

10.27.20

RECEIVED

OCT 27 2020

V.
PLANNING

Dear ZBA Members,

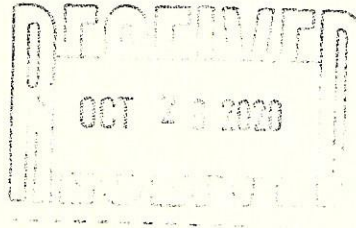
Would you please withdraw my application
#20-022 for 600 Williams Rd. I will
re-apply at a later date.

Zeng Lian

DANIEL WEBSTER LYON, ARCHITECT

SERVING CONNECTICUT SINCE 1969

October 29, 2020



Amy Torres
Zoning Board of Appeals
Wallingford Town Hall
45 South Main Street
Wallingford, CT 06492

Continuance

D.W. 10.29.20

re: ~~Withdrawal~~ of application # 20-021 for 12-16 Northfield Road

To accommodate recent client-desired changes and a newly revealed variance requirement, this letter is to serve as a ~~withdrawal~~ for the application listed above.

We ~~will be submitting a new~~ application to address the amended requests and requirements.

request for continuance

are amending the

Thank you.

Daniel W. Lyon

Daniel W. Lyon, representing Nickolaus and Rose Williams

4 Simpson Avenue, Wallingford, Connecticut 06492*

Subject **600 South Colony ZBA application**
From Dennis Ceneviva <Dennis@cenevivalaw.com>
To amy.torre@wallingfordct.gov <amy.torre@wallingfordct.gov>
Cc Ira Katz <ira@bravo-development.com>
Date 2020-10-30 09:59



Good morning Amy,

Please allow this email to serve as written confirmation of our discussion yesterday. My client has asked that the above-identified ZBA Appeal involving 600 South Colony Road be tabled or continued until the next ZBA meeting. Thank you.

Dennis
Dennis A. Ceneviva, Esq.
Ceneviva Law Firm, LLC
721 Broad Street
Meriden, CT 06450
203-237-8808
FAX 203-237-4240

WIRE FRAUD ALERT- Please contact Debbie Mischler or Attorney Ariana F. Ceneviva for specific wiring instructions BEFORE wiring funds. If you ever receive an email appearing to be from our firm stating that our wire instructions have changed or requesting a wire transfer, please contact us immediately at 203-237-8808 as you may have fallen victim of a scam. Law Firms, Realtors and other professionals are being targeted by sophisticated hackers in an attempt to steal funds by initiating fraudulent wire transfers.



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Town of Wallingford, Connecticut

**Wallingford Zoning Board of Appeals Meeting
Monday, November 16, 2020
7:00 p.m.**

REMOTE MEETING ONLY

The Zoning Board of Appeals meeting of November 16, 2020 will take place REMOTELY ONLY.

The meeting can be accessed through:

<https://global.gotomeeting.com/join/234956269>

YOU CAN ALSO DIAL IN USING YOUR PHONE:

United States (Toll Free): +1 (877)-568-4106

Access Code: 234-956-269

Live Stream of the meeting will also be available on the Town of Wallingford You Tube Channel:

<https://www.youtube.com/c/wallingfordgovernmenttelevision>

AGENDA

**Call to Order
Pledge of Allegiance
Roll Call**

PUBLIC HEARINGS

1. #20-027 – Special Exception Request/Savo/3 Farm Court
2. #20-028 – Variance Request/Morgan/131 Ridgeland Circle
3. #20-029 – Special Exception Request/Palmieri/941 North Farms Road
4. #20-030 – Variance Request/O'Malley/53 Hill Avenue
5. #20-031 – Variance Request/Colony Road Storage, LLC/600 South Colony Rd.(No Action Requested)
6. #20-032 – Variance Request/Proton International, LLC/932 Northrop Road

MEETING SCHEDULE

7. Consideration of ZBA 2021 Meeting Schedule

CONSIDERATION OF MINUTES

8. October 19, 2020, Regular Meeting

ADJOURNMENT

Individuals in need of auxiliary aids for effective communications in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five (5) days prior to the meeting date.



Town of Wallingford, Connecticut

November 2, 2020

Wallingford Zoning Board of Appeals
Town Hall
45 South Main Street
Wallingford, CT 06492

RE: Staff comments for the November 16, 2020 ZBA Meeting

Dear Board Members:

1. #20-027/SPECIAL EXCEPTION REQUEST/CUSTOMARY HOME OCCUPATION-Salon/Savo/3 Farm Court

Applicant requesting a customary home occupation for home salon with single chair utilizing approximately 100 sq. ft. plus access to ½ bath in lower level of residence. Off-street parking is available and no more than two clients will be present at any given time and no more than four clients on a given day at 3 Farm Court in an R-18 District.

2. #20-028/VARIANCE REQUEST/SIDE YARD SETBACK/Morgan/131 Ridgeland Circle

Applicant requests a side yard setback of 12.5 ft. where 24.7 ft. exists and 20 ft. is required to construct an attached single car, 245 sq. ft. garage at 131 Ridgeland Circle in an R-18 District. Site has existing, below-grade 240 sq. ft. garage which cannot accommodate a vehicle due to low height profile and thus serves as storage space. The board should consider if compliant option(s) exists to add garage area. For example, a detached garage located in the rear of the property would require a 5 ft. side yard setback and would not require variance approval.

3. #20-029/SPECIAL EXCEPTION REQUEST/GARAGE AREA/Palmieri/941 North Farms Road

Applicant proposes garage area of 1157 sq. ft. where 241 sq. ft. exists to construct a 916 sq. ft. attached garage at 941 North Farms Road in an RU-40 District. Subject property is a thru lot with two front yards and two side yards. Proposed attached garage is compliant with regards to all required setbacks and building coverage.

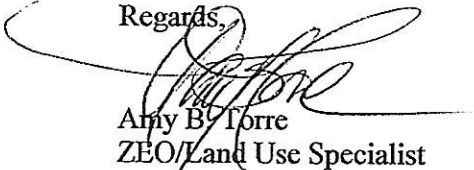
4. #20-030/VARIANCE REQUEST/SIDE YARD SETBACK/O'Malley/53 Hill Avenue

Applicant proposes a side yard setback of 18.47 ft. where 20 ft. is required and 16.37 ft. exists to construct a full dormer and vertical addition to the rear of the dwelling at 53 Hill Avenue in an R-18 District. Side Yard setback is 18.47 ft. at its minimum from roof peak, which is northern-most point of proposed addition. Existing dwelling predates zoning and has side yard setback of 16.37 ft. at its minimum. Vertical addition does not include any changes to existing footprint/first floor.

5. #20-032/VARIANCE REQUEST/PARKING/Proton International, LLC/932 Northrop Road

Applicant requests parking variance of 50 spaces where 112 spaces are required to develop the site as an Outpatient Radiation Cancer Treatment center at 932 Northrop Road in an I-5 District. Applicant will be proceeding for Site Plan Approval from the Planning and Zoning Commission following determination from the ZBA regarding parking. Regulations require 1 parking space per 150 sq. ft. of GFA for Medical/Outpatient Use. Based on the Conceptual plan submitted with the Variance Application, proposed GFA is 17370 sq. ft. requiring 116 parking spaces. Applicant seeks reduction based on historical needs and data for patient and employee parking from like sites in the US. Ability to add parking to the site as needs may change or for future alternate Use exists whether parcel is subdivided in the future or remains as a single lot. Reducing impervious surface and maintaining open natural space is desirable yet the applicant should clearly demonstrate the hardship associated and the Board should evaluate to what level reduction is relative to that hardship.

Regards,



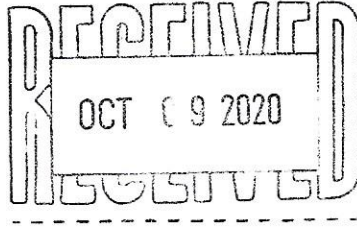
Amy B. Torre
ZEO/Land Use Specialist

Cc: Savo
Morgan
Palmieri
O'Malley
Proton Int'l, LLC (Pete Carbone) c/o Atty. Jim Loughlin

ORIGINAL

Please type or print in ink.

ZONING BOARD OF APPEALS



APPLICATION FOR:
[X] Special Exception
[] Appeal of Decision of ZEO

Application # 20-027

Date: 10/8/2020

Name of Applicant: KRISTI L. SAVO

Mailing Address: 3 FARM COURT WALLINGFORD CT 06492
Street City State Zip Code

Phone: (203) 213-9676

Interest in Property: [X] Own [] Rent [] Lease [] Option to Buy [] Other

Name of Property Owner: KRISTI SAVO & JONATHAN STERN

Mailing Address: 3 FARM COURT WALLINGFORD CT 06492
Street City State Zip Code

Legal Description of Property (check one box and complete information for that line only):

- [X] Street Address 3 FARM COURT WALLINGFORD, CT 06492
[] Lot # and Street Name
[] Volume & Page of Deed in Land Records

Zoning District:

Directions to Property (from well recognized Town road):

A. TYPES OF SPECIAL EXCEPTION REQUESTED & MINIMUM ITEMS TO BE INCLUDED WITH APPLICATION

- 1. [X] CUSTOMARY HOME OCCUPATION
a. Type of Occupation: HAIR SALON SINGLE CHAIR
b. Sq.Footage of 1st floor of building:
c. Sq.Footage of home occupation:
d. Map, drawn to scale, showing property, location of dwelling on property and location & dimensions of all parking spaces.
2. [] BOARDING HOUSE/ROOMING HOUSE
a. Map, drawn to scale, showing property boundaries, location & dimensions of building, number of boarders and location & dimensions of all parking spaces.
3. [] BED & BREAKFAST
a. Year house constructed:
b. Number of guest rooms:
c. Map, drawn to scale, showing property boundaries, location & dimensions of building, location & dimensions of all existing and proposed parking spaces, proposed landscaping.
d. Floor plan of proposed B&B, with room use listed.
e. Architectural drawings for any proposed additions, including emergency exits.
4. [] WINDMILL
a. Map, drawn to scale, showing property, location of any buildings on lot, proposed location of windmill and distances to buildings and property lines.
5. [] SOLAR PANELS & SATELLITE DISHES
a. Map, drawn to scale, showing property, location of any buildings on lot, proposed locations of panes or dishes and screening.
b. Height of device
c. Technical literature about device
6. [] NURSERY SCHOOL, CHILD DAY CARE CENTER, GROUP DAY CARE HOME
a. Map, drawn to scale, showing property, location of building(s) on lot, parking spaces, play area.
b. Square footage of lot:
c. Building Coverage:
d. Enrollment capacity per session:

7. [] CEMETERIES

a. Location map showing adjacent streets.

8. [] GARAGES

a. Map, drawn to scale, showing property, location of building(s) on lot, garage location.

b. Size of existing garage space _____, size of proposed garage space _____, total proposed garage space _____.

9. [] STABLES

a. Map, drawn to scale, showing property, location of building(s) on lot, proposed stable.

B. APPEAL OF DECISION OF THE ZEO: Please describe the decision of the ZEO below and why you feel it is not accurate.

Applicant must notify abutters by certified mail 10-15 days prior to the public hearing by sending them a copy of the legal notice. Certificates of Mailing must be returned to the Planning Department at least five (5) days prior to the meeting.

Names and Mailing addresses of all abutting property owners (to the right, left and rear of your property)

NAME	MAILING ADDRESS
1. EILEEN A. BASSI	5 FARM COURT, WALLINGFORD, CT 06492
2. SHARON WEISE	1 FARM COURT, WALLINGFORD, CT 06492
3. ANDREW & MARGARET ABBAGNARO	11 SUNSET DRIVE, WALLINGFORD, CT 06492
4. WILLIAM & LINDA BOHNE	15 SUNSET DRIVE, WALLINGFORD, CT 06492
5. _____	_____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Name of Applicant or Agent: Kristi Samo Title: owner/operator
(Please print) (If agent or company representative)

Signature of Applicant or Agent: Kristi Samo

Name of Property Owner: Kristi Samo Title: owner/operator
(Please print) (If agent or company representative)

Signature of Property Owner: Kristi Samo

FOR ZBA USE ONLY:

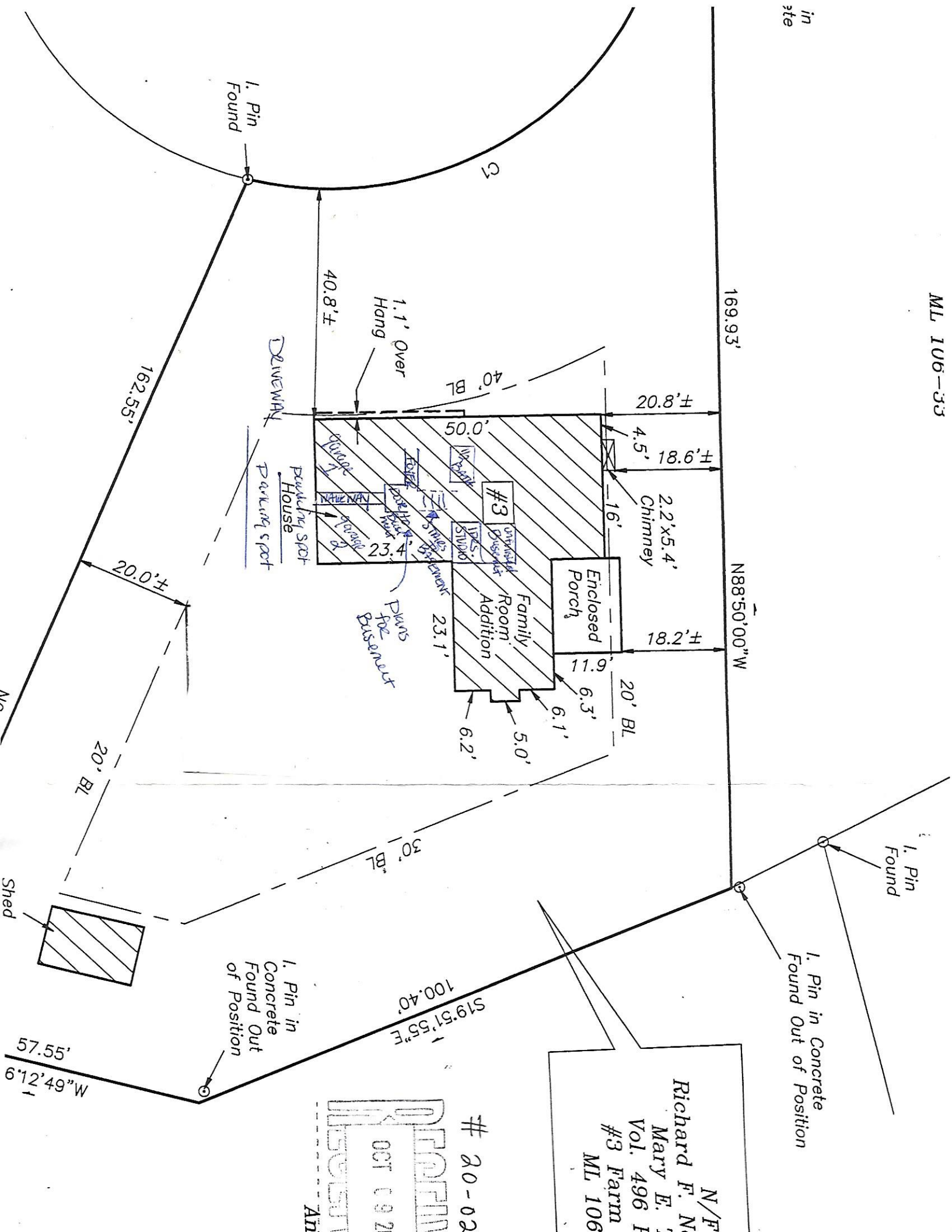
Application is: [] Granted [] Denied Effective Date: _____

