



**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, JANUARY 18, 2023
MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Chair: DiMatteo; Vice Chair: Johnson; Commissioners: D’Amato, Doyle, Harris; Alternate: Boorman; Robert Gosselin, Acting Zoning Enforcement Officer; Brian Pudlik, Associate Planner

The Zoning Board of Appeals met in the Legislative Chamber, Room 314, 50 South Main Street, West Hartford on Wednesday, January 18, 2023, at 7:00 p.m., to hear and act on the following petitions:

#01-23 **14 Coolidge Road** - Petition of Mark Rosenblit (R.O.) requesting a Special Exception renewal for a customary home occupation to operate a law office as an accessory use to the residence for a period of five (5)-years per section 177-49 (C) of the zoning ordinances and 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 Johnson made a motion to grant the petition; Second by Commissioner Harris. In reaching its decision, the Board granted the petition with the following conditions:

1. This permission is granted for a period of five (5) years. 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. - 5:00 p.m.**
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Client parking is to be on-site at the property.
5. Non-resident employees are not permitted.
6. Signage for the business is not permitted.

Voting in favor: Commissioners Doyle, D’Amato, DiMatteo, Johnson, and Harris

Opposed: None

VOTE: 5-0; Petition granted.

#02-23 **69 North Main Street** - Petition of Kenneth Sleight (R.O.) requesting a Special Exception renewal for a customary home occupation to operate a counseling/psycho-therapy office as an accessory use to the residence for a period

of five (5)-years per section 177-49 (C) of the zoning ordinances and per plans on file. **R-6 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 grant the petition; Second by Commissioner Johnson. In reaching its decision, the Board granted the petition with the following conditions:

1. This permission is granted for a period of five (5) years. 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. - 9:00 p.m. **Saturday:** 9:00 a.m- 5:00 p.m
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Client parking is to be on-site at the property.
5. Non-resident employees are not permitted.
6. A one square foot sign is permitted.

Voting in favor: Commissioners Doyle, D’Amato, DiMatteo, Johnson, and Harris

Opposed: None

VOTE: 5-0; Petition granted.

#03-23 **29 Mayflower Street** - Petition of Rachel Benyair (R.O.) requesting a Special Exception renewal for a customary home occupation to operate a Reiki business as an accessory use to the residence for a period of three (3)-years per section 177-49 (C) of the zoning ordinances and per plans on file. **RM-3 Zone**

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

Commissioner Doyle made a motion to grant the petition; Second by Commissioner Harris. In reaching its decision, the Board granted the petition with the following conditions:

1. This permission is granted for a period of three (3) years. 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:** 9:30 a.m. - 6:30 p.m. **Sunday:** 10:30 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. Client parking is to be on-site at the property.
5. Non-resident employees are not permitted.
6. Signage for the business is not permitted.

Voting in favor: Commissioners Doyle, D’Amato, DiMatteo, Johnson, and Harris

Opposed: None

VOTE: 5-0; Petition granted.

#25-22 **110 Kingswood Road** - Petition of Christopher & Taylor Shea (R.O.), requesting a variance to Section 177-20 Obstructions in yards. Requesting a +/- 9.6-foot variance to the required 40-foot Building Line setback off of Outlook Avenue to construct an addition on the western side of the home per plans on file. **R-6 Zone**

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

Commissioner Johnson made a motion to approve the variance; Second by Commissioner Doyle. 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. Variance request is minor and will not adversely impact neighboring properties.
3. The location of a building line on this portion of the property restricts the usable area for proposed structures and as a corner lot there are additional setback restrictions that a typical lot would not have to contend with.

Voting in favor: Commissioners D’Amato, Doyle, DiMatteo, Johnson, and Harris

Opposed: None

VOTE: 5-0; Petition granted

#04-23 **45 Ten Acre Lane** - Petition of Catherine & Gregory Weaver (R.O.), requesting a variance to Section 177-37.3 Alternative energy systems, specifically 177-37.3C(3)(b)[2] which states that ground mounted solar system structures are permitted in rear yard only. Requesting a variance to allow such structures outside of a rear yard area, as subject lot is a through-lot without a required rear yard or a rear yard as defined. Proposed solar system to be South-East of the home per plans on file. **R-20 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 variance; 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 strict enforcement of the regulations leaves no viable options to locate the ground mounted solar structure on the property.
3. Variance request is limited and will not adversely impact neighboring properties.
4. A similarly sized, more typical accessory structure in the same location could in theory be installed without the need for a variance.

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

Opposed: None

VOTE: 5-0; Petition granted

- 2023 ZBA Regular Meeting Calendar approved with correction of July 19th, 2023 filing deadline to be June 29th, 2023
- ZBA Bylaws Approved
- Election of ZBA Officers for 2023 (Angelo DiMatteo nominated as Chair for 2023/ Motion: Doyle; Second: Johnson/Approved 5-0. Michael D'Amato nominated as Vice Chair for 2023/Motion: Johnson; Second: DiMatteo/Approved: 5-0.)
- Minutes for October 19, 2022 regular meetings were approved.
- Adjournment at 8:14 p.m.