



ZONING BOARD OF APPEALS

Clifford J. Hurgin Municipal Center
1 School Street, Bethel, Connecticut 06801 *(203) 794-8578

ZONING BOARD OF APPEALS MINUTES MARCH 17TH, 2009 – BETHEL MUNICIPAL CENTER 7:00 P.M. – DENIS J. RIORDAN ROOM

COMMISSION MEMBERS PRESENT C. Tager; J. Hawkins; N. Santaniello; J. Hurgin, , K. Watson; J. Streaman and S. Palmer, Planning & Zoning Official.

Vice Chair C. Tager called the meeting to order at 7:05 p.m.
J. Hurgin read the Legal Notice into the Record.

PUBLIC HEARINGS CONTINUED:

09-02: ROBERT & COLLEEN DECCICO, 153 GRASSY PLAIN STREET:REQUEST FOR A CERTIFICATE OF LOCATION FOR MOTOR VEHICLE REPAIR.

K. Watson read the Staff Report by S. Palmer, Planning & Zoning Official, into the record. Attorney Richard Kilcullen of Danbury was present for the Applicant and presented the Certification of notification of abutters to the Board. Attorney Kilcullen noted that, in accordance with Sec. 14-54 of the CT. General Statues, the Applicant is requesting a Certificate of Location for a motor vehicle repairer's license at the above mentioned property. The property is located in the Industrial Zone and is 2.57 acres in size. This is not a Variance request, but rather, the Board is acting as a Special Agent of the State of Ct and, in that capacity, the Board shall consider the suitability of the location for the proposed use and whether the proposed location will impact public safety. As noted, the property is located in the Industrial Zone, which allows auto repair as a permitted use in that zone. Attorney Kilcullen assured the Board that the questions raised in the Staff Report regarding excessive noise and adequate parking will not be at issue for the Applicant as this facility is primarily for "general" automotive repairs which does not include the testing of engines or long term storage of vehicles. In addition, the Applicant has acquired additional parking spaces through the building "Association".

Those who spoke:

Rick Lawlor 8 Pleasant Rise

Vice Chair C. Tager closed the Public Hearing.

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**TOWN OF BETHEL
TOWN CLERK**

2) **The Performance Standards as set by the Zoning Regulations shall be met.**

Motion Passed Unanimously.

09-04: JEFF DAVENPORT, 7 WALNUT HILL ROAD; REQUESTS A VARIANCE OF THE FOLLOWING REGULATIONS: SEC. 118-17C, FOR CONSTRUCTION OF A PROPOSED BARN 25.25' WHERE 16' IS REQUIRED.

Motion by J. Hurgin, seconded by K. Watson to **APPROVE** the request for a Vairance of Sec. 118-17C for construction of a proposed barn 25.25' where 16' is required.

The Board states that the hardship is that current Zoning Regulations inadequately address modern farm equipment storage.

Motion approved unanimously.

MINUTES:

Motion by J. Hurgin, seconded by K. Watson to **ACCEPT** the Meeting Minutes of the February 17th, 2009.

Motion Passed.

INVOICES:

Motion by K. Watson, seconded by J. Streaman to **APPROVE** payment of invoices from Danbury News-Times in the Amount of \$643.42.

Motion passed

NEW BUSINESS:

Motion by J. Hawkins, seconded by J. Streaman **ACCEPT** New Business and set a hearing sate of April 21st, 2009.

Motion Passed

Motion by K. Watson to Adjorn at 8:00 p.m.

Motion Passed.

Respectfully Submitted,



Nancy LoBalbo
Secretary, Planning & Zoning Department