REASON(S) _____

CONDITION(S) _____

SIGNED: _____ TITLE: _____
WALLINGFORD ZONING BOARD OF APPEALS

in
site



N/F
 Richard F. N
 Mary E. N
 Vol. 496 F
 #3 Farm
 ML 106

20-02

RECORDED
 OCT 19 2
 An

I. Pin in
 Concrete
 Found Out
 of Position

I. Pin in Concrete
 Found Out of Position

I. Pin
 Found

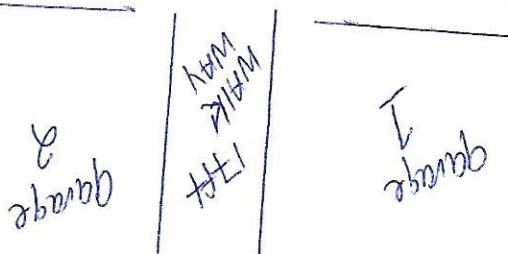
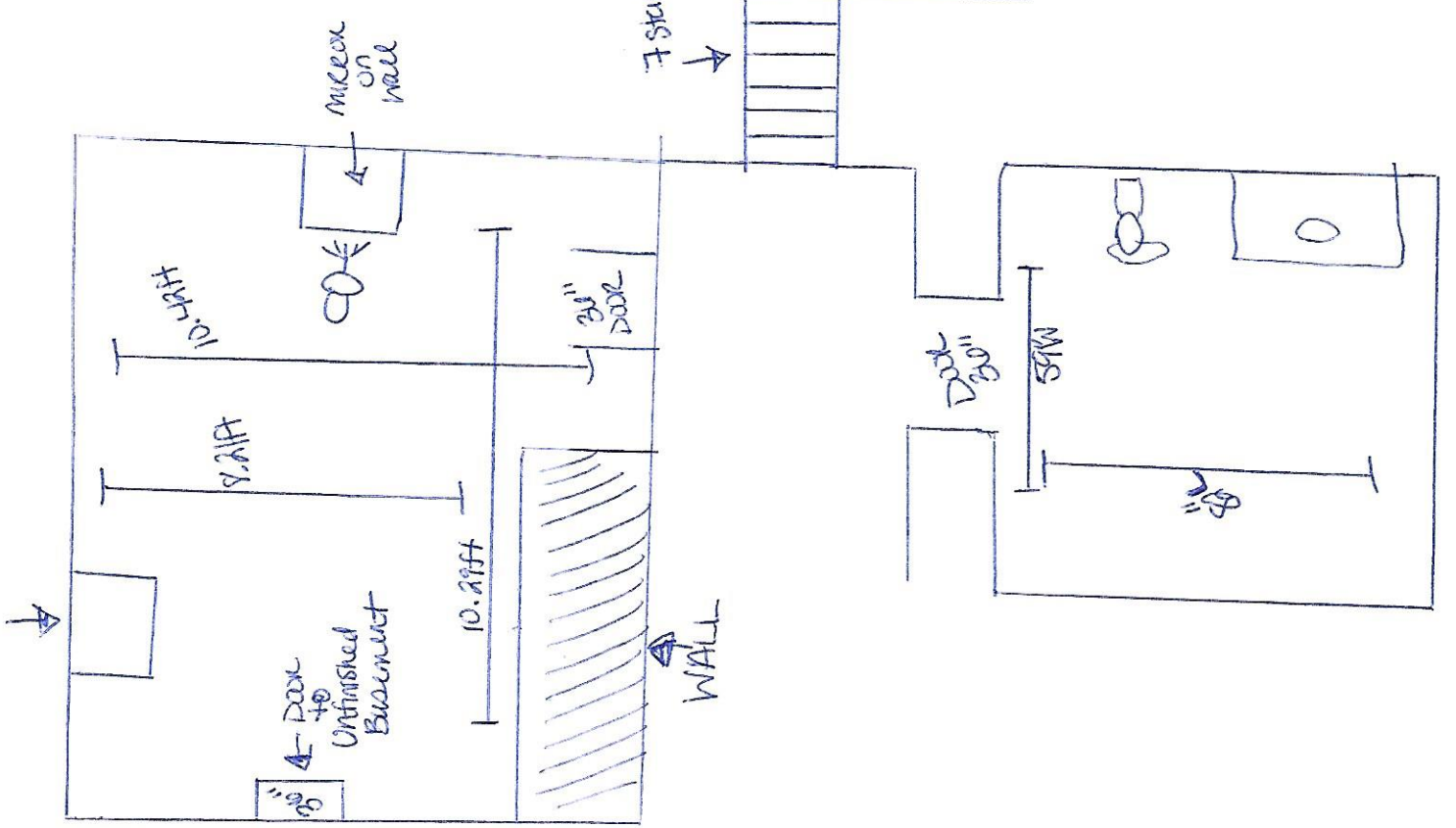
I. Pin
 Found

Zoning Board Of Appeals

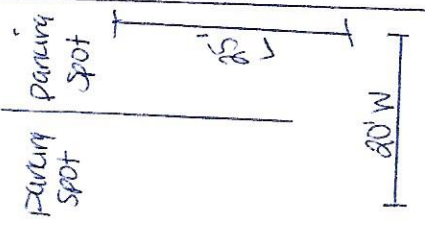
Special Exception Supplemental for 3 Farm Court, Wallingford, CT

This application is a request for approval of a personal service in home hair salon/studio. It will be operated solely by the owner of the home, Kristi Savo, with no other employees. The studio will include one chair for a client and one sink for hair washing. The space used will also include a half-bathroom for clients use. There is off street parking for up to two cars in the driveway to the residence as well. There will be no more than 2 clients in the residence at any one time. It is projected that there will be no more than 4 clients coming to the residence in any one day, spaced out over several hours. The space is located in the basement of the home in which there is an existing finished stair case that leads to the space that will be utilized and clients will enter and exit through the garage of the home. The space for the studio is a total of 100 square feet and the accompanying half bathroom is 33.5 square feet. The residential character of the home will not be changed in any way and all of the services provided will be conducted inside of the residence. There will not be any signs placed anywhere referencing the name or activity of the home occupation. Further, there will be no retail sales conducted in the home occupation. Lastly, this personal service home occupation does not produce any offensive noise, odors, smoke, heat, dust, vibration or other objectionable conditions that could adversely affect the residential character of the surrounding area. Please see the attached drawing for an understanding of the property.

WASH SINK



DRIVEWAY



CONSTRUCTION DETAIL (CONTINUED)

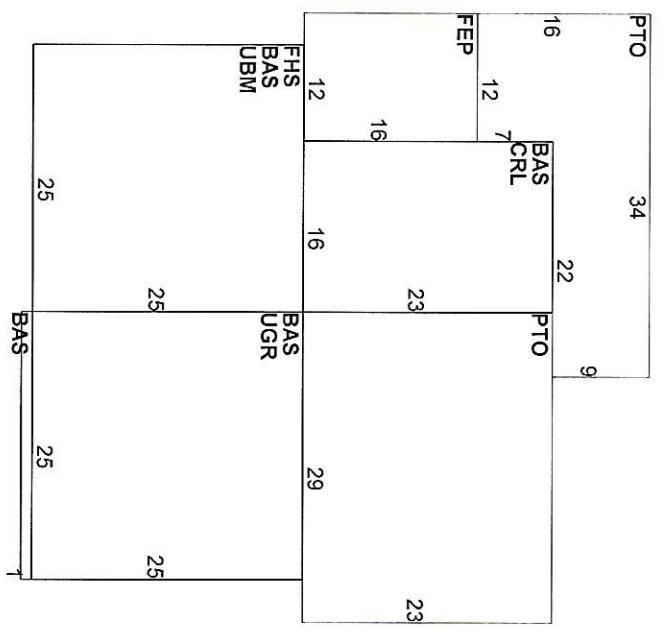
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	02		Split-Level				
Model	01		Residential				
Grade	B-						
Stories	1.5		1 1/2 Stories				
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	03		Gable				
Roof Cover	03		Asphalt				
Interior Wall 1	05		Drywall				
Interior Wall 2							
Interior Flr 1	14		Carpet				
Interior Flr 2	12		Hardwood				
Heat Fuel	03		Gas				
Heat Type	04		Forced Air-Duc				
AC Type	03		Central				
Total Bedrooms	04		4 Bedrooms				
Total Bthrms	2		2 Half Baths				
Total Half Baths	2						
Total Xtra Fixtrs	8						
Total Rooms	02		Average				
Bath Style	02		Average				
Kitchen Style							
Whirlpool Tub	2						
Fireplaces							

OB-OUTBUILDING & YARD ITEMS(Q) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descrip1	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
SHD1	Shed Frame			L	160	10.00	1995	B		A	50	1,100

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprac. Value
BAS	First Floor	1,643	1,643	1,643	92.29	151,640
CRL	Crawl Space	0	368	0	0.00	0
FEP	Porch, Enclosed	0	192	115	55.28	10,614
FHS	Half Story, Finished	375	625	375	55.38	34,610
PTO	Patio	0	1,057	106	9.26	9,783
UBM	Basement, Unfinished	0	625	125	18.46	11,537
UGR	Garage Under	0	625	188	27.76	17,351
Ttl. Gross Liv/Lease Area:		2,018	5,135	2,552		258,107



8/ 1/2017

ORIGINAL

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20-028
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

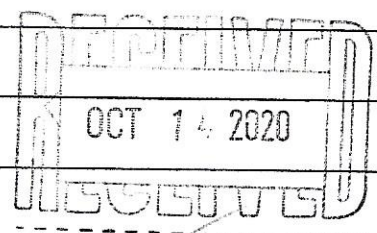
- 1.) Street Address or Location of the Property: 131 Ridgeland Circle Wallingford
- 2.) Zoning District of the Property: R18
- 3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>Side yard</u>	<u>5.11</u>	<u>20-ft</u>	<u>24.7 ft.</u>	<u>12.5 ft</u>

- 4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): To build a one-car attached garage
- 5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: See Attached

6.) If any variances for the Property have previously been requested, please complete the following section.

- a. Date(s) of ZBA action: _____
- b. What variance(s) were requested: _____
- c. What variance(s) were granted: _____



7.) APPLICANT (Please list mailing address.)

Name(s): Glen + Ann Morgan Signature: [Signature]
 Address: 131 Ridgeland Circle City: Wallingford State: CT Zip: 06492
 Telephone No: _____ Interest in Property: Owner: _____ Other: _____

8.) PROPERTY OWNER(S) OF RECORD (Please list mailing address. This section must be completed.)

Name(s): Glen + Ann Morgan Signature: [Signature]
 Address: 131 Ridgeland Circle City: Wallingford State: CT Zip: 06492
 Telephone No: 203-843-1320

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

Name

Mailing Address

- | | | |
|----|------------------------------|--|
| 1. | <u>Andrea Clefo</u> | <u>93 Ridgeland Circle Wallingford CT 06492</u> |
| 2. | <u>John + Deborah Krisak</u> | <u>115 Ridgeland Circle Wallingford CT 06492</u> |
| 3. | <u>Ryan Jenks</u> | <u>137 Ridgeland Circle Wallingford CT 06492</u> |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. From Parker Farms Rd to Highland to west Ridgeland to Ridgeland Circle

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. (The plan **must** show the property boundaries, **all** existing **and** proposed buildings and dimensions for any setback, size, area or height related variance request.)
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

CONDITION(S): _____

The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008

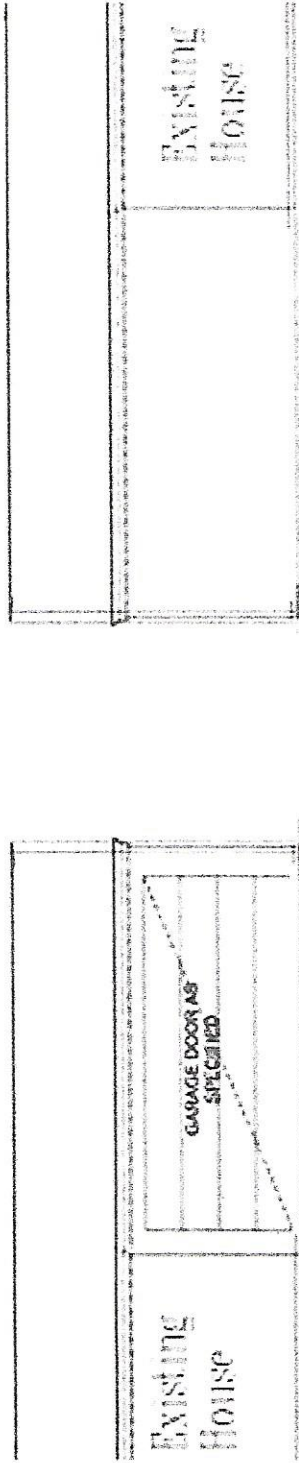
Why strict application of regulations will produce unreasonable hardship:

1. Our house was built in 1953, which pre-dates zoning regulations that started in 1958.
2. The typography of our lot is such that the only place to build a garage is attached to the south side of the house.
3. The proposed style and structure of the 1 car garage addition to the house is in step with the existing neighborhood.
4. The proposed project would be an improvement to the neighborhood and result in an overall increase in the tax base and value by the improvement.
5. The existing garage in back under the house as indicated on our field card was built low profile in height, as shown in the attached pictures and will not accommodate our vehicles. This is more like a storage shed to house our lawn mower.



