

**TOWN OF WALLINGFORD
ZONING BOARD OF APPEALS
DECEMBER 21, 2009
REGULAR MEETING MINUTES**

A regular meeting of the Wallingford Zoning Board of Appeals was held Monday, December 21, 2009 at 7:00 p.m. in Town Hall. Approximately 9 members of the public were in attendance.

CALL TO ORDER:

Chairman Knickerbocker called the meeting to order at 7:05 p.m.

Present were: Jeffrey Knickerbocker (Chairman), Robin Hettrick (Vice Chairperson), Tom Wolfer (Acting Secretary), William Birney, Ron Souza (alternate), Alan Reed (alternate), Assistant Town Planner Kacie Costello and Recording Secretary Sonja Vining.

Absent:

Chairman Knickerbocker announced that tonight's decisions would be published in the Record-Journal on Monday, December 28, 2009. The effective date of your variance will be Monday, December 28, 2009; the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Wednesday, January 13, 2010. If you commence operations and/or construction during the appeal period, you do so at your own risk.

The next regular meeting of the Board will be January 19, 2009.

READING OF THE MEETING LEGAL NOTICE:

Chairman Knickerbocker read the beginning of the published Legal Notice.

Chairman Knickerbocker explained that first the public hearing notice for each application would be read, and then each applicant would come forward to explain his or her request. The Board would question the applicant and then receive comments for and against the application from the public. Then the public hearing would be closed and the Board would consider the application. Unless stated, all votes were roll-call votes.

Voting Members were Mr. Wolfer, Ms. Hettrick, Mr. Knickerbocker, Mr. Birney and Mr. Reed.

Chairman Knickerbocker announced that the following application would not be heard at this meeting:

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| #09-057 | WE 2 BARNES, LLC – Special Exception for a child day-care center (Fairy Tales) at 2 Barnes Industrial Road South. |
| #09-058 | WE 2 BARNES, LLC – variance for a front yard landscaped area |

of 49.95 ft. where 60 ft. is required to allow for the installation of an enclosed play area and playscape equipment associated with a child day-care center (Fairy Tales) at 2 Barnes Industrial Road South.

Chairman Knickerbocker announced that Application 09-059 Meriden Aviation Commission would be heard last.

The first application being heard at this meeting would be:

#09-056 V. GULBIS – Special Exception request (customary home occupation/massage therapy) at 22 Welcome Street.

Mr. Wolfer, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated December 18, 2009. (Att. 09-056A)

Presenting the application was Vilis Gulbis.

Mr. Gulbis gave some history on his past work experience. He has recently graduated from a class on message therapy. He is scheduled to take a state exam in January. Mr. Gulbis would like to go into business for himself and work part time. He would like to do 3-5 people a week out of his home. His plan is to finish one of the downstairs rooms into a studio to do his work. There is parking in his driveway for 4-5 cars at a time but he would only have one client at a time. Mr. Gulbis would not have any employees.

No one from the public spoke in favor of or opposed to the application.

MOTION: MR. WOLFER, TO APPROVE.

REASON: BETTER USE OF THE PROPERTY WITHOUT ALTERING THE CHARACTER OF THE NEIGHBORHOOD.

SECOND: MR. REED

VOTE: ALL VOTING MEMBERS VOTED “YES” BY A ROLL CALL VOTE AND THE SPECIAL EXCEPTION WAS GRANTED.

#09-060 CAMPBELL – variance request for a front yard of 33.9 ft. where a minimum of 40 ft. is required, and a sideyard of 19.5 ft. where a minimum of 20 ft. is required, to construct a covered porch at 19 Carr Street.

Mr. Wolfer, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated December 18, 2009. (Att. 09-060A)

Presenting the application were Elizabeth and Stephen Campbell.

Mr. Campbell indicated that he is in the middle of a reconstruction project on his home and would like to include a front porch. The house was built in 1957. The proposed porch would end up at 34 feet off the centerline of the street. The side variance has to do with the roofing. The porch would be an open and it would be 5 feet wide. There is a house down the street with the same porch that Mr. and Mrs. Campbell are proposing. Mr. Campbell submitted photos to the Board.

Mr. Campbell stated that from the driveway to the front door there is an incline that is difficult for someone who walks with a handicap. He is trying to achieve a flat surface that will lead people to the front door at the front door level. This porch would eliminate some of the steps that are currently there. This porch would also provide cover in inclement weather.

No one from the public spoke in favor of or opposed to the application.

