



**Planning Division  
Meeting Minutes of the  
Zoning Board of Appeals  
(Draft Subject to Board  
Approval)**

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**REGULAR MEETING OF THE ZONING BOARD OF APPEALS  
TUESDAY, DECEMBER 16, 2008**

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**Commissioners Present**

Helen Nixon  
Valerio Giadone  
David Bobowski  
Stephen Dauphine  
Mike McGarry  
Robert Luckritz

**Staff Present**

Roger J. O'Brien  
Kim Holden  
John Rose  
Tammy McBride

**Commissioners Absent**

Ken Lerman

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Chairperson Giadone called the meeting to order. The public hearing was opened. Roger J. O'Brien noted that item ( b.) 1122 Broad Street was processed administratively and would not go forward this evening. Also the applicant for item (d.) 180 R Franklin Avenue submitted a letter to the Board requesting to reschedule the hearing until the next meeting.

**I. Public Hearing**

- a. 157 Charter Oak Avenue – requesting a variance from Section 934 medical clinics which would allow a medical clinic within a seven hundred fifty foot radius of residential use. Members of the public spoke for the application. David McKinley answered questions from the Board.
- b. 241-243 Zion Street – requesting a variance from Section 854, residential districts use table which would allow beer and wine in a restaurant in a residential zone. Natasha Agolli and Joel Raphael answered questions from the Board.

**II. Public Hearing Items extended from the November 18, 2008 meeting**

- a. Appeal of a Cease and Desist order by Charter Oak Properties, LLC. All properties along so called Saybrook Street, east of Ambrose Street, west of Connecticut River was postponed until the next meeting.
- b. (1.) 10-12 Hawthorn Street – Appeal of a Notice of Cease and Desist order by Farmington Imlay Associates issued August 4, 2008. Members of the public

spoke against the application. Attorney Chris McKeon answered questions by the Board.

The remaining items (2.) 331-002-008, 8 Imlay Street, 331-002-009, (3.) 12-14 Imlay Street, (4.) 331-002-010, 16 Imlay Street, (5.) 331-001-005, 21 Imlay St, 331-002-011, (6.) 20-22 Imlay Street, 331-002-012, (7.) 24-26 Imlay Street, 331-002-015, (8.) 36-38 Imlay Street, 331-002-016, (9.) 42-44 Imlay Street, 332-004-011, (10.) 45-47 Imlay Street, 332-003-008, (11.) 56 Imlay Street, 332-003-007, (12.) 52-54 Imlay Street, 332-004-008, (13.) 57 Imlay Street – requesting appeal of a Notice of Cease and Desist issued on August 4, 2008. were continued. On a motion made by Commissioner Bobowski seconded by Commissioner Giadone, the applications were continued.

### **III. Regular Meeting**

#### **a. Consideration Public Hearing Items**

1. 157 Charter Oak Avenue – The Board deliberated on a motion to approve the variance made by Commissioner Bobowski and seconded by Commissioner Nixon, the motion was passed. Commissioners Dauphine, Giadone, Bobowski and Nixon voting in favor and Commissioner McGarry voting against.
2. 241-243 Zion Street – The Board deliberated on a motion to approve made by Commissioner Nixon and seconded by Commissioner Bobowski, the motion passed unanimously. Commissioners Giadone, Bobowski, Nixon, McGarry and Dauphine all voting in favor.
3. 10-12 Hawthorn Street – The Board deliberated on a motion to uphold the Cease and Desist order of the Zoning Administrator made by Commissioner Bobowski and seconded by Commissioner Giadone. Commissioners Giadone, Bobowski and Dauphine voting in favor and Commissioners McGarry and Nixon abstaining. The Board upheld the Cease and Desist.

### **IV. New/Old Business**

The updated Rules of Procedure was handed out to the Board. The Board will review and take up at the next meeting.

### **V. Adjournment**

The meeting was adjourned.

Respectfully submitted,

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Tammy L. McBride, Clerk