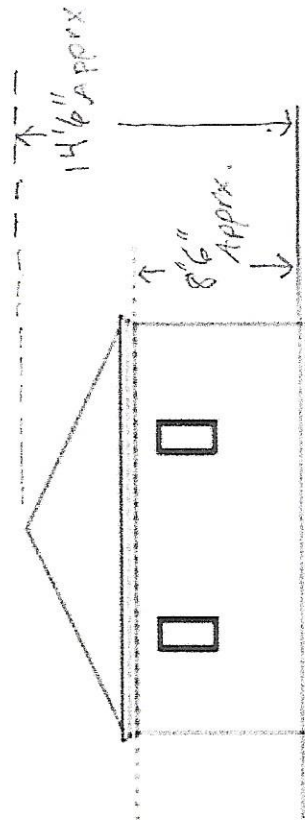


131 Ridgeland Cr, Wallingford



West ELEVATION 1 Front

East ELEVATION 2 Rear



South ELEVATION 3 side

Existing
House

Proposed
12 + 20.00
Boraxion
Addition

20

12

for:

Glen + Ann Morgan
131 Ridgeland Cr.
Wallingford Ct
06492

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Ch	Description	Element	Cd	Ch	Description
Style	01		Ranch				
Model	01		Residential				
Grade	C						
Stories	1		1 Story				
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	04		Hip				
Roof Cover	03		Asphalt Drywall				
Interior Wall 1	05						
Interior Wall 2							
Interior Flr 1	12		Hardwood				
Interior Flr 2							
Heat Fuel	02		Oil				
Heat Type	05		Hot Water				
AC Type	01		None				
Total Bedrooms	03		3 Bedrooms				
Total Baths	1						
Total Half Baths	0						
Total Xtra Fixrs	5		5 Rooms				
Total Rooms	02		Average				
Bath Style			Average				
Kitchen Style	02						
Whirlpool Tub							
Fireplaces	1						

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Chd	%Chd	Apr Value

BUILDING SUB-AREA SUMMARY SECTION

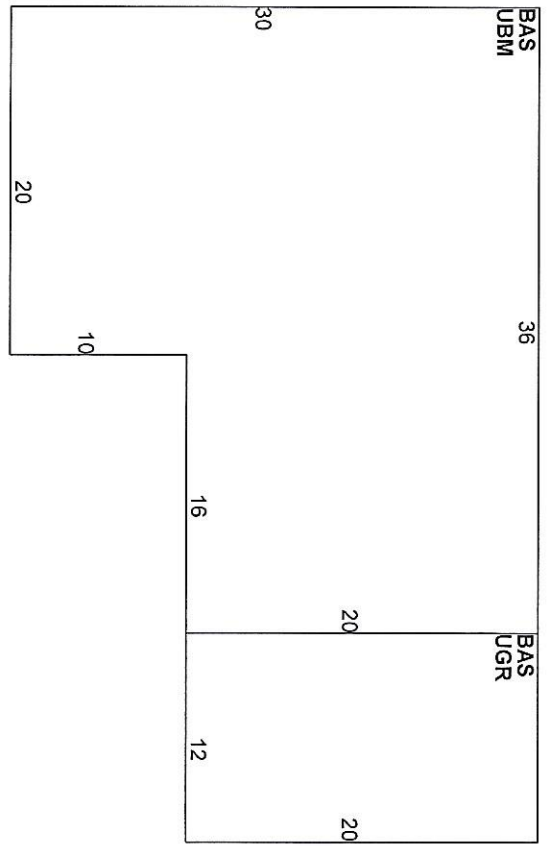
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,160	1,160	1,160	85.21	98,844
UBM	Basement, Unfinished	0	920	184	17.04	15,679
UGR	Garage Under	0	240	72	25.56	6,135
	Ttl. Gross Liv/Lease Area:	1,160	2,320	1,416		129,157

MIXED USE

Code	Description	Percentage
1010	Single Family	100

COST/MARKET VALUATION

Adj. Base Rate:	85.21
Net Other Adj.:	120,657
Replace Cost	8,500,000
AYB	129,157
Dep Code	A
Remodel Rating	
Year Remodeled	
Dep %	33
Functional Obsolete	
External Obsolete	
Cost Trend Factor	
Condition	
% Complete	
Overall % Cond	67
Apprais Val	86,500
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	



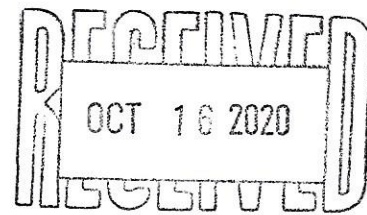
ORIGINAL

Please type or print in ink.

ZONING BOARD OF APPEALS



Town of Wallingford, Connecticut



APPLICATION FOR:

- Special Exception
Appeal of Decision of ZEO

Application # 20-029

Date: 10-16-2020

Name of Applicant: Alexander Palmieri Jr

Mailing Address: 941 N. Farms Road Wallingford Ct 06492

Phone: (203) 435-3659

Interest in Property: [X] Own [] Rent [] Lease [] Option to Buy [] Other

Name of Property Owner: Alexander Palmieri Jr

Mailing Address: 941 N. Farms Road Wallingford Ct 06492

Legal Description of Property (check one box and complete information for that line only):

- [X] Street Address 941 N. Farms Road
[] Lot # and Street Name
[] Volume & Page of Deed in Land Records

Zoning District: RU-40

Directions to Property (from well recognized Town road): Rt 68 to N. Farms Road

A. TYPES OF SPECIAL EXCEPTION REQUESTED & MINIMUM ITEMS TO BE INCLUDED WITH APPLICATION

- 1. [] CUSTOMARY HOME OCCUPATION
a. Type of Occupation:
b. Sq. Footage of 1st floor of building: c. Sq. Footage of home occupation:
d. Map, drawn to scale, showing property, location of dwelling on property and location & dimensions of all parking spaces.
2. [] BOARDING HOUSE/ROOMING HOUSE
a. Map, drawn to scale, showing property boundaries, location & dimensions of building, number of boarders and location & dimensions of all parking spaces.
3. [] BED & BREAKFAST
a. Year house constructed: b. Number of guest rooms: c. Map, drawn to scale, showing property boundaries, location & dimensions of building, location & dimensions of all existing and proposed parking spaces, proposed landscaping. d. Floor plan of proposed B&B, with room use listed. e. Architectural drawings for any proposed additions, including emergency exits.
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5. [] SOLAR PANELS & SATELLITE DISHES
a. Map, drawn to scale, showing property, location of any buildings on lot, proposed locations of panes or dishes and screening. b. Height of device c. Technical literature about device
6. [] NURSERY SCHOOL, CHILD DAY CARE CENTER, GROUP DAY CARE HOME
a. Map, drawn to scale, showing property, location of building(s) on lot, parking spaces, play area. b. Square footage of lot: c. Building Coverage: d. Enrollment capacity per session:

7. [] CEMETERIES

a. Location map showing adjacent streets.

8. [X] GARAGES

a. Map, drawn to scale, showing property, location of building(s) on lot, garage location.

b. Sq. footage of principal residence: 1448 (living area only) Sq. footage of existing garage space 241
Sq. footage of proposed garage space 916, total sq. footage of proposed garage space 1157

9. [] STABLES

a. Map, drawn to scale, showing property, location of building(s) on lot, proposed stable.

B. APPEAL OF DECISION OF THE ZEO: Please describe the decision of the ZEO below and why you feel it is not accurate.

Applicant must notify abutters by certified mail 10-15 days prior to the public hearing by sending them a copy of the legal notice.
Certificates of Mailing must be returned to the Planning Department at least five (5) days prior to the meeting.

Names and Mailing addresses of all abutting property owners (to the right, left and rear of your property)

- | | NAME | MAILING ADDRESS |
|----|-----------------------------|---|
| 1. | Carol M Mihalek | 943 North Farms Road Wallingford Ct 06492 |
| 2. | James J Moran + Catherine A | 1 Reservoir Drive Wallingford Ct 06492 |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Name of Applicant or Agent: Alexander J Palmieri Jr Title: _____
(Please print) (If agent or company representative)

Signature of Applicant or Agent: *Alexander J Palmieri Jr*

Name of Property Owner: Alexander J. Palmieri Jr Title: _____
(Please print) (If agent or company representative)

Signature of Property Owner: *Alexander J Palmieri Jr*

FOR ZBA USE ONLY:

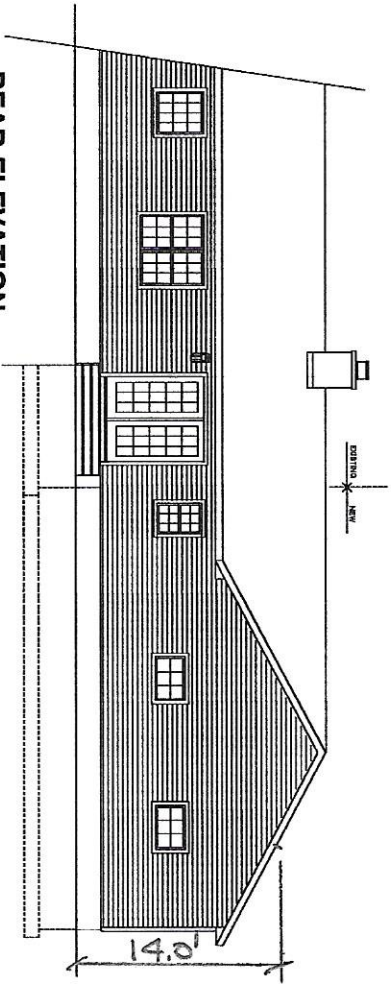
Application is: [] Granted [] Denied Effective Date: _____

