

**MINUTES OF THE ZONING BOARD OF APPEALS
TOWN OF WOODBRIDGE
REGULAR MEETING OF MAY 12, 2008**

A regular meeting of the Zoning Board of Appeals for the Town of Woodbridge was held on May 12, 2008, in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

ROLL CALL

Present: Sandra Elias, Chairman, Philip DeGennaro,
Alternates: Henry Nusbaum, David Bernard, and Cynthia Gibbons
Excused were: Lynn Piascyk, and Mark Kohler
Also Present: Terry Gilbertson, Zoning Enforcement Officer and Carolyn Donovan, Recording Secretary

Chairman Elias commenced the meeting at 7:30 p.m..

PUBLIC HEARINGS

OLGA SPEWAK - 111 RIMMON ROAD

Appeal per Section 10.111 of the Zoning Enforcement Officer's decision that the living quarters over a detached garage cannot be used as a second dwelling unit.

Olga Spewak, applicant, was present to speak on behalf of the appeal. In her presentation, Ms. Spewak stated:

- She had bought the residence in 1967, at which time the apartment over the detached garage had been rented out by the previous owners.
- When she brought the house her in-laws moved into the apartment over the garage.
- After her husband, father-in-law, and mother-in-law passed away, she rented out the apartment to help with the mortgage for the property.
- Since 1984 she has been advertising the apartment for rent in the newspaper and renting it out.
- The apartment has always had its own septic and electric system.
- She was made aware of the rental use of the apartment when she hired an electrician to update the electrical system for both the apartment and the house.
- The property has been taxed as a two-dwelling house since 1967.

Zoning Enforcement Officer Terry Gilbertson stated:

- There is no building permit history for the separate electrical meter for the second dwelling.

- On May 17, 1949, Zoning Board of Appeals denied the use of a second dwelling in the detached garage.

Robert D'Angelo, who resides at 70 Beecher Road, spoke in opposition to the application noting:

- That the garage with the apartment over it is close to his house, with his well and Ms. Spewak's septic system located in between the two.
- There is no pre-existing legal use for this apartment.
- Since Ms. Spewak has listed the property for sale, a claim of a rental unit on the property is an equitable situation for her.

Joanne D'Angelo, who also resides at 70 Beecher Road, spoke in opposition to the application noting that she completely agreed with what her husband had said.

There being no further comments by Ms. Spewak, members of the public or members of the Board, the hearing on the appeal was closed.

Later in the meeting, members of the Board took the following action on the appeal:

*** **Ms. Elias moved denial of the appeal of the Zoning Enforcement Officer's decision that the living quarters over a detached garage cannot be used as a second dwelling unit.**

*** **Mr. DeGennaro seconded.**

*** **In Favor: Bernard, Gibbons, Elias, DeGennaro, Nusbaum**

*** **Opposed: No One**

*** **Recused: No One**

*** **Abstained: No One**

Unanimous Approval of the Denial of the application.

RESEARCH DEVELOPMENT AT BRADLEY RD, LLC. - 245 AMITY ROAD
Regarding Section 4.125 requirements for directional signs a variance of 10'10" to allow a sign height of 18'10" where an 8' sign height is allowed and a variance of 99.5 sq. ft. in sign area to allow a sign area of 131.5 sq. ft. where 32 sq. ft is allowed.

A variance per Section 4.124 to permit in addition to the signage attached to the building, a freestanding business sign 32 sq. ft. in area at the eastern driveway entrance on Bradley Road.

A variance of Section 4.124 to allow a pendant sign for each first floor storefront in addition to a building mounted sign, with the area of the pendant sign to be subtracted from the allowable area permitted for each storefront.

Jim Urbano, who resides at 52 North Pease Road and is a member of the LLC was present to speak on behalf of the application. In his presentation he stated:

- That 245 Amity Road is a retail and office center; and signage is very important to the success of the retail center.

- A variance is needed for the proposed combination business and directional sign which would front on Amity Road.
- The business sign portion of that sign would be 25 square feet in area with routed gold-leaf lettering.
- The directional sign component of the sign would have an overall height of 8 feet, 4 inches with 2 square feet of signage provided for each tenant of the retail/office center.
- Attaching the business sign to the directional sign adds an additional 4 feet of height above what the regulations permit. The proposed roof assembly adds an additional 4 feet in height to the sign assembly, for an overall height sign height of 18 feet 10 inches.
- The roof assembly portion of the sign is an expandable component of the sign.
- The roof would have a copper standing seam, repeating a design element of the buildings on Bradley and Amity Road. The roof will offer weather protection to the sign, add quality to the design, and shield the night sky from any up-lighting from the sign
- The main directional and business sign is proposed to eliminate confusion regarding the location of the retail/business center for cars approaching Amity and Bradley Roads.
- The freestanding business sign on Bradley Road is proposed to be 16 square feet in area with the same design details as the directional/business sign.
- The area of the sign does not include the supporting posts which would be 10" x 10" chamfer posts.
- The proposed pendant signs off the building for each tenant are not currently provided for in the regulations and therefore require a variance.
- Each pendant sign would be a two by three foot sized shingle on a rod-iron support that would hang over the entrance way to a retail business.
- The pendant signs will add a quaint aspect to the retail center.
- The pendant signs are a artful advertising element.
- The pendant signs will assist in flagging the retail/business center as a distinct location.

Marvin Schaefer, resident of 155 Ford Road, and owner of property on the opposite corner of Bradley and Amity Road stated:

- He had purchased his property on Bradley and Amity Roads in 1988, and constructed the Woodbridge Office Park.
- When he constructed his office park, he had to come up with signs that conformed to the existing zoning regulations.
- Conformance with the sign regulations, maintains a certain quality for the area.
- Some of the things Mr. Urbano is recommending will affect the quality of the area.
- Recommended that Mr. Urbano's proposed signage be referred to the Architectural Review Board for review and comment.

Mr. Jay Alpert spoke in opposition to the application also read and submitted a letter for the hearing record. In his letter Mr. Alpert stated the reasons the variances should be denied are:

- They are excessive – they pylon sign requested is 410% of the allowable area and 235% of the allowable height.
- They are redundant – the regulations provide for more than ample signage.
- They are contrary to the intent of the regulations which are clearly designed to limit the number and area of signs.
- They are not in the interests of the public welfare, the pylon sign proposed near the intersection of Amity and Bradley would have a negative impact on vehicular safety.
- The applicant has failed to present a compelling hardship unique to the site.

Mr. Terry Gilbertson, Zoning Enforcement Officer, distributed copies of the Zoning regulations regarding signage and went over them with the Board. He added that an Architectural Review Board referral would be a sensible.

There being no further comments from the applicant, general public or members of the Board, it was the consensus of the Board members to continue the public hearing on the requested variances to the next regular meeting of the Board on June 9, 2008.

MINUTES

Minutes of the Regular Board meeting on March 10, 2008

Note: Action on these minutes was deferred until the Boards regular meeting on June 9, 2008.

ADJOURNMENT

***** Ms. Gibbons moved to adjourn the meeting at 9:45 p.m.**

***** Mr. DeGennaro seconded**

***** In Favor: Unanimous**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: No One**

Unanimous Approval

Accordingly the meeting was adjourned at 9:45 p.m..

Respectfully submitted,

Carolyn Donovan
Recording Secretary