

**CITY OF NORWICH
ZONING BOARD OF APPEALS
April 12, 2016
Meeting Minutes**

The regular meeting of the City of Norwich Zoning Board of Appeals was called to order at 7:00 p.m. Roll call was taken and it was determined that a quorum was present.

PRESENT: Henry Olender, Vice Chairman
Mark Kulos
Raymond Dussault
Peter Cuprak – Alternate
David Martin – Alternate
Robert Phoenix – Alternate

ABSENT: Marc Benjamin, Chairman
Dorothy Travers

ALSO PRESENT: Tianne Phoenix Curtis, Zoning Enforcement Officer
Linda Lee Smith, Recording Secretary

E. COMMUNICATIONS:

Tianne Curtis gave a verbal communication to inform the members the July 12, 2016 meeting would be cancelled.

F. ACCEPTANCE OF MINUTES

Upon motion by Robert Phoenix, seconded by Mark Kulos it was voted unanimously to APPROVE the minutes of the March 8, 2016 regular meeting as amended.

G. OLD BUSINESS: None

H. NEW BUSINESS:

1. V#16-03 – Application of John MacNeil for property located at 489 New London Turnpike in a General Commercial (GC) zoning district. In accordance with Sec. 2.1 10’ side yard setback required request reduction to 4’ for the enclosure and mounting of car wash equipment.

Seated were Henry Olender, Ray Dussault, David Martin, Mark Kulos, and Peter Cuprak

Tianne Curtis entered into the record Exhibits “A-F”.

John MacNeil, construction manager for Aldin Associates, 424 Cherry Lane, Oakdale, CT office address 77 Sterling Road, East Hartford, CT presented. Mr. MacNeil explained to the board that in 1988 the East Great Plains Mobile station was constructed consisting of a convenience store, self-service gas station, and a single bay automatic touch free carwash. Mr. MacNeil stated the machines are antiquated and the bays are very small and narrow and the equipment would be located inside. The side yard setback is 10’, and a telephone pole is located just outside the 10’ set back. MacNeil stated the carwash manufacturers are recommending the equipment be moved outside the bay area allowing more room inside. Mr. MacNeil stated the equipment would be mounted against the outside of the building and enclosed to protect it from the elements. Mr. MacNeil was requesting the variance to enclose the equipment on the outside of the building. Mr.

MacNeil stated he didn't have any other area where it could be located and he wants to upgrade the equipment to be more modern.

Mark Kulos asked why he couldn't locate the car wash equipment on the other side of the building. Mr. MacNeil stated because that is where the exit, escape/safety lane for the car wash is located if its breaks down. Mark Kulos stated it's also the only way to get between the two buildings.

Tianne Curtis entered Exhibits G1 and G2 photos of existing conditions. Mr. MacNeil explained the photographs of the side of the building where the enclosure would be located and it would extend only to half of the building.

Ray Dussault asked who the property owner that was next to Mr. MacNeil's property. Mr. MacNeil stated it was Copper Beach LLC and they also own 99 Restaurant and the vacant land next door.

Ray Dussault asked if there was any abutter opposition. Tianne Curtis stated there wasn't any abutter opposition.

Robert Phoenix asked what kind of equipment would be located in the utility room. Mr. MacNeil stated high pressure pumps, soap units, everything that would supply the carwash inside would be relocated to this outside utility room. Mr. MacNeil stated there is a telephone pole off the side of his property with a 10'-12' wide strip of land on the abutter's property.

Mark Kulos stated it is an outside enclosure that would be constructed. Mark Kulos asked if the main wall that is presently there would it remain. Mr. MacNeil stated yes he would be enclosing the main outside wall up to 6' for the enclosure.

Henry Olender asked Mr. MacNeil to state his hardship. Mr. MacNeil stated his request would provide reasonable use of his property based on the changes to the car wash technology and equipment, and the location of the structure prevents the installation of equipment without relief from the setback requirements. Mr. MacNeil stated he couldn't put the utility room on the other side because that is where the escape lane was located.

Mr. Kulos asked Mr. MacNeil if he would infringe on the abutters land with the new equipment. Mr. MacNeil stated no.

There being no others speakers the public hearing was closed.

I. DISCUSSION/DECISION ON APPLICATIONS

1. V#16-03 – Application of John MacNeil for property located at 489 New London Turnpike in a General Commercial (GC) zoning district. In accordance with Sec. 2.1 10' side yard setback required request reduction to 4' for the enclosure and mounting of car wash equipment.

Seated were Henry Olender, Ray Dussault, David Martin, Mark Kulos, and Peter Cuprak

Upon motion by Ray Dussault, second by Peter Cuprak motion carried unanimously to APPROVE V#16-03.

Ray Dussault stated the hardship was the location of the existing building, the technology, and there wasn't another wall available to install the car wash equipment; it was the only location for

the exterior enclosure for the mounting of the car wash equipment and it's a reasonable use and request.

Peter Cuprak stated he concurred with Ray Dussault's mentioned hardships including the reasonable use of his property.

Mark Kulos stated there were no adverse comments from the public; being located in a commercial area it wouldn't change the quality of the neighborhood, it's a reasonable use of the property and the 10' -12' abutter strip of land probably wouldn't be developed in the near future.

David Martin also concurred with Ray Dussault on the assessment of the hardships were the existing location of the building, the safety fire lane and they couldn't locate the enclosure on the other side, and it's a reasonable request to upgrade the equipment.

J. OTHER MATTERS: None

K. ADJOURNMENT

Upon motion by Ray Dussault and second by David Martin it was unanimously voted to adjourn at 7:23 p.m.

Respectfully submitted,
Linda Lee Smith
Recording Secretary