REASON(S) _____

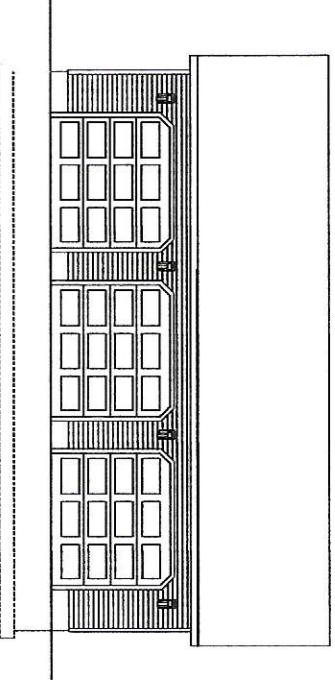
CONDITION(S) _____

SIGNED: _____ TITLE: _____
WALLINGFORD ZONING BOARD OF APPEALS

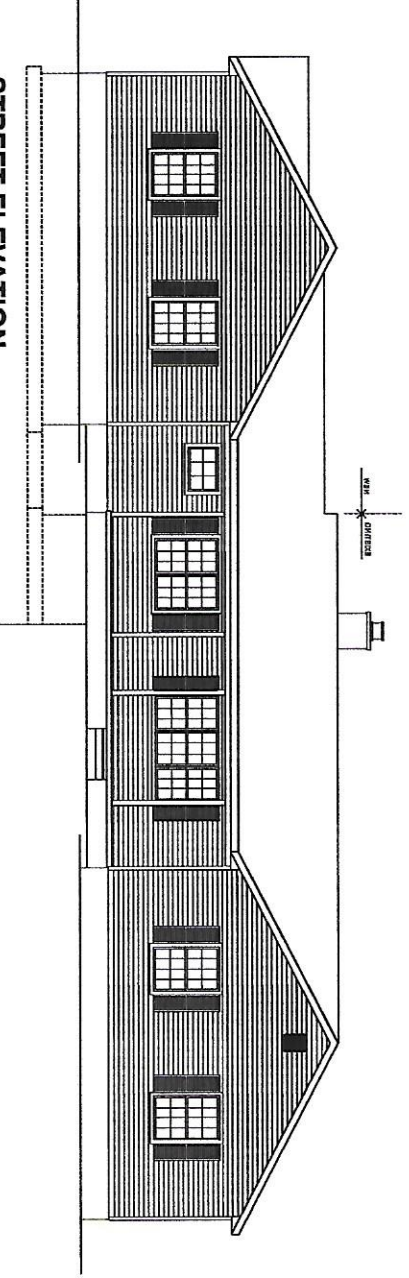
REAR ELEVATION



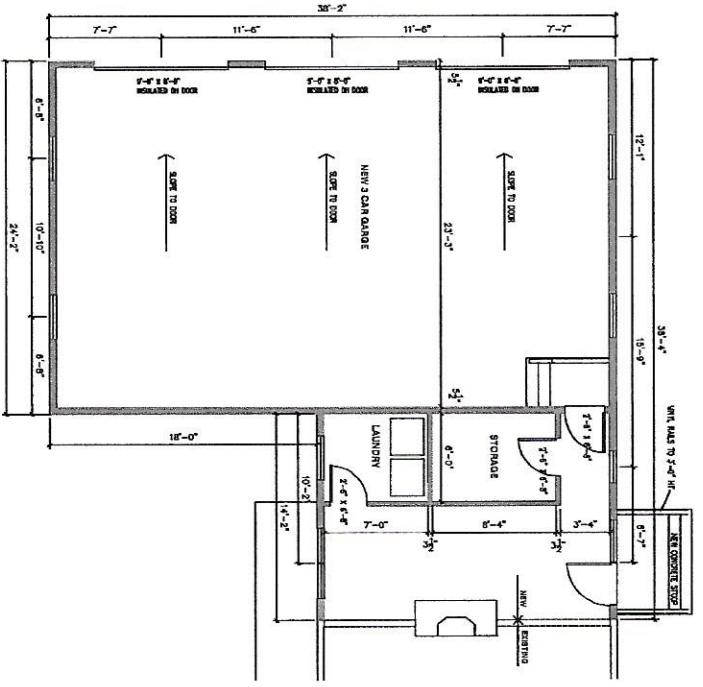
GARAGE FRONT ELEVATION



STREET ELEVATION



REVISED FLOOR PLAN



Palmeri Residences
#20-029
OCT 16 2020

A-2

Drawing Information
SECTIONS
FRAMING PLANS

ADDITION AND RENOVATIONS TO:
PALMERI RESIDENCE
941 N. FARMS ROAD WALLINGFORD, CT

JOB NORTH



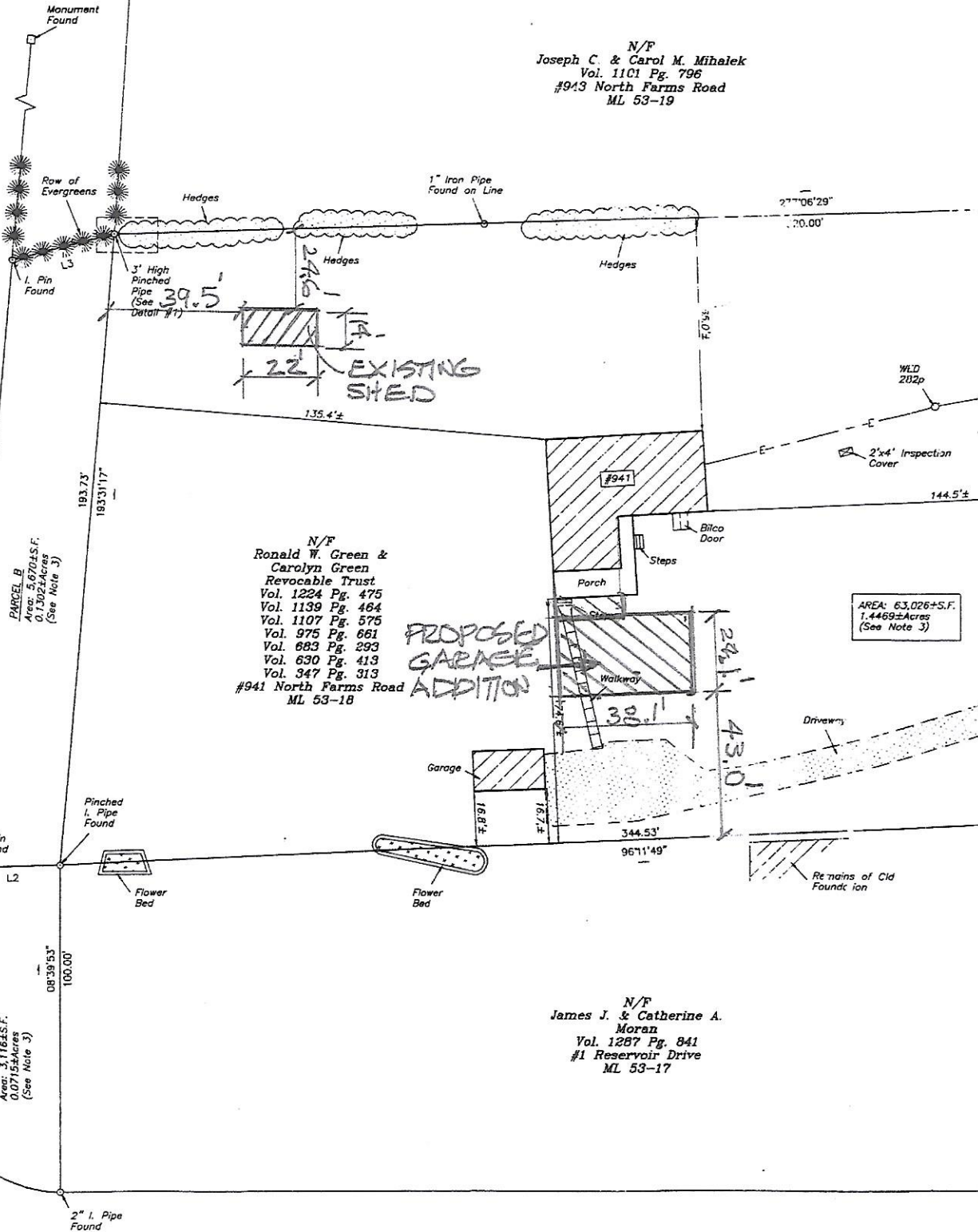
RICH MILLER DESIGNS
42 PAULINE AVE. WEST HAVEN, CT
203-479-2194 rcm1771@gmail.com

Notes and References



N/F
Joseph C. & Carol M. Mihalek
Vol. 1101 Pg. 796
#943 North Farms Road
ML 53-19

Reservoir Drive



N/F
Ronald W. Green &
Carolyn Green
Revocable Trust
Vol. 1224 Pg. 475
Vol. 1139 Pg. 464
Vol. 1107 Pg. 575
Vol. 975 Pg. 661
Vol. 683 Pg. 293
Vol. 630 Pg. 413
Vol. 347 Pg. 313
#941 North Farms Road
ML 53-18

PROPOSED
GARAGE
ADDITION

AREA: 63,026±S.F.
1.4469±Acres
(See Note 3)

N/F
James J. & Catherine A.
Moran
Vol. 1287 Pg. 841
#1 Reservoir Drive
ML 53-17

To my Knowledge and Belief this map is substantially correct as noted hereon.

Signature
Rosalind C. Page, LLS No. 17947 Date

Embossed Seal
Map not valid without a live signature and embossed seal.

5126 2/23/09

No.	Delta	Radius	A
1	95°01'39"	186.75	180.79
2	97°27'05"	30.27	172.28

DRAWING NUMBER
512L

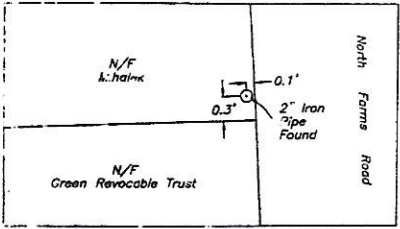
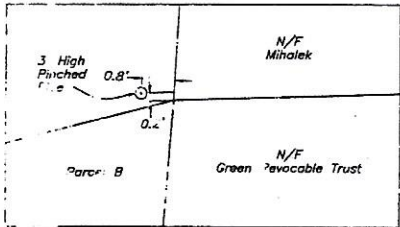
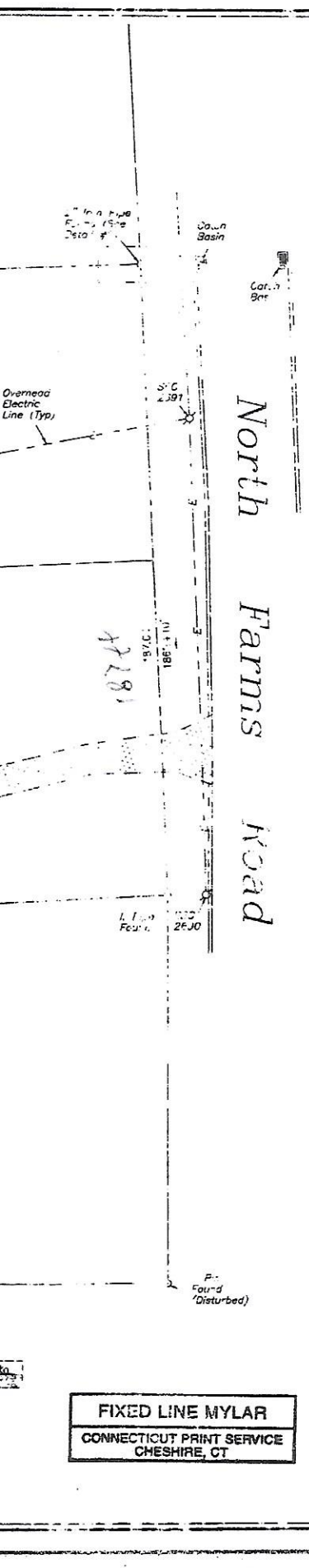
DRAWING NUMBER
512L

DRAWING NUMBER
512L

DRAWING NUMBER
512L

Survey Notes:

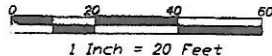
- 1A. This survey has been prepared in accordance with sections 20-300b-1 through 20-300b-20 of the Regulations of Connecticut State Agencies "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on Sept. 26, 1995.
- B. This is a Property/Boundary Survey, intended to depict the location of the boundaries with respect to: monumentation found or set, structure improvements, record easements and visible evidence of use thereof, record and visible means of ingress and egress, lines of occupation, unresolved conflicts with existing deeds and maps, and apparent boundary encroachments.
- C. Boundary Determination Category: Dependent Resurvey
- D. Order of Accuracy Class: 4-2
2. References:
 - A. Property Map, Properties of John Daly, Benjamin ...
by Fredrick W. & Mary A. Hergel, Albert Palmer, John ... & Celeste S. Calamora, North Farms Road, Wallingford, Conn., Scale 1"=40', March 1, 1951." Prepared by Russell I. Boyce L.S. Map #205A W.L.R.
 - B. Property of Mabel Cook and Daisy Hough to be Conveyed to John P. & Celeste Calamora, Wallingford, Conn., Scale 1"=60', Dec. 1961." Prepared by R. H. Chambers L.S. Map #1790 W.L.R.
 - C. Part of the Property of John P. & Celeste S. Calamora, Wallingford, Conn., Scale 1"=50', July 1974." Prepared by R.H. Chambers L.S. Map #2354 W.L.R.
 - D. Survey on Plan, North Farms Business Park, Contech Development Corporation—Applicant, Wallingford, Connecticut, Date 08-31-88, Scale 1"=100', Rev. to 5-12-90." Prepared by the Center for Engineering, Inc. Map #3955 W.L.R.
 - E. Subdivision, North Farms Park, Reservoir Drive & North Farms Road, Wallingford, Connecticut, Scale 1"=60', April 13, 1960. Rev. May 5, 1994." Prepared by Godfrey-Hoffman Associates. Map #4237 W.L.R.
 - F. "Parcels to be Conveyed Remainder of Revised Lot #9, North Farms Park, Reservoir Drive, Wallingford, Connecticut, Scale 1"=60', May 13, 2003." Prepared by Godfrey-Hoffman Associates. Map provided by Adam Hoffman.
3. The current deed for the subject property, Vol. 1224 Pg. 475, does not take into consideration a conveyance recorded in Vol. 683 Pg. 293, dated 3-29-90, by Celeste Calamora to North Farms Assoc. of a parcel of land that became the North Farms Park Subdivision.
Parcels A & B were conveyed by Eleanor Oberempt to William Malchiodi in Vol. 1107 Pg. 575.
#941 North Farms Road is the remaining parcel of a larger tract, 8.58± acres, that was acquired by John & Celeste Calamora in Vol. 347 Pg. 313.
On 3-29-09 Vol. 683 Pg. 293 Celeste Calamora (widowed) conveyed a large portion of this land to North Farms Assoc. for North Farms Park using map reference 2D as a description, retaining ownership of the subject property.
On 12-29-2000 Vol. 975 Pg. 661 Celeste Calamora quit claimed her interest in the entire 8.58 acres to William Malchiodi.
In July 2003 Vol. 1107 Pg. 575 Eleanor Oberempt conveyed two parcels (Parcels A & B) to William Malchiodi.
In January 2004 Vol. 1139 Pg. 464 William Malchiodi quit claimed his interest in the 8.58 acre parcel to Carolyn Green.
In Sept. 2005 Vol. 1224 Pg. 475 Carolyn Green quit claimed her interest in the 8.58 acres parcel to the Ronald Green & Carolyn Green Revocable Trust.
It is the undersigned Surveyor's Opinion that the current legal description for #941 North Farms Road should be corrected to take into consideration the conveyance out in Vol. 683 Pg. 293 and the acquisition of Parcels A & B by the quit claim deed referenced above.
4. Location of underground features depicted hereon are based upon field survey of visible surface structures such as catch basins and manholes. These locations must be considered approximate in nature. In addition, other utilities and subterranean features may also exist, unknown to the Surveyor. The size, location and existence of all such features must be field verified by the Contractor prior to Construction. CALL BEFORE YOU DIG 1-800-922-4455.



LEGEND	
Proposed Monument	■
Proposed L.Pipe/L.Pin	●
Monument Found	□
L.Pipe/L.Pin Found	○
Man Hole	⊙
Catch Basin	▣
Water Gate	⊗
UTILITY Pole	⊕
Trees	⊗
Light Pole	⊙
Etchmark Concrete Lip Curb	—
Edge of Pavement	—
Property Line	—
Chain Link Fence	—
Stockade Fence	—
Post & Rail Fence	—

#20-029
RECEIVED
OCT 16 2020

Property/Boundary Survey Map Depicting Three Parcels of Land N/F Ronald W. Green & Carolyn Green Revocable Trust #941 North Farms Road Also Fronting on Reservoir Drive Wallingford, Connecticut



Date: October 14, 2008

Revisions:

08-140 PBS

FIXED LINE MYLAR
CONNECTICUT PRINT SERVICE
CHESHIRE, CT

Winterbourne Land Services

Ronald C. Page
Professional Land Surveyor
404 Center Street
Wallingford, CT 06492
203-284-0392
FAX 203-284-9930

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	01		Ranch				
Model	01		Residential				
Grade	C+						
Stories	1		1 Story				
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	03		Gable				
Roof Cover	03		Asphalt				
Interior Wall 1	05		Drywall				
Interior Wall 2							
Interior Flr 1	14		Carpet				
Interior Flr 2	12		Hardwood				
Heat Fuel	04		Electric				
Heat Type	07		Electr Basebrd				
AC Type	01		None				
Total Bedrooms	03		3 Bedrooms				
Total Bathrms	2						
Total Half Baths	0						
Total Xtra Fixurs	0						
Total Rooms	6						
Bath Style	02		Average				
Kitchen Style	02		Average				
Whirlpool Tub							
Kitchenplaces	1						

OB-OUTBUILDING & YARD ITEMS(Q) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descrip	L/B	Units	Unit Price	Yr.	Gde	Dp	Rt	Chd	%Chd	Apr	Value
RCR1	Garage-Avg			L	252	30.00	1930	C			F	30		2,300

BUILDING SUB-AREA SUMMARY SECTION

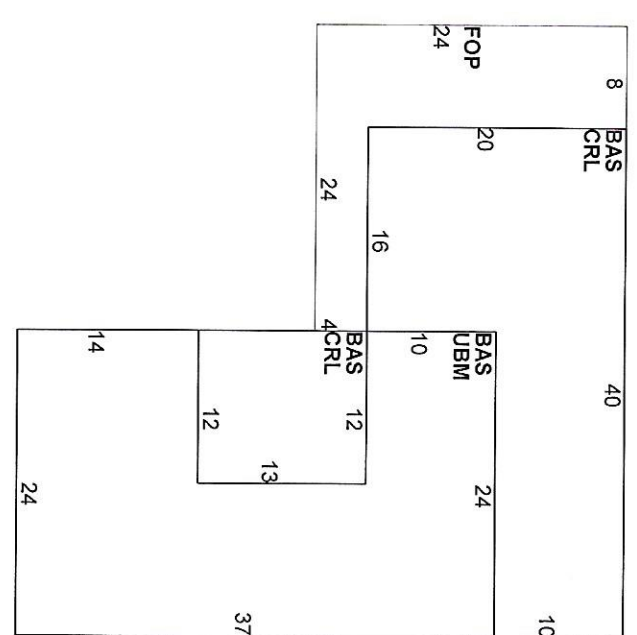
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,448	1,448	1,448	85.28	123,481
CRL	Crawl Space	0	716	0	0.00	0
FOP	Porch, Open	0	256	51	16.99	4,349
UBM	Basement, Unfinished	0	732	146	17.01	12,450
Ttl. Gross Liv/Lease Area:		1,448	3,152	1,645		154,860

MIXED USE

Code	Description	Percentage
1010	Single Family	100

COST/MARKET VALUATION

Adj. Base Rate:	85.28
Net Other Adj:	140,280
Replace Cost	14,580.00
AYB	154,860
Dep Code	1910
Remodel Rating	A
Year Remodeled	
Dep %	35
Functional Obslnc	
External Obslnc	
Cost Trend Factor	
Condition	
% Complete	
Overall % Cond	65
Apprais Val	100,700
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	



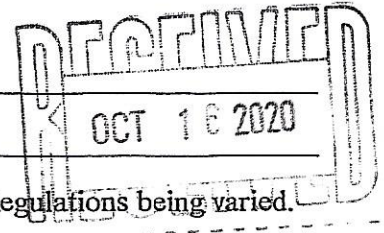
ORIGINAL

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20 - 030
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.