MOTION: **MS. HETTRICK, TO APPROVE.**

REASON: **BETTER USE OF THE PROPERTY WITHOUT ALTERING THE CHARACTER OF THE NEIGHBORHOOD.**

SECOND: **MR. BIRNEY**

VOTE: **ALL VOTING MEMBERS VOTED "YES" BY A ROLL CALL VOTE AND THE VARIANCE WAS APPROVED.**

#09-059 **MERIDEN AVIATION COMMISSION** – variance for parking-lot lighting of a height of 33 ft. where a maximum height of 14 ft. is allowed, to install apron security lighting at 213 Evansville Avenue (Meriden-Markham Airport)

Mr. Wolfer, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated December 18, 2009. (Att. 09-059A)

Presenting the application were Frank Lewandowski, Chairman, Meriden Aviation Commission and Peter Enzian, Stantec Consulting.

Mr. Enzian stated that the city has received an FAA Grant to install security lighting at the airport. They are proposing five lights along the eastern side of the apron. He reviewed the plan that showed the placement of the lighting and the lighting contours. The lights are full cutoff style fixtures. Mr. Enzian indicated that he would have proposed higher lighting but there are other surfaces that they need to abide by. The proposed poles are 33 feet high. Along the buildings there will be some full cutoff wall sconces.

Mr. Enzian indicated that Meriden has already approved the plan. On the Meriden side the maximum height of the poles is 25 feet. The base aircraft apron and the north apron are closer to

the runway centerline on the Meriden side. When you looking at the lighting relative to the imaginary surface the highest they can go to stay below that surface is 25 feet high. The lights are lower because they are closer to the surface of the runway. On the Wallingford side they are further back so the lights could go higher.

Mr. Enzian stated that currently there is no lighting at the airport with the exception of some floodlighting. There is no specific regulation to causes them to install these lights at this time. The City wants to provide additional security at the airport. The lights would allow police that patrol the area to see better into the airport beyond the fence line. Mr. Lewandowski stated that he was formerly on the Meriden Police Department and they did have thefts of gasoline out of the aircrafts in the airport. The new management company that is becoming involved in the airport is entirely separate from this issue.

Mr. Lewandowski stated that it is very rare that aircraft land after dark. Aircraft can land and take off at any time and the lighting has no effect on that. He does not anticipate that air traffic would increase due to the installation of these lights. Mr. Lewandowski stated that the lights would reduce the possible thefts or a slip and fall or damage to an aircraft.

Speaking from the public was Frank Davis, 15 Chimney Hill Road. Mr. Davis is concerned that the proposed lights would be lighting up his front yard. Mr. Enzian stated that the current plan is to have the lights on for all hours of darkness. Come morning they would shut off automatically. Mr. Enzian estimated that the light would be 1200 – 1500 feet from the closest house. Mr. Lewandowski indicated that the lighting would be almost ½ mile away from the closest house.

Ms. Hettrick asked what would happen if the proposed lights were lowered to 25 feet as they are in Meriden. Mr. Enzian stated that it would not allow them to light as much as the apron and would not be as efficient.

MOTION: MR. KNICKERBOCKER, TO APPROVE

REASON: TO PREVENT RESTRAINT OF TRADE AND BECAUSE OF THE UNIQUE NATURE OF THE LAND AND THE UNIQUE USE OF THIS PARTICULAR PROPERTY.

SECOND: MR. BIRNEY

VOTE: ALL VOTING MEMEBERS VOTED “YES” BY A ROLL CALL VOTE AND THE VARIANCE WAS APPROVED.

Chairman Knickerbocker announced that there are only three applications on for January but because one of the applications is from November the Board will be holding the January meeting. He stated that if there were only three applications for February it would make sense to combine the February and March meetings. This issue would be discussed further at the January meeting.

APPROVAL OF MINUTES:

November 16, 2009 – Regular Meeting

Chairman Knickerbocker made a correction to the first page. Given that Chairman Knickerbocker was not present at the November 16, 2009 meeting, the minutes should read, “Acting Chairperson Hettrick called the meeting to order...”

Mr. Wolfer made a motion to approve the Minutes of the November 16, 2009 – Regular Meeting as corrected. The motion was seconded by Mr. Birney and passed. Chairman Knickerbocker abstained.

ADJOURNMENT:

Mr. Wolfer made a motion to adjourn the meeting. The motion was seconded by Mr. Birney and passed unanimously.

The meeting adjourned at approximately 7:35p.m.

Respectfully submitted,

Sonja Vining
Recording Secretary
Wallingford Zoning Board of Appeals

Attachments: 09-056A, 09-060A, and 09-059A