



TOWN OF
North Stonington, CT
ZONING BOARD OF APPEALS

TUESDAY, FEBRUARY 20, 2018

REGULAR MEETING

NEW TOWN HALL
CONFERENCE ROOM
40 MAIN STREET
NORTH STONINGTON, CT 06359

MINUTES APPROVED ~ MARCH 20, 2018

1. **CALL TO ORDER:** Chairman Charlie Burger called the Regular Meeting of the North Stonington Zoning Board of Appeals to order at 7:00 p.m. at the New Town Hall, Conference Room.

BOARD MEMBERS PRESENT: Charlie Burger, Chairman, James Lord, Vice-Chair, Robin Hall, Secretary, Mark Leonard, and Alternate Members Gary Thompson and Shawn Murphy

COMMISSIONERS ABSENT: Candy Palmer

STAFF PRESENT: Planning, Development & Zoning Official Juliet Hodge and Administrative Assistant Cheryl Konsavitch

2. **ADDITIONS TO THE AGENDA:** None

3. **PUBLIC HEARINGS:**

ZBA Application #17-007 (*Appeal*), In a matter involving property owned by Shawn Michael Ward, 79 Pine Woods Rd. N. Stonington, CT 06359, located on the north side of Pine Woods Rd. approximately 4000 feet east from the intersection of Denison Hill Rd. with Pine Woods Rd. in an R-80 Zone. Tax Map #90, Lot #1981. Applicant is appealing the decision made by the Zoning Enforcement Officer which alleges a violation of Chapter 5 of the Zoning Regulations regarding the improper use of the property by operating a "Commercial Landscape Construction Business. (**NO ACTION NEEDED**) PH scheduled for 03/20/18, Board received on 12/19/17 & was granted an extension from 02/21/18 to 03/20/18)

4. **NEW APPLICATIONS:** None

5. **NEW BUSINESS:**

ZBA Application #18-001, In a matter involving property owned by Matilda Properties, LLC, c/o Frederick Rauch, for property known as 157 Pendleton Hill Rd., N. Stonington, CT 06359, located on the westerly side of Pendleton

Hill Rd. approximately 91 feet south from the intersection of Providence-New London Trpk. with Pendleton Hill Rd. in an EDD Zone. Tax Map #117, Parcel #0065. Applicant is requesting location approval for an Auto Repair Facility as required by CT DMV.

Secretary Hall read the application into the record.

Mr. Rauch was present to request location approval to open a motor vehicle repair shop at his property located at 157 Pendleton Hill Road. Mr. Rauch gave a power point presentation and stated that the repair shop is part of a larger business that includes metal machining. Mr. Rauch will need a Special Permit to operate the repair shop in that zone which allows both of his proposed uses.

The ZBA has the authority to determine location suitability for motor vehicle repair facilities and its authority is granted under Sec. 14-54 of the CT General Statutes.

J. Hodge's memo stated to the Board that the possible factors for them to consider are:

The proposed garage is located approximately 75ft. off the road and will barely be visible from the road.

The repair facility is being operated as part of a larger mixed-use development which does include a residential use. The Applicant's son will reside in the existing home on the property.

The applicant is proposing that the auto-repair portion of the business be secondary to the machining and will be limited in the type of repair done. There will be no oil changes, system flushing, or auto-body work.

There will be no outdoor storage of unregistered vehicles or equipment related to the business permitted (per Zoning Regulations) that could potentially have a negative impact on the environment (leaking/rusty equipment or vehicles) or nearby property values.

The use is not expected to have any impact on traffic as the applicant will only be servicing a limited amount of vehicles.

Neither the activity proposed nor material to be stored on site that would likely imperil the safety of the public.

Pendleton Hill Road is a state road which provides good access to the property.

The Board asked general questions of the applicant pertaining to his proposal and the proximity of the nearest abutters.

MOTION by S. Murphy, SECOND by R. Hall to approve ZBA Application #18-001, of Matilda Properties, LLC for property known as 157 Pendleton Hill Road, North Stonington, CT 06359 for location approval for a dealer/repairs license to operate an auto repair shop.

After considering the possible impacts to the general public health, safety, and welfare of abutting residents and the general public, the Board finds that the location is suitable for the proposed auto repair shop.

MOTION CARRIED UNANIMOUSLY

6. OLD BUSINESS: None

7. CORRESPONDENCE: None

8. MINUTES:

Review minutes of November 21, 2017 meeting

MOTION by R. Hall, SECOND by J. Lord to approve the minutes of November 21, 2017 as corrected. MOTION CARRIED UNANIMOUSLY

9. ADJOURNMENT:

MOTION by S. Murphy, SECOND by R. Hall to adjourn the meeting at 7:23 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Cheryl Konsavitch

Cheryl Konsavitch, Administrative Assistant,
Zoning Board of Appeal