Street Address or Location of the Property: 53 HILL AVENUE
Zoning District of the Property: R-18



Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

Type of Variance	Section of Zoning Regulations	Required by Regulations	Existing	Proposed
<u>SIDE SETBACK</u>	<u>SCHEDULE 5.1A TABLE</u>	<u>20 FEET</u>	<u>16.37 FEET</u>	<u>17.40 FEET</u>

Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): TO BUILD A SECOND FLOOR DOWN

Briefly describe why strict application of regulations would produce an unreasonable hardship: THE PROPERTY IS LEGALLY NON-CONFORMING AND THE HOUSE WAS CONSTRUCTED BEFORE ZONING EXISTED

If any variances for the Property have previously been requested, please complete the following section.

- a. Date(s) of ZBA action: N/A
- b. What variance(s) were requested: _____
- c. What variance(s) were granted: _____

APPLICANT (Please list mailing address.)

Name(s): BILLY O'MALLEY Signature: _____
Address: 53 HILL AVENUE City: WALLINGFORD State: CT Zip: 06492
Telephone No: (203) 294-0538 Interest in Property: Owner: Other: _____

PROPERTY OWNER(S) OF RECORD (Please list mailing address. This section must be completed.)

Name(s): BILLY O'MALLEY Signature: _____
Address: 53 HILL AVENUE City: WALLINGFORD State: CT Zip: 06492
Telephone No: (203) 294-0538

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. <u>THOMAS M. RUGGIERO</u>	<u>55 HILL AVENUE</u>
2. <u>JOSEPH C. GALLAGI, JR.</u>	<u>1760 TUTTLE AVENUE</u>
3. <u>VIRGINIA R. TOWLE</u>	<u>11 WOODING ROAD</u>
4. <u>ROBERT W. HALL, JR. & CAROLYN HALL</u>	<u>7 WOODING ROAD</u>
5. <u>DIANE M. LIVIERI</u>	<u>49 HILL AVENUE</u>
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. FROM HOPE HILL

ROAD (SHEEHAN HIGH) → PROCEED NORTH TO HILL AVENUE ON

NOTES TO APPLICANT: RIGHT → PROCEED TO PROPERTY ON RIGHT

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. (The plan **must** show the property boundaries, **all** existing **and** proposed buildings and dimensions for any setback, size, area or height related variance request.)
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: / /

REASON(S) FOR DECISION: _____

CONDITION(S): _____

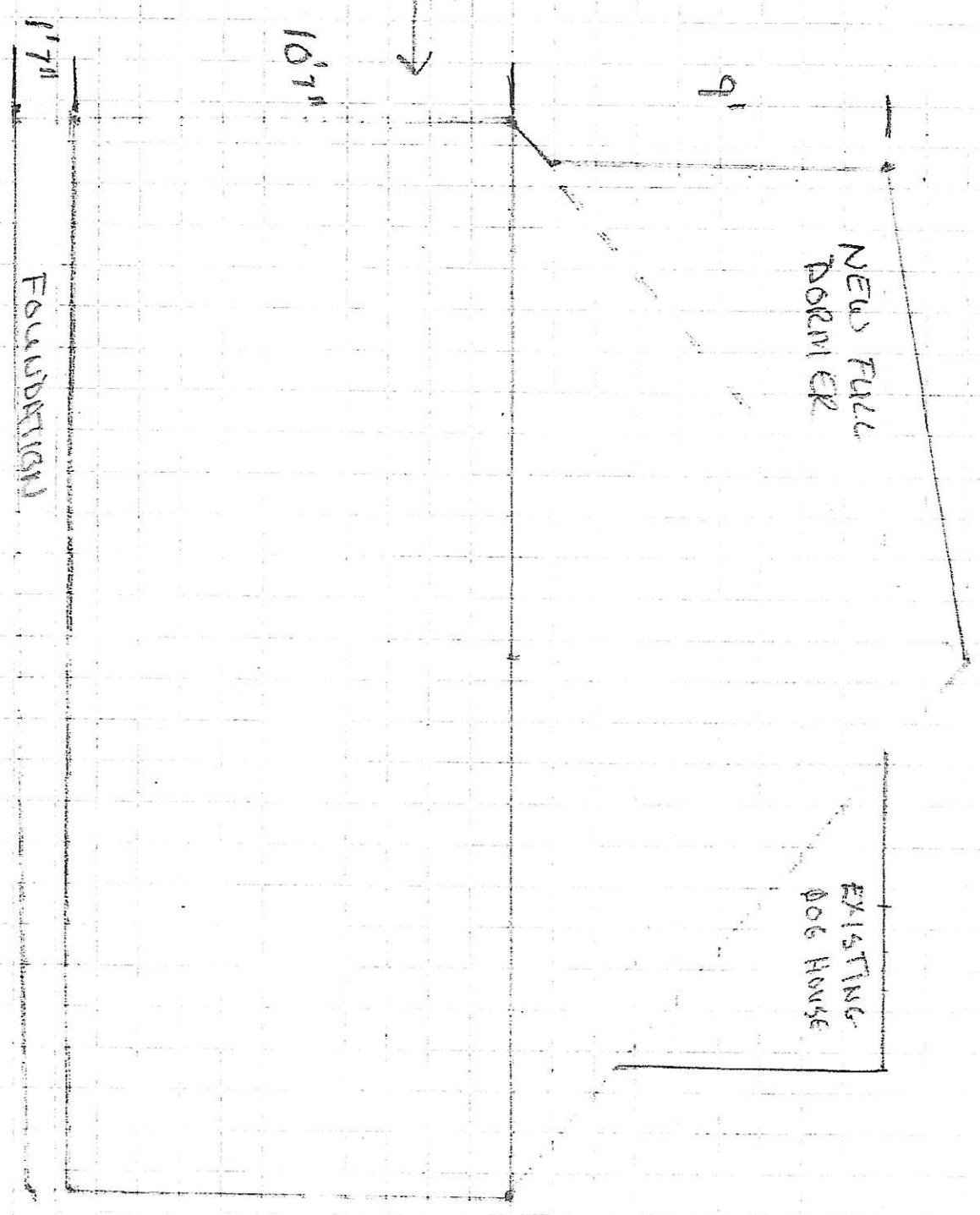
The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

WALLINGFORD
ZONING BOARD OF APPEALS
Variance Application: Revised May 2008

DIMENSIONS ELEVATION PLAN 0116



REAR →

NEW FULL
DORMER

EXISTING
DOG HOUSE

1'7"

