



**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, MAY 17, 2023
MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Chair: DiMatteo; Commissioner: Harris; Alternates: Levesque, Boorman, Kalvaitis; Staff: Robert Gosselin, Acting Zoning Enforcement Officer

At this meeting Alternate Levesque was seated for Vice Chair D'Amato, Alternate Boorman was seated for Commissioner Doyle, and Alternate Kalvaitis was seated for Commissioner Johnson.

The Zoning Board of Appeals met in Room 314, 50 South Main Street, West Hartford on Wednesday, May 17, 2023, at 7:00 p.m., to hear and act on the following items:

COMMUNICATION ITEM:

#09-23 327 Ridgewood Road - Petition of Roel & Allison Verhaak (RO), requesting a fee waiver for their associated variance application

Formal action on the fee waiver request was held until after the close of the public hearing for the associated agenda item. At which time the following action was taken:

Commissioner Harris made a motion to approve the fee waiver request, Second by Commissioner DiMatteo. **Vote 5-0, fee waiver request granted.**

NEW BUSINESS/PUBLIC HEARING:

#08-23 55 Arnoldale Road - Petition of Vanessa Justice (R.O.) requesting a Special Exception approval in order to establish a customary home occupation to operate a Alexander Technique business as an accessory use to the 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 public hearing the following members of the public spoke to the petition:
N. Lusignan, R.O. of 56 Arnoldale Road, spoke in favor of the application.

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 Boorman. 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: **Tuesday thru Friday:** 11:00 a.m.-4:00 p.m., **Wednesday:** 5:00 p.m.-7:00 p.m.
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Customer parking is to be on-site at the property.
5. Non-resident employees are not 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 DiMatteo, Harris, Levesque, Boorman, and Kalvaitis

Opposed: none

VOTE: 5-0; Petition granted.

#06-23 109 Florence Street - Petition of Danyahl Jarrett (R.O.) requesting a Special Exception approval in order to establish a customary home occupation for a “Cottage Foods” bakery business as an accessory use to the 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 public hearing the following members of the public spoke to the petition:

A. Seelig, R.O. of 65 Colonial Street, spoke in opposition of the application. Written statement provided

V. Justice, R.O. of 55 Arnoldale Road, spoke in favor of the application.

M. Brubeck, R.O. of 114 Somerset Street, spoke in favor of the application.

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 Levesque. 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 Saturday:** 12:00 p.m. - 7:00 p.m.
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Customer parking is to be on-site at the property.
5. Non-resident employees are not 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 DiMatteo, Harris, Levesque, Boorman, and Kalvaitis

Opposed: none

VOTE: 5-0; Petition granted.

#07-23 114 Somerset Street - Petition of Marcia Brubeck (R.O.) requesting a Special Exception renewal for a customary home occupation to operate a counseling/psychotherapy office 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. **R-6 Zone**

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

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

1. This permission is granted for a period of one (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: 11:00 a.m.-6:00 p.m..**
3. The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.
4. Customer 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 DiMatteo, Harris, Levesque, Boorman, and Kalvaitis

Opposed: none

VOTE: 5-0; Petition granted.

#09-23 327 Ridgewood Road - Petition of Roel & Allison Verhaak (RO), requesting a variance to Section 177-20 Obstructions in yards. Requesting a +/- 3.84-foot variance to the required 55-foot Building Line setback off of Ridgewood Road to expand an existing attached garage to 24' x 24' on the eastern 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 Boorman made a motion to approve the variance; Second by Commissioner Harris. During its discussions and deliberations on this matter, the board made the following findings:

1. Due to a miscommunication between staff and design professionals a minor infraction in the location of the proposed structure to the Building Line setback was made a significant part of the project's design. As this was caused by human error, the Board considers this an affirmative finding under 177-49B(1).
2. The variance is minor and will not adversely impact neighboring properties.

3. Due to the rear of the property abutting Wood Pond, a majority of the rear yard area of the property is subject to wetlands regulated area and limits reasonable alternatives.

The petition is approved subject to the following conditions:

- 1.) The accepted fee waiver, as part of section 177-50M, waives the application fee however the \$150 public hearing fee required under 177-50Q is still outstanding and is required to be paid prior to the filing of the variance on the land records.

Voting in favor: Commissioners DiMatteo, Harris, Boorman, and Kalvaitis

Opposed: Commissioner Levesque.

VOTE: 4-1; Petition granted

- Minutes for March 15, 2023 regular meeting were approved.
- Adjournment at 8:17 p.m.