

MINUTES

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WATERFORD, CT

2022 JUN -3 AM 8:22

Zoning Board of Appeals
Waterford Town Hall

June 1, 2022
6:30 PM

Members Present: Catherine Gonyo, Michelle Kripps, Anne Darling, Warren Mackenzie, John Morgan
Alternates Present: Greg Gallup, William Herzfeld
Alternates Absent: Jason Maryeski
Staff Present: Jill Stevens, Zoning Official; Dawn Choisy, Recording Secretary
Also Present: Attorney Barger

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairwoman Gonyo called the meeting to order at 6:30. No alternates were seated.

2. APPROVAL OF MINUTES

MOTION: Motion made by M. Kripps, seconded by A. Darling, to approve the minutes of the May 25, 2022 special meeting

VOTE: 5-0

3. PUBLIC HEARING

Application #ZBA-22-5 - Appeal of Mehak Realty, LLC, owner and applicant at 118 Boston Road, C-G zone. Variances are requested from zoning regulations: Section 20.3.d, Parking Spaces; Section 8.4.1, Front Yard Setback; Section 8.4.3, Rear Yard Setback; Section 8.4.1, Front Yard Setback (for canopy), as shown on plans titled "Variance Plan, Convenience Store and Fueling Station Additions" dated 5/2/22.

Chairwoman Gonyo opened the public hearing and read the following exhibits into the record:

EXHIBIT 1 - Application and support material
EXHIBIT 2 - Exhibit documents from previous ZBA approvals
EXHIBIT 3 - Property Survey Prepared for Mehak Realty, LLC, dated May 28, 2021
EXHIBIT 4 - Variance Plan dated May 2, 2022
EXHIBIT 5 - Building Rendering/Elevations
EXHIBIT 6 - Notice of public hearing to applicant dated May 12, 2022 along with certificates of mailing
EXHIBIT 7 - Notice of public hearing advertised in The Day newspaper on 5/18/22 and 5/25/22

Tristan Wallace of Loureiro Engineering Associates reviewed the variance plan (Exhibit 4) and the variances being requested. He stated that the applicant is proposing a full redevelopment of the site. The revised layout will allow for reduction in variances, overall decrease in nonconformity of the property and improved flow through the site.

W. Mackenzie asked about trucks filling the tanks. T. Wallace explained the traffic flow. J. Morgan stated concerns about traffic. T. Wallace said that the traffic will be reviewed by Planning and Zoning and the state DOT.

There being no further comments or questions, the public hearing was closed at 6:50.

4. APPLICATION REVIEW

Application #ZBA-22-3 – Appeal of the Zoning Official's approval of a Zoning Compliance permit for Temporary Outdoor Entertainment on property located at 262 Boston Post Road. Appeal is taken by Mark R. Kepple, Esq.

Chairwoman Gonyo stated that the Zoning Regulations are black and white. She noted that the applicant is not an aggrieved party. The Board is being asked to determine that the Zoning Official did not do her job appropriately. Chairwoman Gonyo stated that she feels that the Zoning Official did her job correctly.

A. Darling stated that she feels that the ZEO acted with integrity, and she is against the appeal.

Attorney Barger stated that the Board has 3 choices: they can either affirm, reject or modify the ZEO's issuance of the Zoning Compliance permit.

MOTION: Motion made by M. Kripps, seconded by J. Morgan, to affirm the order of the Zoning Official.

VOTE: 5-0

5. OLD BUSINESS

No old business was discussed

6. NEW BUSINESS

J. Stevens informed the Board that one new application had been received

7. CORRESPONDENCE

No correspondence was received.

8. ADJOURNMENT

MOTION: Motion made by A. Darling, seconded by M. Kripps, to adjourn the meeting at 7:04.

VOTE: 5-0

Respectfully Submitted,



Dawn Choisy
Recording Secretary