FOUNDATION

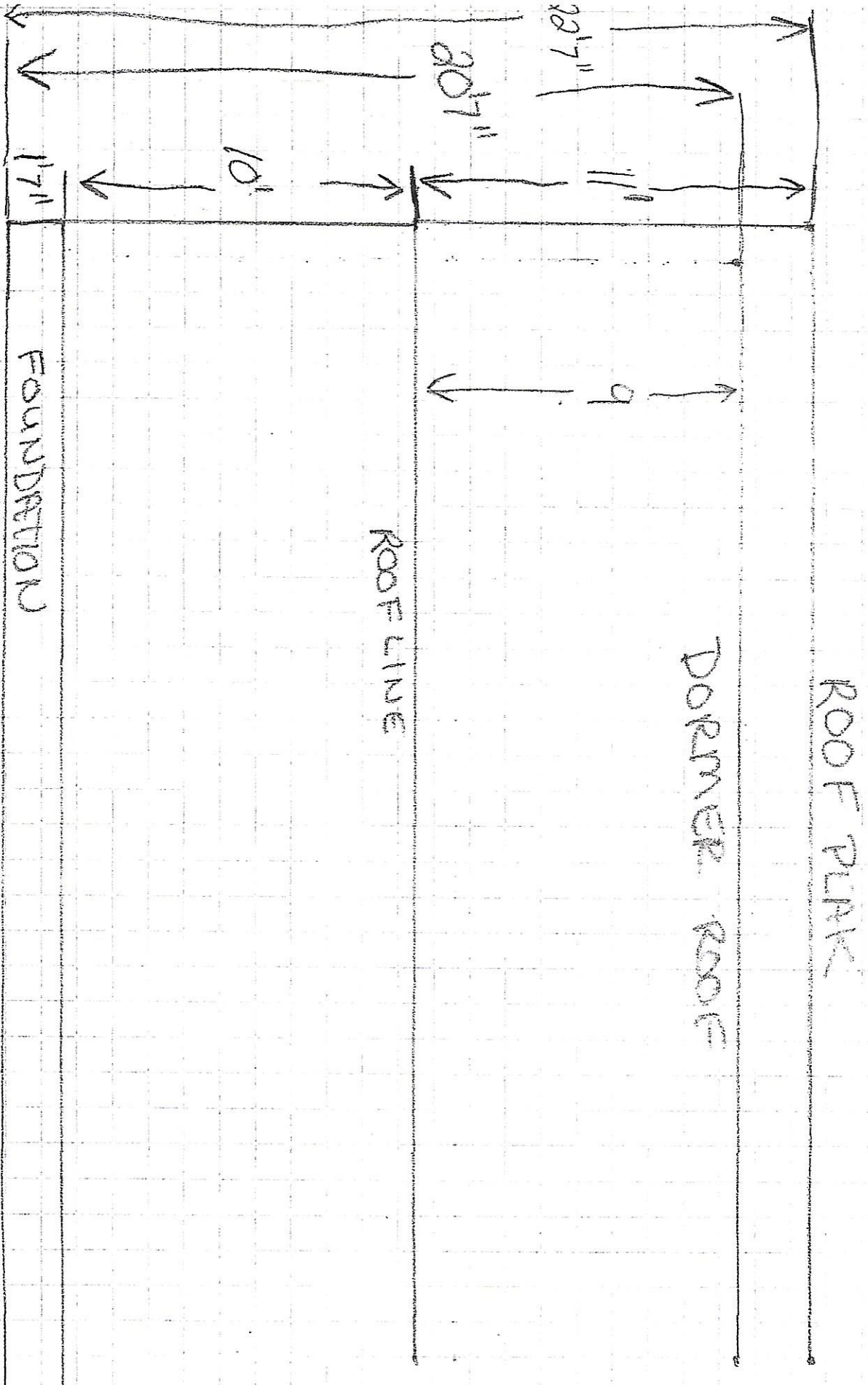
← FOUND

SIDE VIEW

CAPE AN
53 HILL ROSE
CRAWFORD CT

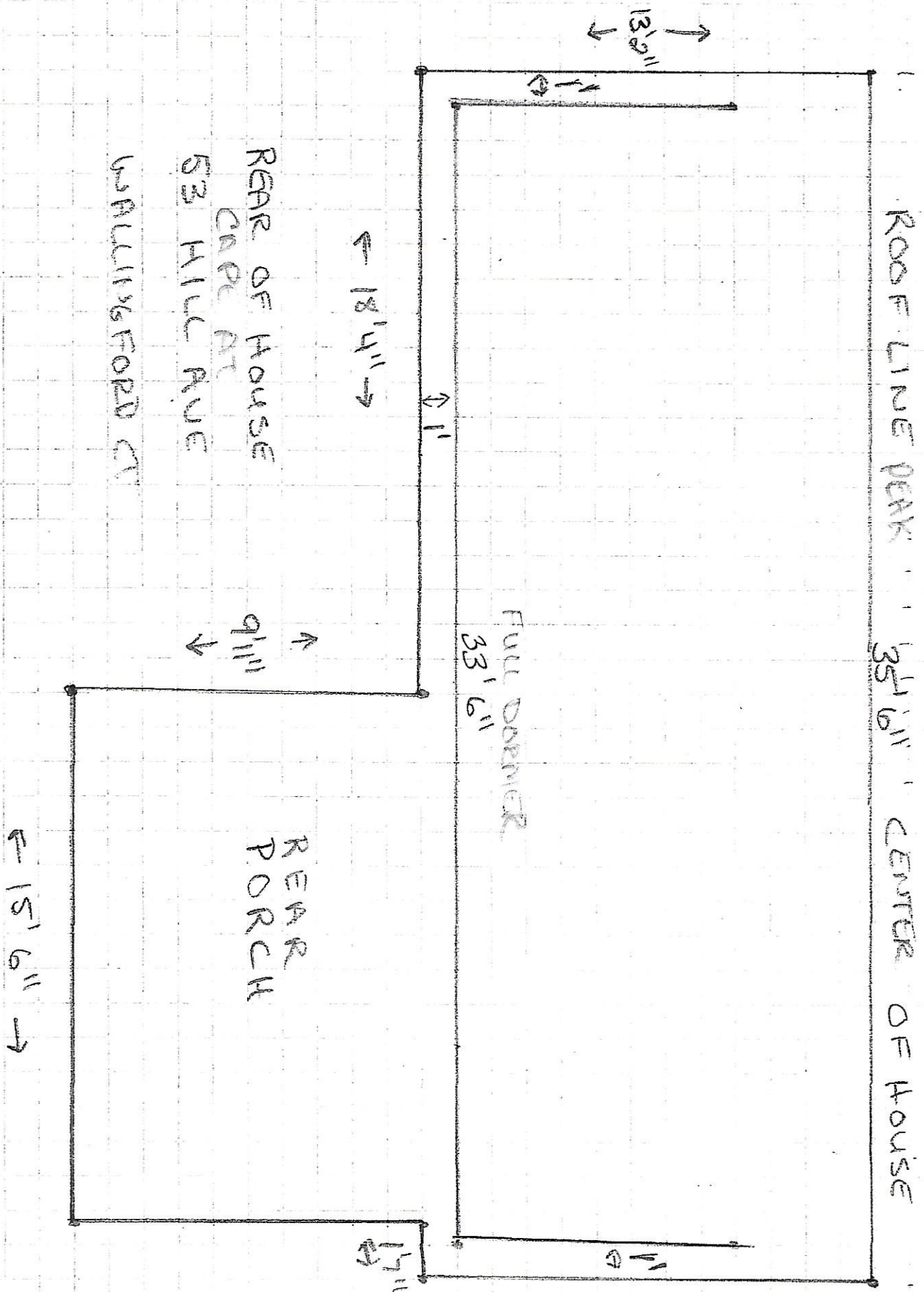
20-030
APPROVED
OCT 16 2020
RESERVED

O'MALLEY ELEVATIONS PLAN TWO

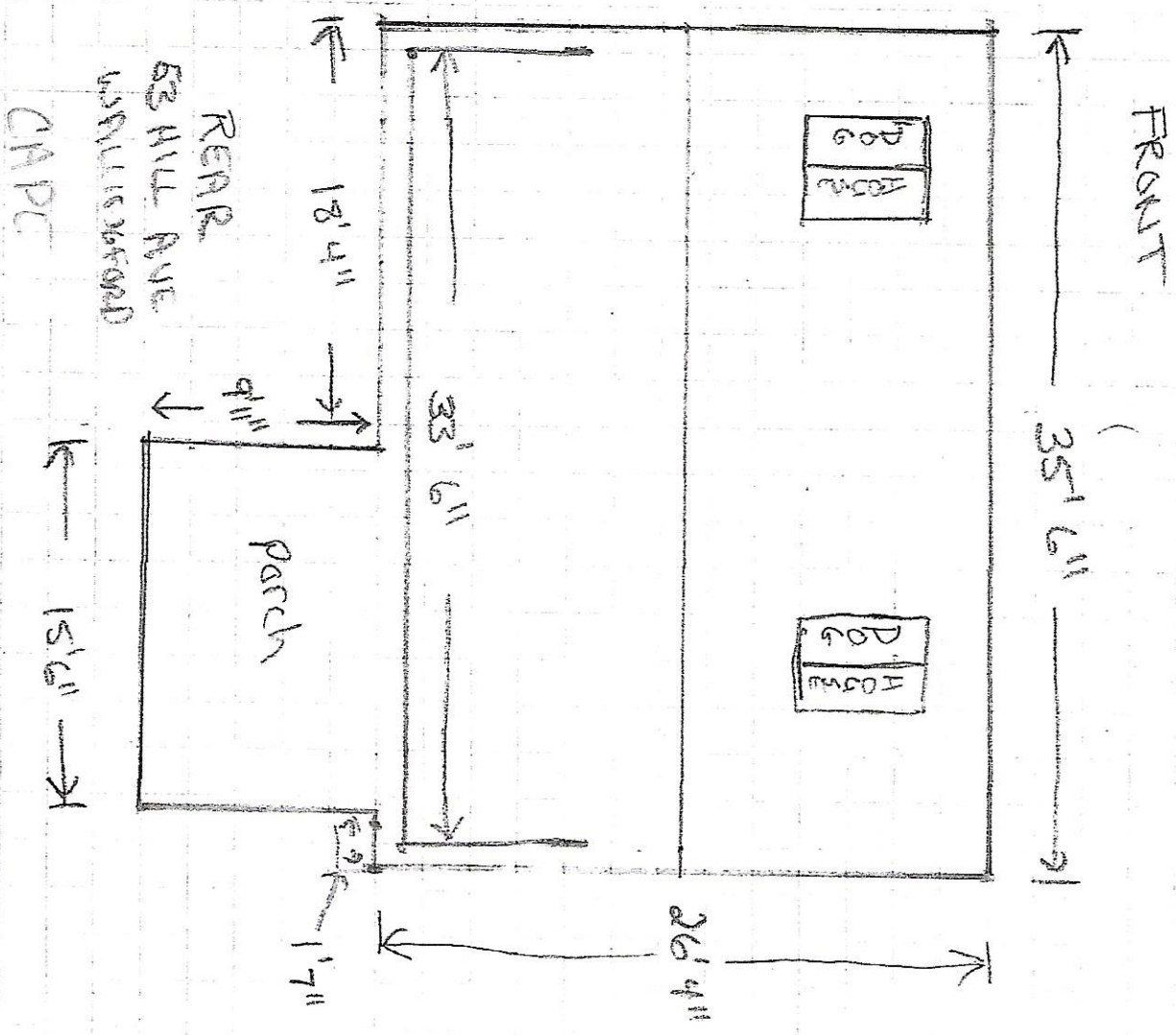


CAPE AT
53 HILL AVE
WYOMING

DIMLLEY DORMER PLAN ONE



OWNER'S DOORWAY PLAN (100)

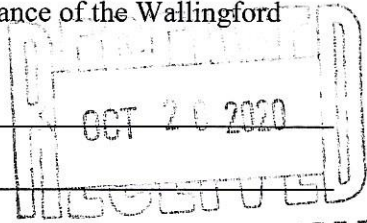


ORIGINAL

ZONING BOARD OF APPEALS
Wallingford, Connecticut
APPLICATION FOR VARIANCE

APPLICATION NO.: 20 -- 032
APPROVED: _____
DENIED: _____

The undersigned Applicant hereby applies to the Wallingford Zoning Board of Appeals for a variance of the Wallingford Zoning Regulations.



1.) Street Address or Location of the Property: 932 Northrop Road

2.) Zoning District of the Property: I-5

3.) Indicate the type of variance requested (e.g., lot area, side yard) and the Section of the Zoning Regulations being varied. If more than one variance, list each separately.

<u>Type of Variance</u>	<u>Section of Zoning Regulations</u>	<u>Required by Regulations</u>	<u>Existing</u>	<u>Proposed</u>
Parking	s6.11.C	112	Not applicable	50

4.) Briefly state the purpose of the proposed variance (e.g., "to build a two-car garage"): To establish required parking for this proposed Outpatient Radiation Cancer Treatment center. Its 27,810sf GFA warrants 112 spaces. But with only 22 employees and 3-4 patients per hour, our other facilities show only 50 spaces are needed.

5.) Briefly describe why strict application of regulations would produce an unreasonable hardship: The extra spaces, called for under s6.11, exceed what the proposed use needs and raise the hardship. These extra spaces, if built-out, would unnecessarily eliminate green space and increase the impervious surface.

6.) If any variances for the Property have previously been requested, please complete the following section.

a. Date(s) of ZBA action: _____

b. What variance(s) were requested: _____

c. What variance(s) were granted: _____

7.) **APPLICANT** (Please list mailing address.)

Name(s): Proton International, LLC (Pete Carbone) Signature: BY: Attorney Jim Loughlin

Address: 151 NW 117th Terrace City: Fort Lauderdale State: Florida Zip: 33325

Telephone No: 617-640-8145 Interest in Property: Owner: _____ Other: Tenant

8.) **PROPERTY OWNER(S) OF RECORD** (Please list mailing address. This section must be completed.)

Name(s): Wallingford Equities, LLC Signature: BY: Attorney Jim Loughlin

Address: 300 Long Beach Boulevard City: Stratford State: Conn Zip: 06615

Telephone No: 212-682-9595

9.) Please list below the names and mailing addresses of all abutting property owners. (Those properties that are directly adjacent or contiguous to yours.)

<u>Name</u>	<u>Mailing Address</u>
1. <u>C2 Land LP (Map 67, Lot 5)</u>	<u>1717 McKinney Ave, Suite 1900, Dallas, TX 75202</u>
2. <u>State of Connecticut / Property Management Section</u> <u>Division of Rights of Way</u>	<u>2800 Berlin Turnpike, PO Box 317546</u> <u>Newington, Connecticut 06131-7546</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(Attach additional sheet(s) if necessary)

10.) Please provide directions to the subject property from a well recognized Town road. The property is on the eastside of Northrup Road, adjacent to The Marriott Hotel, to the north.

NOTES TO APPLICANT:

1. Please provide eleven copies of a map or plan drawn to scale clearly illustrating the variance(s) requested. **(The plan must show the property boundaries, all existing and proposed buildings and dimensions for any setback, size, area or height related variance request.)**
2. The Applicant must notify abutters by Certificate of Mailing, 10-15 days prior to the Public Hearing by sending them a copy of the Legal Notice. The Legal Notice will be sent to the Applicant at least 15 days prior to the meeting. Certificates of Mailing must be returned to the Planning & Zoning Office at least five days prior to the meeting.
3. **The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.**

(FOR ZBA USE ONLY)

DECISION: GRANTED DENIED EFFECTIVE DATE: _____ / _____ / _____

REASON(S) FOR DECISION: _____

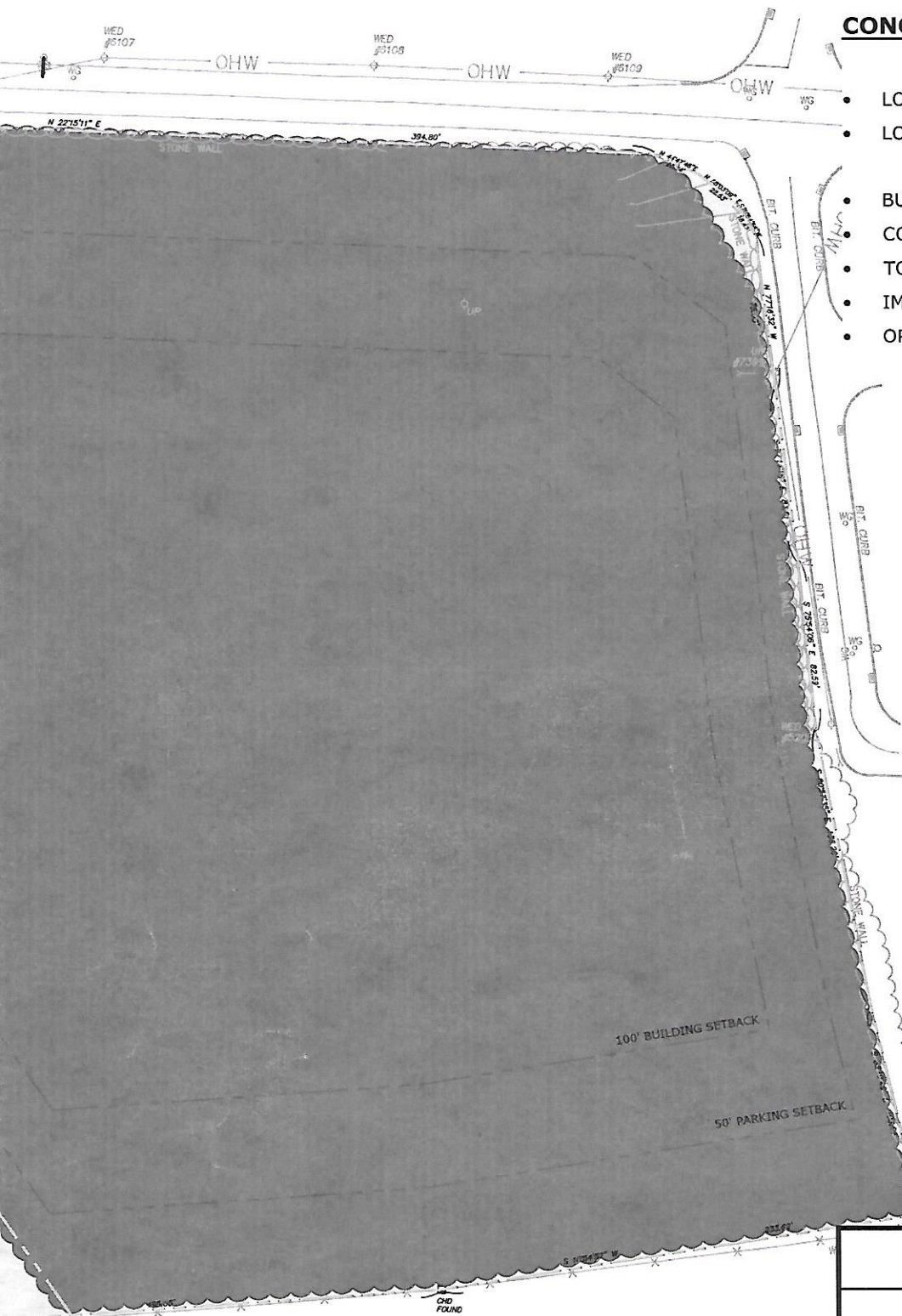
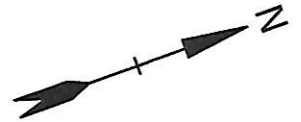
CONDITION(S): _____

The extent of any variance granted is limited to only that represented on the plan submitted as part of this application.

