

Meeting Minutes of the Ashford Zoning Board of Appeals
December 14, 2016
Ashford Town Offices Building

1. Call to Order

Charlie Atkins, Chairman, called the meeting to order at 7:04 p.m.

2. Roll Call

Present were Charlie Atkins, Jean McCarthy, Keith Lipker and Alternate Harry Bagley, Jr.

3. Seating of Alternates

Alternate Harry Bagley was seated.

4. Appoint full member from panel of alternates

Keith Lipker moved to appoint Michael Pepin. Jean McCarthy seconded the motion. The motion passed unanimously by voice vote.

5. Approval of minutes

Keith Lipker moved to accept the minutes. Jean McCarthy seconded the motion. By voice vote, the motion passed unanimously

6. Resume public hearing on application of Garret Homes, LLC seeking a variance of Article 6D, Section 2 of the Ashford planning and Zoning regulations for a parcel located at 3-5 Squaw Hollow Road, Map # 39, Block D, Lot #9 in Volume 151, page 3

Public hearing resumed at 7:10 p.m. Present for the applicant were Attorney Doria Farmiglietti and Michel Carlson, P.E.

A presentation was made to the board and the public attending. A variance is sought from the Ashford Planning and Zoning requirement calling for 1 parking space per 200 feet of gross floor area. The variance sought is to allow 28 spaces. The proposed floor space would be 9,100 square feet. The applicant contends that hardship exists arising from the unique features of the land.

The presentation discussed the slope and drop off of approximately 50 feet at the rear of the parcel. Due to the topographic and soil conditions of the parcel the proposed structure cannot be set back further without impact to a proposed septic system including a reserve area.

In support of the requested variance the applicant representatives submitted to the board a chart of other Dollar General stores in the general area with their locations, square footage and the regulation requirements. Said requirements required fewer parking spaces than the Ashford P&Z requirements.

Questions from the board members and the public were presented to the applicant representatives. The public was reminded that the Board can only consider the proposed variance regarding parking spaces. There were questions regarding traffic and matters otherwise not pertaining to the proposed variance.

The questions included the ability to park on the side of the structure, adding spaces to the rear of the structure, the impact of snow removal in reducing the number of available spaces and the number of employees requiring parking.

The public speaking were Gary Lawrence, Carl Hernenberg, Catherine Silversmith and Jeff Silversmith.

Correspondence was received from Gary and Janet good, P.O. Box 26, Ashford. Same was given to the applicant's representatives. A copy of the correspondence is available for viewing at the ZBA office.

The public hearing was closed at 8:20 p.m. The regular meeting was reopened at 8:21 p.m.

7. Correspondence

The Board received an application by Laurie Parent of 115 Garner Tavern Road, Coventry, CT regarding a parcel located at 60 Old town road, Ashford, Map #54, Lot #24 for a variance of Article 4B, Section 4,2 to construct a new utility room for a new heating system that cannot be accommodated in the existing space. The variance is requested due to the location of a septic field and property line conflict with the proposed change and the regulations.

A public hearing will be posted for the next ZBA meeting in January, 2017.

8. Discuss and act on the application of Garret Homes, LLC.

A motion to grant the variance of the applicant was moved by Jean McCarthy and seconded by Keith Lipker. Discussion followed.

Following discussion a vote was taken.

Jean McCarthy voted yes, that a hardship existed and that the variance was warranted.

Keith Lipker voted No. The reason given is that the P&Z parking regulation was in place for a reason and that the better approach would be for the P&Z to revise the regulation. In addition, the applicant failed to adequately demonstrate sufficient hardship to warrant a nearly 50 percent reduction in parking. The variance would be permanent with the land; not a particular use.

Charlie Atkins and Harry Bagley voted No for reasons in agreement with Keith Lipker
The variance requested by the applicant was denied.

7. Adjournment

Keith Lipker moved to adjourn. Jean McCarthy seconded the motion.
The meeting adjourned at 8:35 p.m.

Submitted by:

Keith Lipker, Secretary
December 16, 2016