

MANSFIELD ZONING BOARD OF APPEALS – REGULAR MEETING  
MINUTES  
APRIL 11, 2006

Chairman Pellegrine called the meeting to order at 7:07 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

Present: Fraenkel, Gotch, Katz, Pellegrine, Singer-Bansal, Wright

Absent: Accorsi, Clauson

**PAUL GITSIS – 7:00 PM**

To hear comments on the application of Paul Gitsis, 466 Storrs Rd, for a Special Exception of Art. IX, Sec. C.2.b Non-conforming Structures, Expansions/Alterations, to construct an open deck for restaurant customer dining within the front-yard setback.

Mr. Gitsis described proposed plan for 28'x22' restaurant deck, which will be located 25' from front property line, where 60' is required. The deck will be built between the existing walkway and front of building and will be accessible from pub only. The deck will hold 6 tables with a seating capacity of 24.

A Neighborhood Opinion Sheet was submitted with one signature only, showing no objection. Certified receipts for letters sent to abutting neighbors were also received and the letter was read.

Mark Perkins stated that he went to the restaurant for more information after receiving his letter, but received no response from them. He is concerned about the noise level. He often hears people talking while they stand underneath the walkway awning to smoke, sometimes as late as 1:00 a.m. when the pub closes.

Mark Brazeau also expressed concern regarding the noise level and feels it may become a bigger problem with an open deck.

**GEORGE E. JACOBSEN – 7:30 PM**

To hear comments on the application of George E. Jacobsen, 227 Gurleyville Rd, for a Variance of Art. VIII, Sec A Dimensional Requirements, lot frontage, to create one lot for an existing house, which lot would have no frontage on a public road.

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Mr. Jacobsen would like to divide his property into 2 lots in order to build one, single-family house on the new lot. Due to the shape of the property there is limited road frontage. He is requesting a variance for the back lot. Pumping Station Road is considered a discontinued road, but because the State of Connecticut maintains the road, he feels it is not really discontinued. He submitted copies of State Statutes and Zoning Regulations that he feels supports his claim.

A Neighborhood Opinion Sheet was submitted with several abutters showing no objections and a number of abutters reserving judgment until the hearing.

Rachel Rosen expressed her opinion that the road was discontinued, therefore ownership of the road has reverted back to property owners. She is concerned over liability issues and feels that the legality of the road should be addressed. Apart from these issues, she basically supports Mr. Jacobsen's request.

Penny Balocki stated that she is concerned about increased traffic on the road. She does not oppose the addition of 1 house only, but does not want the road to become public.

Fotini Martin said that there are many accidents, but they are on Gurleyville Road, due to a dangerous curve in the road. She does not see any problems with the discontinued road and would like to see the variance granted to the applicant.

Helen Collins asked several questions regarding the history of the lot.

Mr. Jacobsen requested and was granted a continuance of this hearing.

**DAVID B. CHENEY – 8:00 P.M. (CONTINUANCE)**

Mr. Cheney feels that his hardship is that the Town of Mansfield will not sell him the 52' of frontage that he needs to divide his lot.

A Neighborhood Opinion Sheet was submitted showing no objections.

**MCRA, LLC – 8:30 P.M. (CONTINUANCE)**

Mr. Brian McCarthy requested and was granted a continuance.

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**BUSINESS MEETING**

**Cheney Application**

Katz made a motion to approve the application of Mr. David B. Cheney, 114 Stafford Rd, for a Variance of Art. VIII, Sec A Dimensional Requirements, lot frontage, to break off an existing house with required 150' frontage and lot area, creating an additional building lot with non-conforming 98' frontage, as shown on submitted plan. Motion seconded by Wright.

Fraenkel stated that she felt that no hardship was shown.

In favor: Katz, Pellegrine, Singer-Bansal, Wright

Opposed: Fraenkel

Reasons for approval:

- Applicant could not purchase additional land

- Abutting land will most likely never be developed

#### Gitsis Application

Wright moved to approve the application of Paul Gitsis, 466 Storrs Rd, for a Special Exception of Art. IX, Sec. C.2.b Non-conforming Structures, Expansions/Alterations, to construct an open deck for restaurant customer dining within the front-yard setback, as shown on submitted plan. Seconded by Fraenkel.

In favor: Fraenkel, Katz, Pellegrine, Wright

Opposed: Singer-Bansal

Reasons for approval:

- Will not adversely affect character of neighborhood
- Will not adversely affect property values of neighborhood
- Will enhance the business

#### **APPROVAL OF MINUTES OF REGULAR MEETING HELD ON MARCH 8, 2006**

Wright moved, seconded by Fraenkel to approve the minutes of March 8, 2006 with correction.

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All in favor.

#### **PROPOSED REVISIONS TO MANSFIELD'S ZONING MAP, ZONING REGULATIONS AND SUBDIVISION REGULATIONS**

Members discussed proposed changes and noted the public hearing date of May 1, 2006.

#### **ADJOURNMENT**

Meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Julie Wright