SIGNED: _____

TITLE: _____

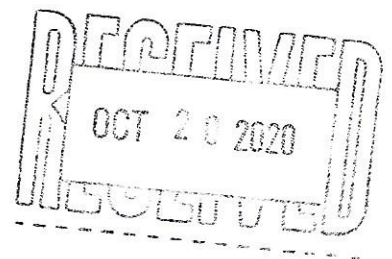
**WALLINGFORD
ZONING BOARD OF APPEALS**
Variance Application: Revised May 2008



CONCEPT SITE PLAN NOTES

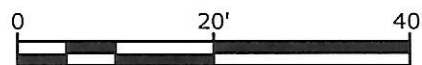
- LOT 1 - 5.20 ACRES (226,680 SF)
- LOT 2 - 6.62 ACRES (288,220 SF)
- BUILDING FOOTPRINT - 17,370 SF
- COVERAGE - 7.7% (MAX. 15%)
- TOTAL NO. OF PARKING SPACES - 50 (4 ADA)
- IMPERVIOUS AREA - 77,156 SF (34.0%)
- OPEN AREA - 149,524 SF (66.0%, MIN. 50%)

20-032



**CT PROTON THERAPY CENTER
WALLINGFORD, CT**

CONCEPTUAL SITE PLAN



SCALE: 1" = 20'

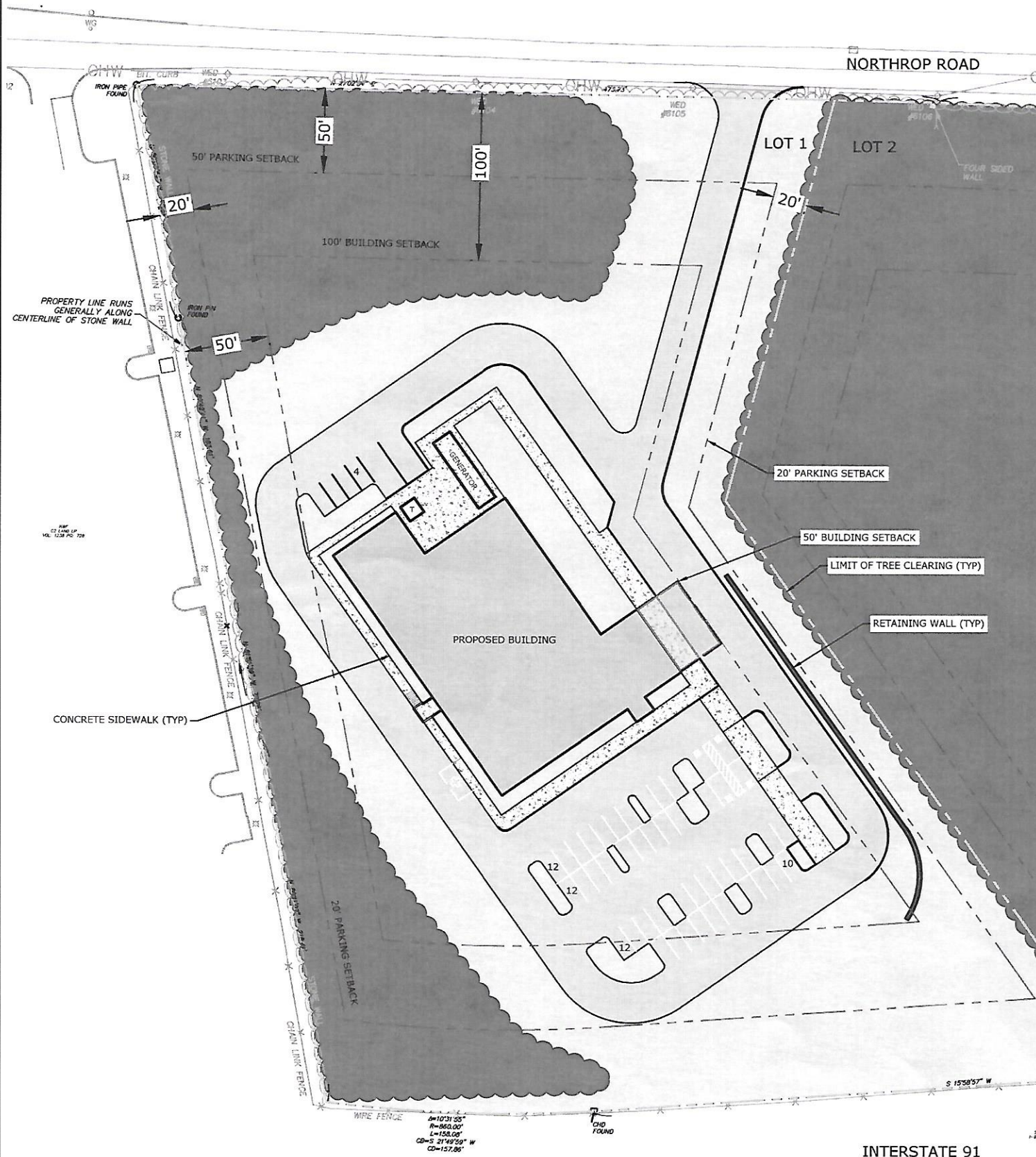
DATE: 10/20/2020

SCALE: 1" = 20'

FIGURE: 1

Tighe & Bond

Plotted On: Oct 20, 2020 - 2:58pm By: APW
Tighe & Bond, J., P. P5050 Proton International\004 Northrop Road Facility - Civil\Drawings - Figures\AutoCAD\Sheet\Color Plans\P5050-C-100-SITE.dwg

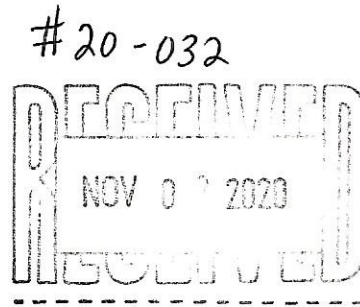


INTERSTATE 91

Loughlin Law

A Professional Corporation

Attorney Jim Loughlin



November 2, 2020

WALLINGFORD ZONING BOARD OF APPEALS
Amy Torre, Land Use Specialist
45 South Main Street
Wallingford, Connecticut 06492

re: Variance application - 932 Northrop Road
Proton International

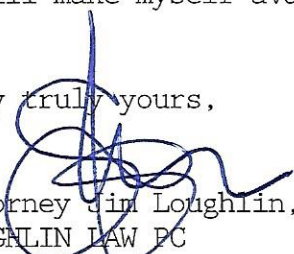
Dear Amy,

Please include the enclosed materials in your packet for ZBA members:

- i. A revised *Concept Site Plan*, showing the property's entire eleven acres will remain intact after build-out. Ownership no longer intends to subdivide the property, as in the initial application.
- ii. *Overhead Photo* of the property, depicting the green space which the applicant is looking to preserve - trees in the surrounding neighborhood are disappearing. I hope to review this photograph during our presentation to the Board.
- iii. A *Parking Analysis* justifying the proposed 50 parking spaces. Based on the cancer therapy center's 22 employees and 3-4 patients per hour, no more than 30 spaces are needed. Thus, 50 parking spaces far exceed demand.
- iv. *Conditions*. The applicant is amenable to conditions being tied to approval of the variance. Specifically, we suggest the variance should lapse if the use were to change from an Outpatient Radiation Cancer Treatment center.

Thank you again for your enduring assistance. If comments or questions arise, I will make myself available at your convenience.

Very truly yours,



Attorney Jim Loughlin, for the firm
LOUGHLIN LAW PC
JL/vle - encls

LOUGHLIN LAW, PC • E. JAMES LOUGHLIN, ESQ.

221 North Main Street, Wallingford, CT 06492 • 203-265-3030 • fax 203-284-5002 • jim@Loughlin-Law.com



CONCEPT SITE PLAN NOTES

LOT - 11.82 ACRES (514,900 SF)

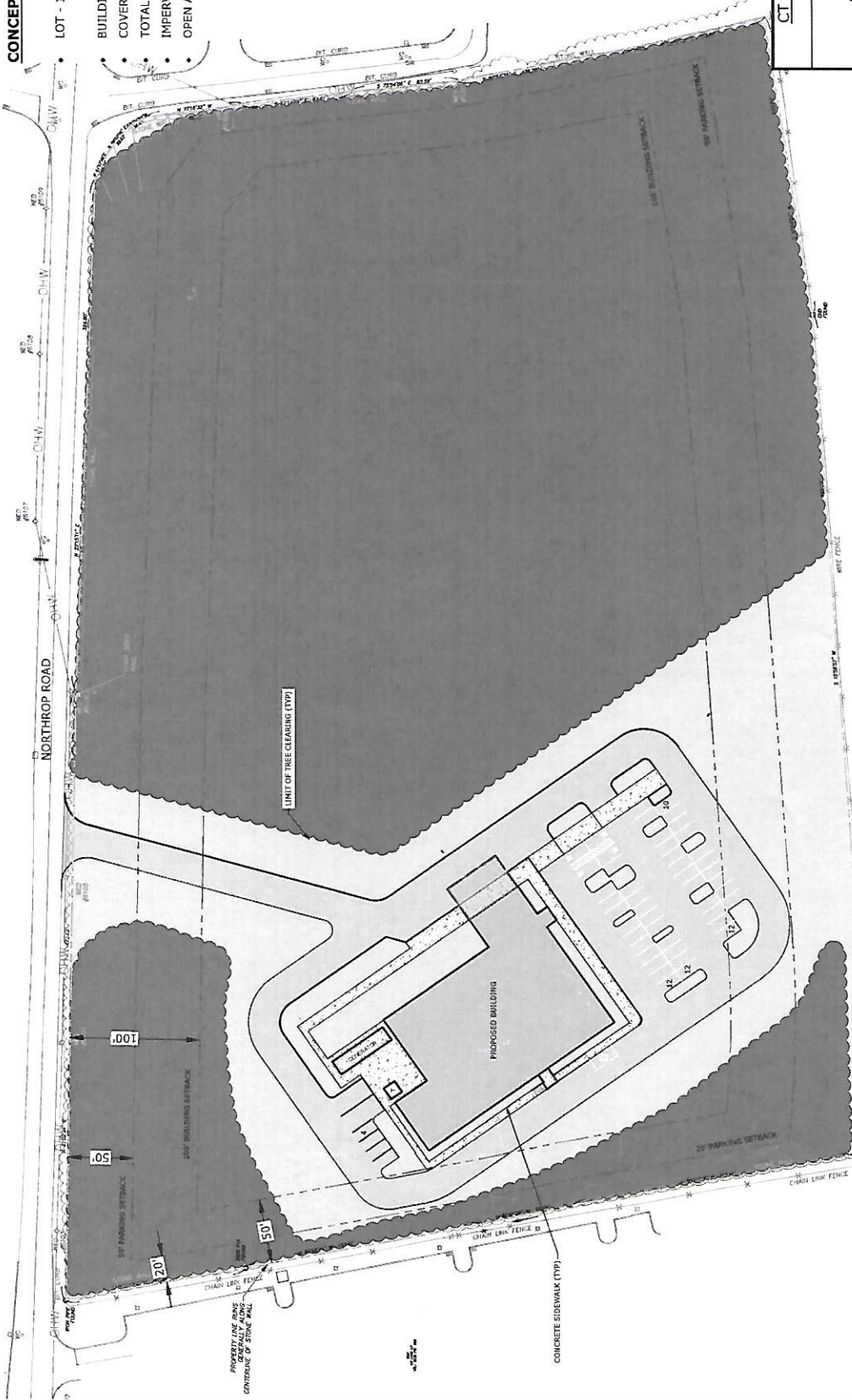
BUILDING FOOTPRINT - 17,370 SF

COVERAGE - 3.4% (MAX. 15%)

TOTAL NO. OF PARKING SPACES - 50 (4 ADA)

IMPERVIOUS AREA - 77,156 SF (15.0%)

OPEN AREA - 437,744 SF (85.0%, MIN. 50%)



CT PROTON THERAPY CENTER
WALLINGFORD, CT

CONCEPTUAL SITE PLAN

DATE: 10/30/2020

SCALE: 1" = 80'

FIGURE: 1

Tighe & Bond



250505-004
October 29, 2020

Attorney Jim Loughlin
Loughlin Law – A Professional Corporation
221 North Main Street
Wallingford, CT 06492

Re: **Connecticut Proton Therapy Center
932 Northrop Road
Wallingford, CT**

Dear Attorney Loughlin:

Proton International is proposing to construct a new Proton Therapy Center at 932 Northrop Road in Wallingford, CT. The proposed building will be 27,810 square feet and have one treatment room. The facility will be staffed with 24, 1st shift employees, and 13, 2nd shift employees. The facility will serve 3-4 patients per hour with hours of operation of 6:30am to 7:00pm.

Proton International operates several therapy centers around the nation. From its experience with limited patient load versus the size of the facility, the Wallingford site would require significantly less parking than current zoning regulations stipulate. Under the regulations, the closest use for parking under s6.11.C (Medical Out-Patient Surgical Centers) would require 112 spaces, based on a ratio of 1 space per 250 square feet. In Proton International's experience, 50 spaces are more than adequate for their facility.

Proton International has provided the parking usage at both the South Florida Proton Therapy Institute (SFPTI) and the Proton International at University of Alabama (UAB) sites. These two sites are both operated by Proton International and have a similar number of employees and patients per hour per treatment room as the proposed Wallingford Facility. Enclosed find copy of their letters summarized below (Table 1).

TABLE 1
Parking Summary

Metric	SFPTI	UAB	Wallingford (Proposed)
Gross Building Area (Square Feet)	38,930	31,775	27,810
Number of Treatment Rooms	3	1	1
Number of Employees (1st Shift)	32	25	24
Number of Employees (2nd Shift)	25	10	13
Number of Patients Per Hour	9-12	3-4	3-4
Number of Parking Spaces	60	45	50
Parking per Square Foot Ratio	1 space per 649 SF	1 space per 706 SF	1 space per 556 SF



Based on this information, the Wallingford site with 50 spaces will have the largest ratio of parking spaces per square footage of all Proton facilities. Based on Proton International's other operations, the square footage of the facility, the amount of parking compared to expected employee and patient loads, we believe the 50 parking spaces requested is sufficient to accommodate the expected parking demand for this facility.

Sincerely,

TIGHE & BOND, INC.



Craig D. Yannes, PE, PTOE, RSP1
Project Manager



Charles J. Croce, PE
Vice President

Enclosures SFPTI Parking Operations Letter
 UAB Parking Operations Letter

\\tighebond.com\data\Data\Projects\P\P5050 Proton International\004 Northrop Road Facility - Civil\Traffic\2020_10-28
Parking Letter.docx



Dear Peter –

In reply to your inquiry, here is some information on our parking situation, patient volumes, staff levels and visitors. South Florida Proton Therapy Institute (SFPTI) is a Proton International facility. We have three patient treatment rooms. Each room serves approximately 3-4 patients per hour. We operate from approximately 0630 AM to 730 PM. During the day shift, we have approximately 30 employees in the facility. For 2nd shift, we have approximately 25 employees in the facility. Visitors are rare unless there is an after-hours event where there would be no patients or regular staff. SFPTI has 60 parking spaces which is more than enough based on the following:

- 32 employees
- 9-12 patients per hour (due to 3-treatment rooms)
- Allow for a visitor or two and a vendor or two

As I understand it, the new Proton International Facility in Connecticut will be a one-room treatment center. Based on the analysis above, 50 parking spots will be more than adequate for the needs of the new facility. If you need any additional information, please feel free to contact me. Good luck on the new proton therapy center!

Kind Regards



Andrew Barbosa

SFPTI Center Administrator

UAB MEDICINE.



October 22, 2020

Dear Peter,

As you requested, here is some information on our center parking, patient volumes, staffing and visitors. Proton International at University of Alabama – Birmingham (UAB) is a Proton International facility located in the UAB medical district in downtown Birmingham. We have one patient treatment room. The room serves approximately 3-4 patients per hour depending on case complexity. We operate from approximately 6:30 AM to 8:30 PM. During the day shift, we have approximately 25 employees in the facility. For 2nd shift, we have approximately 10 employees in the facility. Visitors are rare unless there is an after-hours event where there would be no patients or regular staff. Our center has 45 parking spaces which is more than enough based on the following:

- 25 employees
- 3-4 patients per hour (1-treatment room)
- Allow for a visitor or two and a vendor or two

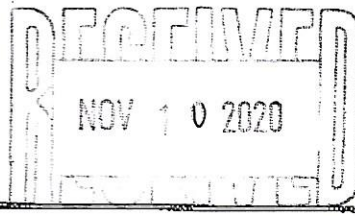
As I understand it, the new Proton International Facility in Connecticut will be a one-room treatment center. Based on the analysis above, 50 parking spots will be more than adequate for the needs of the new facility. If you need any additional information, please feel free to contact me. Good luck on the new proton therapy center!

