

# *Zoning Board of Appeals*

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## **Minutes**

(meeting taped)

Special meeting: Wednesday September 11, 2013 in the City Hall Aldermanic Chambers.

The meeting was opened at 6:30 p.m.

Roll call - members present: Mark Zeck, Angelo Dirienzo, Richard Bartholomew, John Kowarik and Harvey Finkel. Earl Robinson and Sam Pollastro Jr. were excused. Building Inspector Carlo Sarmiento was not present.

**Public portion:** This public portion is to satisfy section 101 of the Charter of the City of Derby. No one came forward.

**Application No. 370**– Applicant: Town Fair Tire Center of Connecticut. Location of affected premises – 480 New Haven Ave, Derby, CT 06418. Seeking approval for Certificate of Location for an automotive limited repair license per CGS 14-54.

Atty. Dominick Thomas presented approval notices from both the Derby Inland Wetlands Agency and the Derby Planning and Zoning Commission. He stated that the land use boards have made their determinations on the proposal. He is before the Zoning Board of Appeals because this board serves as an arm under the State Department of Motor Vehicles (DMV) to validate whether the plan of use is appropriate for the location. He stated that the activity all takes place within the existing B1 zone. The zone change is solely to allow the building to be located on the parcel further away from the delineated wetlands. Access entering and exiting onto Rte. 34 will remain in approximately the same location as is currently located by the existing business. The applicant currently has his business located just up the street from this location. The proposed use will remain the same as at their current location. They have positioned the building on the site so vehicle bay activity is on the side facing the Lowe's shopping center. Document presented for review and signature is entitled "DMV Repairer License Plan prepared for Town Fair Tire, 480 New Haven Avenue, Derby, Connecticut" prepared by Godfrey Hoffman Associates, LLC of 26 Broadway, North Haven, CT project # 13-001 dated 06-05-2013 drawing SU-2.0. One edit to said document was discussed. That being that the Planning and Zoning Commission eliminated the two parking spaces that are located adjacent to the access driveway to the detention basin.

**Public portion for application 370:** No one came forward and the public portion was closed.

Members deliberated and were satisfied with the overview by the land use boards. They did not feel the proposed use was an unusual activity for the site and noted the similarity of the current use that is in close proximity to this proposed location.

Motion made by Angelo Dirienzo and second by John Kowarik. Move to approve application #370 for Certificate of Location for an automotive limited repair license as per CGS 14-54. Motion carried unanimously.

Motion was made by Richard Bartholomew and second by Harvey Finkel. Move to adjourn the meeting at 6:22 p.m. Motion carried unanimously.

Respectfully prepared,

Karen Kemmesies, secretary

*These minutes are subject to Board approval at their next scheduled meeting.*