced herself and reported her school credentials. She noted that, when planning fundraising events at the school, the digital sign would enable them to broadcast to the entire town.

Ms. Savannah Smith, senior at Manchester High School, introduced herself and reported her school credentials. As representatives of the school, they believe the cohesiveness of the newly implemented sign will emphasize the professional image of the school and promote a positive school image.

Ms. Ella Golas, senior at Manchester High School, introduced herself and reported her school credentials. In her opinion, community members may not look online for various events at the school, but the signage can bring the community together.

Ms. Ohanna Boahen, junior at Manchester High School, introduced herself and reported her school credentials. She stated that many of her clubs and others have been overlooked. A digital sign is important for events and clubs, as it would provide a dynamic way to promote and showcase activities. It is important to note that the sign can be updated in real time, which increases the interest in clubs and activities in the school.

Ms. Samantha Maneri presented a survey conducted with students. The survey displayed the current and proposed signage. Ms. Maneri detailed the responses to the survey.

Mr. Austin summarized that students believe a new sign would allow a broader flow of information to students and the public.

Mr. David Eisenthal, 40 McDivitt Drive, member of the Board of Education and a member of the Board's Buildings and Sites Committee, introduced himself. Mr. Eisenthal praised the students' presentations. He is in support of the sign as an efficient, attractive, and relatively unobtrusive way for the school to convey information to the students and the larger community.

Mr. Lindsey Boutilier thanked the students for their presentations.

Mr. Slegeski expressed that the students' presentations were beyond amazing and he believes they do not receive the recognition they are due. Comparing the two presentations, he asked how this application tonight is different than last year's. Mr. Boutilier stated that it is identical.

Mr. Slegeski asked whether this was presented before the Planning and Zoning Commission in an effort to creatively modify the regulations. Mr. Boutilier stated that they did not, as they were given a second chance to come before the ZBA.

Mr. Slegeski provided information about the role of the Zoning Board of Appeals, noting that the ZBA also looks at hardships with applications. In addition, the ZBA looks at past applications. Noting the comments about getting the word out to the community, he speculated how else it could be handled. In his opinion, MPS Pride could do a better job of getting the word out. He asked whether, with regrading, they could avert setting a precedent in a residential area.

Mr. Boutilier stated that he was unaware that the sign height was the major concern.

Mr. Slegeski distributed copies of a traffic study that Ms. Pilla had provided to him.

Mr. Jim Davis commented about the change in topography. The maximum height for a sign in a residential zone is 5 ft. If the general area was enlarged, that would be fine. Another consideration is that, although there appears to be a need for the sign, this is not unique to this school. He recommended that changing the zoning regulations to address the uniqueness of any school in town for these types of signs would be a better option than each school applying for a similar variance.

Mr. Slegeski stated that he likes the concept but is not comfortable with this approach. He asked whether this is the appropriate location for the sign, or if it should be in the center of town. Mr. Slegeski described the traffic study results, noting a higher traffic flow in the center of town.

Mr. Haley inquired whether the sign could be changed immediately in the event of a Town or school emergency. Mr. Boutilier stated that it would be through the Student Activities Office utilizing a WiFi code.

Mr. Boutilier reported that the sign would be no larger than the current sign.

Mr. Haley detailed the reasons for the hardship.

Mr. Stevenson reiterated the time of operation of the sign and the hours it will be dimmed, with which Mr. Boutilier agreed.

Ms. Pilla stated that there were no technical comments from staff on the application. As discussed, the traffic engineer requested the sign be dimmed between 10:00 P.M. and 6:00 A.M. She stated that, in terms of an update to the zoning regulations, the signage regulations are quite difficult. She reported that the Planning Department is planning to undertake rewriting the zoning regulations. Noting Mr. Slegeski's remark, Ms. Pilla explained that the property in the center of town is Town-owned and the Board does not have the ability to propose anything on non-school property.

Mr. Slegeski inquired how many times an application can come before the ZBA. Legally, there is no limit in terms of the number of times. The Board does not have to hear the same application

within six months of a denial, but after six months, the Board is obligated to rehear the application, stated Ms. Pilla.

The Chairman closed the public hearing at 7:45 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
JANUARY 24, 2024**

MEMBERS PRESENT:

In Person:	Robert Haley, Vice Chair Sandra DeCampos, Secretary Edward Slegeski Kevin Hood
Electronically:	Jim Stevenson, Chair

ALTERNATES PRESENT:

In Person:	Harun Ahmed
Electronically:	Linda Harris

ABSENT: Gailyn Hill

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 7:45 P.M.

CONSIDERATION OF PUBLIC HEARINGS:

MANCHESTER PUBLIC SCHOOLS – Application #VAR-0060-2023 – Request variances from Art. IV, Sec. 13.06.01 and 13.09 for the height of signage and for use of an electronic message board in a residential zone at 134 Middle Turnpike East, Residence A and Residence B zones.

Mr. Slegeski reported on applications in the last few years which were denied and speculated on the Board’s decision.

Mr. Haley discussed the hardship with this application vs. the previous denials.

Mr. Stevenson stated that he views every application as unique without comparison to prior applications. He stated that he is in support of the application.

MOTION: Mr. Haley moved to approve the variance with the condition that the sign will be dimmed from 10:00 P.M. to 6:00 A.M. Ms. DeCampos seconded the motion. Mr. Stevenson, Mr. Haley, Ms. DeCampos, and Mr. Hood voted in favor. Mr. Slegeski voted against the motion. The motion passed 4 to 1.

The hardship is that the height of the sign is necessary to be seen over vehicles, and the electronic message board is necessary for the school to be able to efficiently change the messaging on the sign and provide updates to the community.

APPROVAL OF NOVEMBER 29, 2023 MINUTES: PUBLIC HEARING AND BUSINESS MEETING

MOTION: Ms. DeCampos moved to approve the minutes as written. Mr. Haley seconded the motion. Mr. Haley, Mr. Slegeski, Ms. DeCampos and Mr. Hood voted in favor. Mr. Stevenson abstained. The motion passed 4 to 0.

ELECTION OF OFFICERS:

MOTION: Mr. Haley nominated Ms. DeCampos for Secretary. Mr. Slegeski seconded the motion and all members voted in favor.

MOTION: Ms. DeCampos nominated Mr. Haley for Vice Chair. Mr. Hood seconded the motion and all members voted in favor.

MOTION: Ms. DeCampos nominated Mr. Stevenson for Chair. Mr. Hood seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

NAPOLITANO AND SOVERNS DEVELOPERS, LLC – Application #VAR-0061-2023 – Request a variance from Art. II, Sec. 15.01.01 to allow a proposal for a zone change to Central Business District (CBD) for a property with an existing multi-unit residential home (which is not a permitted use in the CBD zone) at 12 Pearl Street, Residence B zone.

MOTION: Mr. Haley moved to close the business meeting. Mr. Slegeski seconded the motion and all members voted in favor.

The meeting was adjourned at 8:00 P.M.

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.