

RECEIVED  
COLCHESTER, CT

COLCHESTER  
ZONING BOARD OF APPEALS 2018 SEP 27 PM 1:27  
REGULAR MEETING MINUTES (AMENDED)  
TUESDAY, NOVEMBER 21, 2017  
Town Hall, 127 Norwich Avenue, Colchester, Connecticut  
MEETING 7:00 P.M.

**MEMBERS PRESENT:** Chairman Laurie Robinson; Patrick Reading; Bob Setschinsky, Michael Solis, and Jason Radachy; Stan Soby, Board of Selectman Liaison; Staff: Randy Benson, Planning Director, Daphne Schaub, Assistant Planner/Zoning Enforcement Officer, and Kamey Cavanaugh, Clerk. Members of the Public.

**MEMBERS ABSENT:**

1. CALL MEETING TO ORDER

Chairman Robinson called this meeting to order at 7:01PM

D. Schaub read the legal for the record.

2. ADDITIONS TO AGENDA – None

3. PUBLIC HEARINGS

A. ZBA#17-002, Dream Developers of Connecticut, LLC. (Applicant) and MORUT, LLC, Maureen Monahan, Leo Thomas Rutka (Owner), 000 Rutka Lane, for a variance of Section No. 15.4.21 of the Colchester Land Development Regulations, to reduce the sightline requirement from 500' to 380' (Tax Map 10-00/Lots 003-000, 004-000, 005-000, 006-000 & 007-000 in the TC Zone).

Review of this application took place. D. Schaub noted the applicant in 1973 was granted a 5 lot subdivision for a single family development. The variance will allow the site lines for the road way to be reduced from 500' on a collector road to the state standard of 380'. D. Schaub read into the record section 15.2 Site Plan Review / Traffic Study Requirements of the Zoning Regulations which allows the Town Engineer to accept an alternative road design.

Steve Motto, Dream Developers, was before the board with an overview of the requested variance.

Sal Tassone, Town Engineer/Civil P.E. addressed the board in clarification of the 2 different regulations in regard to site line; One that applies to residential sub divisions and another that applies to driveways, and that is what you have before you.

EXHIBIT ITEM #12 was added to the record; 1973 approved map subdivision.

Chairman Robinson asked if there was any present that wanted to speak in favor of this application.

- Joseph Rutka, 180 Wall Street spoke in favor of the application.

Chairman Robinson asked if there was anyone present that wanted to speak against this application.

- Delores Tarnowski, 183 Wall Street spoke against the application

EXHIBIT ITEM #13 was added to the record; a color photo of a parked tractor trailer

- Delores Tarnowski for Lilian Atkins, 156 Wall Street handed a count of vehicles that she did on 10/14/2017

EXHIBIT ITEM #14 was added to the record; Ms. Atkins vehicle count on the street

- Steve Bisson, 223 Wall Street spoke against the application
- Tom Atkins, 156 Wall Street handed in a letter addressed to the board written by Lilian Atkins in opposition of the application.

EXHIBIT ITEM #15 was added to the record; Lilian Atkins letter to the board

- Joanne Boysenak, co-owner of 183 Wall Street asked for clarification of the site line requirements

Steve Motto, Dream Developers, addressed the board in regards to the variance request that is at hand before them and acknowledge the concerns of the property owners that spoke this evening.

Daphne Schaub stated that in speaking with the Town Engineer they are in agreement that the traffic studies that have been conducted meet the standards that they would expect for this development.

***Jason Radachy moved and Michael Solis seconded to close the public hearing.  
Motion carried unanimously.***

The members of the board deliberated the hardship of this application.

Daphne Schaub read regulation 15.2 Site Plan / Review Traffic Study into the record again.

***Patrick Reading moved and Michael Solis seconded to approve application ZBA#17-002, Dream Developers of Connecticut, LLC. (Applicant) and Morut, LLC, Maureen Monahan, Leo Thomas Rutka (Owner), 000 Rutka Lane, for a variance of Section No. 15.4.21 of the Colchester Land Development Regulations, to reduce the sightline requirement from 500' to 380', a reduction of 120' to the SW sightline of Wall Street (Tax Map 10-00/Lots 003-000, 004-000, 005-000, 006-000 & 007-000 in the TC Zone), with the findings that it is keeping with the intent of the town regulations and it is peculiar to the property in question.***

***Motion carried 4-1-0 – Jason Radachy No***

B. ZBA#17-003, InCord (Applicant) and 181 Upton Rd LLC (Owner), 151 Upton Road, for a variance of Section 15.4.21 of the Colchester Land Development Regulations, to reduce the sightline requirement from 350' to 280' (Tax Map 09-00/Lot 008-005 in the AC Zone).

Ellen Bartlett, CLA Engineers, was before the board with an over of the proposed project. Ms. Bartlett noted the hardship, pointing out the town right of way, and the limit of being able to clear trees in the area. The DOT guidelines were discussed and the national guidelines, which is what is being presented.

EXHIBIT #11 was added to the record; the original subdivision plan from 1986.

Chairman Robinson asked if there was any present that wanted to speak in favor of this application.

Chairman Robinson asked if there was anyone present that wanted to speak against this application.

Hearing none;

Stan Soby, on behalf of the Board of Selectman, indicated at the recommendation of the EDC that this activity has been approved for Colchester tax incentive application review and would like to encourage this application due to its significance for the town.

Sal Tassone, Town Engineer/Civil PE, noted the speed limit is 25MPH and supported the variance based on this concurrence with the traffic study.

Randy Benson, Planning Director, noted under the current regulations, there is no permitted use that would meet the sight line requirements on this existing approved parcel.

*Jason Radachy moved and Patrick Reading seconded to close the public hearing.  
Motion carried unanimously*

The members of the board deliberated the hardship of this application.

*Jason Radachy moved and Patrick Reading seconded to approve application ZBA#17-003, InCord (Applicant) and 181 Upton Road LLC (Owner), 151 Upton Road, for a variance of Section 15.4.21 of the Colchester Land Development Regulations, to reduce the sight line requirements from 350' to 280' in both directions.*

*Motion carried unanimously*

4. PENDING APPLICATIONS – None

5. MINUTES OF PREVIOUS MEETING - Minutes of Regular Meeting, April 18, 2017

*Patrick Reading moved, and Michael Solis second, to approve the minutes of April 18, 2017.*

*Motion carried unanimously*

6. APPLICATIONS RECEIVED – None
7. OLD BUSINESS – None
8. CORRESPONDENCE - 2018 Meeting Schedule- Review & Possible Action

*Bob Setschinsky moved, and Patrick Reading seconded to approve the 2018 Zoning Board of Appeals meeting schedule.*

*Motion carried unanimously.*

9. ADJOURNMENT

*Patrick Reading made a motion and Jason Radachy seconded to adjourn the November 21, 2017 Zoning Board of Appeals meeting at 9:23p.m.*

*The motion carried unanimously.*

Respectfully Submitted,

Kamey Cavanaugh  
Recording Clerk