

**TOWN OF WALLINGFORD
ZONING BOARD OF APPEALS
OCTOBER 20, 2008
REGULAR MEETING MINUTES**

A regular meeting of the Wallingford Zoning Board of Appeals was held Monday, October 20, 2008 at 7:00 p.m. in Town Hall. Approximately 8 members of the public were in attendance.

CALL TO ORDER:

Chairman Knickerbocker called the meeting to order at 7:03 p.m.

Present were: Jeffrey Knickerbocker (Chairman), Robin Hettrick (Vice Chair), William Birney, Vincent Cervoni (alternate), Tom Wolfer (alternate), Alan Reed (alternate), Kacie Costello (Asst. Town Planner) and Sonja Vining (Recording Secretary).

Absent was: Andrew Barnett (Secretary), Brian Leslie

Chairman Knickerbocker announced that tonight's decisions would be published in the Record-Journal on Friday, October 24, 2008. The effective date of your variance will be Friday, October 24, 2008; the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, November 9, 2008. 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 November 17, 2008.

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.

**PUBLIC HEARINGS AND DECISIONS ON THE APPLICATIONS
BEFORE THE BOARD:**

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

#08-074 **Raymond Johnson** – variance for a front yard of 16 ft. where 20 ft. is required and a side yard of 5 ft. where 12 ft. is required (Section 5.1.A), to construct a garage at 121 East Main Street. Zoned R-11

Ms. Hettrick, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated October 17, 2008 addressed to Jeffrey Knickerbocker, Chairman. (Attachment 08-074A)

Presenting the application was Raymond Johnson.

Mr. Johnson stated that the existing shed will be removed and the new garage would be accessed from East Side Terrace with a new curb cut. The existing one-car garage will remain. The total garage space will be approximately 850 sq.ft. Mr. Johnson has spoken to his neighbors and they do not object to the addition.

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

MOTION: MS. HETTRICK, TO APPROVE.

REASON: DUE TO THE SIZE OF THE LOT.

SECOND: MR. BIRNEY

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

#08-075 Layne and Leslee Manginelli – variance for a gross floor area of 448 sq.ft. where a maximum of 300 sq.ft. is allowed (Section 6.2.A.2.a), to construct a shed at 52 Williams Road. Zoned RU-120

Ms. Hettrick, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated October 17, 2008 addressed to Jeffrey Knickerbocker, Chairman (Attachment 08-075A)

Presenting the application was Layne & Leslee Manginelli.

Mr. Manginelli explained that he would like to build a shed /potting barn on his property. There currently is a three-car garage on the property. The shed will be approximately 16x20 and the potting shed would be 8x16.

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

MOTION: MR. KNICKERBOCKER, TO APPROVE.

REASON: BASED ON THE FACT THAT THE REGULATION IMPACTS THIS PROPERTY DIFFERENTLY THEN IT IMPACTS OTHER PROPERTIES AND THE LOT IS LARGE GIVEN THAT IT IS IN AN RU-120 ZONED.

SECOND: MS. HETTRICK

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

#08-076 Richard and Brenda Ruggiero – variance for a parking setback of 20 ft. where 100 ft. is required (Section 4.2.E.3.f), for parking associated with a proposed winery building at 15 Windswept Hill Road. Zoned RU-120

Ms. Hettrick, Acting Secretary, read comments from Kacie Costello, Assistant Town Planner dated October 17, 2008 addressed to Jeffrey Knickerbocker, Chairman. (Attachment 08-076A)

Presenting the application was Albert Ruggiero, Surveyor Rosalind Page and Architect Dan Lyon.

Mr. Ruggiero stated that he was representing his brother and sister-in-law for a parking variance. He stated that he is President of Paradise Hills Vineyard and Winery and the owner of 12 Windswept Hill Road, which is the single property that would be impacted by this variance.

Ms. Page reviewed the plans. The Applicant is proposing to build a winery building with associated parking. The placement of the building and parking was determined by the shape and topography of this parcel. Much of the site is very steep. There are wetlands and a stream on the property. The location of the vines and septic system also had to be planed around. The building will be used for processing grapes and have an associated tasting room. The building area will total approximately 2,160 sq.ft.; the tasting area will comprise approximately 1,000 sq.ft. of that space. There are a total of 19 parking spaces proposed.

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

MOTION: MS. HETTRICK, TO APPROVE.

REASON: GIVEN THE TOPOGRAPHY AND NATURE OF THE LAND

SECOND: MR. WOLFER

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

APPROVAL OF MINUTES:

September 22, 2008 – Regular Meeting

Ms. Hettrick made a motion to approve the Minutes of the September 22, 2008 meeting as submitted. The motion was seconded by Mr. Wolfer and passed.

Chairman Knickerbocker reminded the Members that there is a workshop coming up on November 15th in Berlin. Ms. Costello asked that if Members are interested in attending they notify her as soon as possible.

ADJOURNMENT:

Motion was made by Ms. Hettrick to adjourn the meeting.
Mr. Wolfer seconded.
Motion was approved by a voice vote.

The meeting adjourned at approximately 7:30 p.m.

Respectfully submitted,

Sonja Vining
Recording Secretary
Wallingford Zoning Board of Appeals

Attachments: 08-074A, 08-075A, 08-076A