



**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, SEPTEMBER 21, 2022
MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Commissioners: D’Amato, DiMatteo, Harris; Alternates: Boorman, Levesque; Brittany MacGilpin, Zoning Enforcement Officer; Robert Gosselin, Assistant Zoning Enforcement Officer

The Zoning Board of Appeals met in the Legislative Chamber, Room 314, 50 South Main Street, West Hartford on Wednesday, September 21, 2022, at 7:00 p.m., to hear and act on the following petitions:

#19-22 **180 Mohegan Drive (AKA 160 Mohegan Drive)** - [Petition of M. Werle, the Children’s Museum](#), requesting a variance to Section 177-33 (E)(3) Signs in connection with special use permits authorized by the Town Plan and Zoning Commission which allows a maximum sign area of 25 sf and one (1) sign per lot. Requesting a total variance of 48 square feet for an additional six (6) signs. These signs will include both the legalization of two (2) existing legal-nonconforming signs and for the installation of four (4) additional signs totaling 19 square feet per plans on file. **R-13 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Harris made a motion to approve the application but limit the petition request to allow only the proposed signage for the Children’s Museum, which includes four (4) signs totaling 19 square feet per plans on file and not include existing legal non-conforming signage in the approval; Second by Commissioner D’Amato. In reaching its decision, the Board granted the petition with the following findings:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. The variance is minor and will not adversely impact neighboring properties.
3. The size and layout of the property and multiple uses on it lends itself to additional information signage to assist patrons.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, Levesque (seated for Johnson) and Boorman (seated for Doyle)

Opposed: None

VOTE: 5-0; Petition granted

#20-22 **54 Four Mile Road - [Petition of E. Fleming](#)** (RO), requesting a variance to Section 177-20 Obstructions in yards. Requesting a +/- 9-inch variance to the required 10-foot side yard setback to construct a second-floor addition on the southern side of the home per plans on file. **R-10 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner D'Amato made a motion to approve the variance; Second by Commissioner Harris. In reaching its decision, the Board granted the petition with the following findings:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. The variance is minor and will not adversely impact neighboring properties.
3. The proposed addition is a vertical expansion on top of a first-floor footprint that had previously been granted a variance for a side yard setback. There will be no further encroachment into the side yard setback.

Voting in favor: Commissioners D'Amato, DiMatteo, Harris, Levesque (seated for Johnson) and Boorman (seated for Doyle)

Opposed: none

VOTE: 5-0; Petition granted.

#21-22 **8 Colonial Street - [Petition of Colonial Place Condo Association](#)** (RO) requesting a variance to Section 177, Attachment 4, which restricts parking in front of the building line. Requesting an approximately 27-foot variance to install three (3) additional parking stalls between the building line and street line. Additionally, seeking a variance to Section 177-20 (D), Obstructions in yards, to install a 6-foot high, 75% solid fence in front of the building line in order to comply with Type C screening requirements for parking areas that abut residential zones. **RM-3 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner D'Amato made a motion to approve the variance; Second by Commissioner Harris. In reaching its decision, the Board granted the petition with the following findings:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. The location of the building line along Colonial Street restricts allowable parking area for the property.
3. The proposed fence and landscaping screening is required around the parking spaces, which will lessen the visual impact on the front of the property and streetscape.
4. Traffic circulation and site line concerns will be reviewed under the site plan application process with the Planning and Zoning staff.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, Levesque (seated for Johnson) and Boorman (seated for Doyle)

Opposed: None

VOTE: 5-0; Petition granted

#22-22 **795 Farmington Avenue** - [Petition of M. Nistar](#) requesting a Special Exception in order to have an office that administers elderly home-care services as an accessory use to the one-family residence for a period of one (1) year per Section 177-49 (C) of the Zoning Ordinances and per plans on file. **R-6 Zone**

At the virtual meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Levesque made a motion to grant the petition; Second by Commissioner D’Amato. In reaching its decision, the Board granted the petition with the following conditions:

1. This permission is granted for a period of one (1) year. At that time, the applicant will be notified of the requirement to renew this permit. Failure to renew will render this approval void.
2. The hours of operation shall be: **Monday thru Friday: 9:00 a.m.-5:30 p.m.**
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Customer parking is to be on-site at the property.
5. There will up to two (2) non-resident employees permitted.
6. Signage for the home-based business totaling one square foot is permitted on the property. A sign permit will be required with the Town of West Hartford prior to installation.

Voting in favor: Commissioners D’Amato, DiMatteo, Harris, Levesque (seated for Johnson) and Boorman (seated for Doyle)

Opposed: none

VOTE: 5-0; Petition granted.

- Minutes for July 20, 2022 regular meeting were approved. The February 16, 2022 minutes were continued to the next regularly meeting on October 19, 2022.
- Adjournment at 8:10 p.m.