Thank you,

A handwritten signature in black ink that reads "Lindsay Pruett".

Lindsay Pruett
Center Administrator
Proton International at UAB

TOWN OF WALLINGFORD
DEPARTMENT OF PUBLIC UTILITIES
WATER AND SEWER DIVISIONS



ENGINEERING SECTION
PHONE: 203-949-2672
FAX: 203-949-2678

INTEROFFICE MEMORANDUM

TO: AMY TORRE, ZONING ENFORCEMENT OFFICER
VIA: FAX 2095
FROM: ERIK KRUEGER, P.E., SENIOR ENGINEER, WATER AND SEWER DIVISIONS
SUBJECT: ZONING BOARD OF APPEALS APPLICATION NO. 20-032
932 NORTHROP ROAD - PROTON INTERNATIONAL, LLC
DATE: NOVEMBER 10, 2020
CC: N. AMWAKE; D. SULLIVAN; J. PAWLOWSKI; J. LOUGHLIN, LOUGHLIN LAW

The subject parcel is located in the Watershed Protection District and is tributary to the Muddy River. The Muddy River is the primary watercourse which delivers water to the public drinking water supply MacKenzie Reservoir.

The Water Division staff is supportive of the variance request to reduce the amount of required parking spaces to only what is required to adequately serve the intended use. Reducing the amount of impervious parking area in the public drinking water supply watershed will in turn reduce the potential pollutant load in the storm water runoff into the public drinking water supply.

O:\Engineering\ZBA\Northrop Road 932 - ZBA parking - 2020 November.docx

DRAFT

MEMORANDUM

To: Barbara Thompson, Town Clerk
From: Joe Rusczek, Chairman, Wallingford Zoning Board of Appeals
Date: November 16, 2021
Subject: 2021 Schedule of Meetings – Wallingford Zoning Board of Appeals

As established by the Wallingford Zoning Board of Appeals, the following meeting schedule will be in effect for 2021:

January 19****	July 19
February 16****	August 16
March 15	September 20
April 19	October 18
May 17	November 15
June 21	December 20

******Tuesday night**

Meetings are held at 7:00 p.m. in the Robert F. Parisi Council Chambers, Town Hall, 45 South Main Street, on the third (3rd) Monday of each month unless otherwise noted.

WALLINGFORD ZONING BOARD OF APPEALS

JOE RUSCZEK, CHAIRMAN

cc:	ZBA	Town Engineer	Record-Journal
	Mayor's Office	Town Attorney	Electric Division
	Fire Marshall	IWWC	Government Access TV
	Town Council	Building Official	
	Tax Assessor	Water & Sewer Divisions	
	PZC	Program Planning	

Wallingford Zoning Board of Appeals

Monday, October 19, 2020

7:00 p.m.

Meeting Conducted Remotely through GoToMeetings

Minutes

Present: Chairman Joseph Rusczek; Secretary Louis Czerwinski; Commissioners Thomas Wolfer; Samuel Carmody, Raymond Rys; Alternate: Karen Harris, and Robert Parisi; Amy Torre, Zoning Enforcement Officer.

Chairman Rusczek called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Chairman Rusczek explained how the meeting was to be run.

Chairman Rusczek noted that tonight's decisions will be published in the Record-Journal on Friday, October 23, 2020. The effective date of your variance will be Friday, October 23, 2020; the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, November 8, 2020. If you commence operations and/or construction during the appeal period, you do so at your own risk.

Voting members are Carmody, Czerwinski, Rys, Wolfer, and Chairman Rusczek.

PUBLIC HEARINGS

1. #20-021 - Variance Request/Williams/12-16 Northfield Road

Chairman Rusczek noted that neither the applicant nor a representative was present.

2. #20-022 – Variance Request/Zeng/600 Williams Road

Chairman Rusczek noted that neither the applicant nor a representative was present.

3. #20-023 – Variance Requests/Antonelli/side yard of 11.2 ft. (20 ft. required), building coverage of 17% (15% max permitted), and the front yard of 38/9 ft. (40 ft. required) to construct a 340 sq. ft. single-story addition at 11 Liandina Road in an R-18 District.

Mr. Czerwinski read the staff notes into the record for application 20-023, side yard, front yard, building coverage variance, Antonelli, 11 Liandina Road. The applicant proposes a side yard setback of 11.2 ft. where 20 ft. is required and 25.1 ft. exists, a front yard of 38.9 ft. where 36.9 ft. exists and 40 ft. is required, and building coverage of 17% where 14% exists and maximum 15% is permitted in order to construct a ground level, single story 34 sq. ft. addition at 11 Liandina Road in an R-18 District. Dwelling is a split-level design and the applicant requests variances in order to create an accessible bedroom and bath space at ground-level. Any associated ramps for means of entry and egress require no Zoning approval.

Pamela Grazioso, 11 Wall Street, Wallingford, explained that the application is to add a handicap accessible bedroom and bathroom on the first floor for her father who has ALS. She noted that Allen Frederickson wanted to speak in favor but had a bad connection.

Public Comment – none

Chairman Rusczek closed the public hearing and opened it up for discussion and possible action by the Board.

DRAFT

Chairman Rusczek noted that it is a straightforward application for making it more handicap accessible and stated that he is in favor of it.

Mr. Rys: Motion to approve the variance request for side yard of 11.2 ft. to construct a single-story addition at 11 Liandina Road as shown on submitted plans received 9/18/2020 and Property Survey showing proposed addition, the property of Anthony Antonelli dated 9/4/2020, subject to the following condition:

1. Comments from Erik Krueger, Senior Engineer, Water and Sewer Division dated October 8, 2020.

Mr. Carmody: Second

Vote: Carmody – yes to approve; Czerwinski – yes to approve; Wolfer – yes to approve; Rys – yes to approve and Chairman Rusczek – yes to approve.

Mr. Rys: Motion to approve the variance request for front yard of 38.9 ft. to construct a single-story addition at 11 Liandina Road as shown on submitted plans received 9/18/2020 and Property Survey showing proposed addition, the property of Anthony Antonelli dated 9/4/2020, subject to for the following condition:

1. Comments from Erik Krueger, Senior Engineer, Water, and Sewer Division dated October 8, 2020

Mr. Carmody: Second

Vote: Carmody – yes to approve; Czerwinski – yes to approve; Wolfer – yes to approve; Rys – yes to approve and Chairman Rusczek – yes to approve.

Mr. Rys: Motion to approve the variance request for building coverage of 17% to construct a single-story addition at 11 Liandina Road as shown on submitted plans received 9/18/2020 and Property Survey showing proposed addition, the property of Anthony Antonelli dated 9/4/2020, subject to the following condition:

1. Comments from Erik Krueger, Senior Engineer, Water, and Sewer Division dated October 8, 2020

Mr. Carmody: Second

Vote: Carmody – yes to approve; Czerwinski – yes to approve; Wolfer – yes to approve; Rys – yes to approve and Chairman Rusczek – yes to approve.

The variances are approved.

4. #20-024 - Variance Request/Erba/front yard of 39.34 (50 ft. required) to construct a 332.2 sq. ft. addition and a vertical addition (dormer) at 1465 Tuttle Avenue in an RU-40 District.

Mr. Czerwinski read the staff notes into the record. The applicant proposes a front yard setback of 39.74 ft. where 50 ft. is required and 39.74 ft. exists at its minimum to construct a 22 ft. x 15.1 ft. single-story addition (3 season room) to the rear of the dwelling at 1465 Tuttle Avenue in an RU-40 District. The proposal also includes a 23 ft. dormer to the rear of the existing dwelling above the proposed addition thus expanding the existing dwelling vertically. The property is a corner lot with two front yards and non-conforming regarding front yard setbacks and lot area. Addition and dormer both require Variance approval as both are an expansion of non-conformity. In addition, he noted an Interoffice Memorandum

from Erik Krueger, Senior Engineer, Water & Sewer Divisions received October 9, 2020, and an Inter-Departmental Referral from the Health Department dated October 7, 2020, asking for a B100a form.

Frank Erba, a contractor representing the customer at 1465 Tuttle Avenue, explained that it is an RU-40 setback. They are looking at the back corner of the property, where the existing structure is currently just under 47 ft. off the property line. They are looking to go straight up vertically with a dormer and are not expanding on any of the property lines. They are staying within the confines of the existing house. Currently, at the rear of the property, there is a patio. Atop that patio, they will be framing a three-season room that is the same width (23 ft by approx 16 ft) off the back of the house.

Chairman Rusczek noted the application is for an addition plus a 3 season room and a dormer. Mr. Erba confirmed it is a dormer and three-season room. Chairman Rusczek noted that there was no change to the setbacks. Mr. Erba confirmed that the three-season room actually fades further away from the property line. They will be set in from the edge of the house on the dormer is set in by a couple of feet and the 3 season room is flush with that wall so it doesn't encroach closer than 47 feet, which is the current setback.

Mr. Parisi asked if the dormer requires a variance approval. Chairman Rusczek replied yes because they are already inside the 50-foot setback.

Public Comment – none

Chairman Rusczek closed the public hearing and opened it up for discussion and possible action by the Board.

Chairman Rusczek noted that this is a straightforward application and the house was built before the zoning and setback changes.

Mr. Wolfer extended appreciation to Paul Reynolds for doing such a great job in this area of town. He noted that Mr. Reynolds has helped others and does a great job.

Mr. Czerwinski stated that he agreed that it is a straightforward application.

Mr. Czerwinski: Motion to approve the variance request 20-024/Erba/1465 Tuttle Avenue for front yard of 39.74 ft. to construct an addition (3 Season Room) and dormer (vertical expansion) at 1465 Tuttle Avenue as shown on submitted plans received 9/18/2020 and Proposed Plot Plan, land of Christine and Robert Livolsi, 1465 Tuttle Avenue dated 9/17/2020, subject to:

1. Comments from Erik Krueger, Senior Engineer, Water, and Sewer Division dated October 8, 2020, and
2. Comments from Health Department received October 7, 2020.

Mr. Carmody: Second

Vote: Carmody – yes to approve; Czerwinski – yes to approve; Wolfer – yes to approve; Rys – yes to approve and Chairman Rusczek – yes to approve.

The variance is approved.

5. **#20-025 - Variance Request/ Loukides/side yard or 7.93 ft. (20 ft. required) to construct a screened porch addition at 54 Ridgeland Circle in an R-18 District.**

Mr. Czerwinski read the staff notes into the record. Applicant requests side yard setback of 7.93 ft. where 8.63 ft. exists and 20 ft. is required to construct a single-story addition (screened porch) to the rear of the dwelling at 54 Ridgeland Circle in an R-18 District. Property predates zoning and has existing non-conforming side yard setback. The proposal is to expand existing non-conformity to the rear to add a single story 394 sq. ft. screened porch. Where there is an existing patio the applicant proposes to replace it with an addition. The Board should consider that there are alternate compliant locations on the parcel for constructing the same addition, therefore hardship is questionable. In addition, he noted an Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions dated September 10, 2020.

David Gaetano, the contractor for the 1.5 season screen porch, explained that the request is to add a screen porch to an existing slab. When the house was purchased, there was a dilapidated screen porch that was removed.

Chairman Rusczek stated that he understands that the dwelling predates zoning. He asked if they considered other locations for this porch. Mr. Gaetano replied that the homeowners want the porch attached to the house and don't want to cover windows or lose the pool location. The slab is already there. The existing garage would still be the furthest to the sideline setback.

Ms. Harris asked when the original porch was removed. Mr. Gaetano replied that he understands that the homeowner purchased the house close to 20 years ago and took down the porch shortly after because it was falling apart. Ms. Harris asked for confirmation that there had been a structure there. Mr. Gaetano confirmed.

Public Comment – none

Chairman Rusczek closed the public hearing and opened it up for discussion and possible action by the Board.

Chairman Rusczek stated that he had no problem with the application. The house predates zoning, the slab is there and there used to be a porch there.

Mr. Rys: Motion to approve the variance request for side yard of 7.93 ft to construct an addition at 54 Ridgeland Circle as shown on submitted plans received 10/13/2020 and Proposed Plot Plan, land or John and Darlene Loukides, 54 Ridgeland Circle dated 9/14/2020, subject to:

1. Comments from Erik Krueger, Senior Engineer, Water, and Sewer Division dated October 8, 2020, and
2. Comments from Health Department received October 7, 2020.

Mr. Carmody: Second

Vote: Carmody – yes to approve; Czerwinski – yes to approve; Harris (for Wolfer) – yes to approve; Rys – yes to approve and Chairman Rusczek – yes to approve.

The variance is approved.

6. **#20-026 - Variance Requests/Franceskino/building coverage of 18% (15% max permitted) and side yard of 12.05 ft. (20 ft. required) to construct an addition at 20 South Side Drive in an R-18 District.**

Mr. Czerwinski read the staff notes into the record. The applicant proposes a +/- 300 sq ft. addition to the rear of the property. The addition is proposed as a 4 season porch to be a common space between the primary dwelling and the Accessory Apartment. Submitted plan and photos from August 2020 variance application and lack of building elevation plans identify no means of entry/egress from the exterior of the residence, nor means of access from the primary dwelling. The addition appears to eliminate or have to accommodate bilco door access to the basement and appears to need to accommodate differing heights. Without direct access to the primary dwelling, the proposed addition would be an expansion of the Accessory apartment and would not be permitted. This office cannot support the proposed addition as presented as there is no associated hardship and does not comply with the regulations regarding Accessory apartments. Furthermore, the property has received variance approval to exceed maximum building coverage and reduce setback requirements in the past. The applicant was denied variance approval in August 2020 for building coverage and side yard setback for a similar proposal. There is no hardship associated with seeking further relief from the same Zoning Regulations. In addition, he noted an Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions dated October 8, 2020, and an Inter-Departmental Referral from the Health Department dated October 7, 2020.

Paul Buckley Reynolds, from Stonewall Boundaries, 80 Sage Drive, Wallingford, explained the application. Looking at the drawing, it is a corner lot with two front setbacks of 40 feet and two side setbacks of 20 feet. The shape is a triangle. Even though there are the required 18,000 square feet for the lot, most space is toward the front. There is barely any backyard. The application was denied last month. This proposal does not look to add to the accessory apartment, but to add common space. The basement of the residence is finished and ingress/egress is provided through the bulkhead. The board recommended to the applicant to go back to look at the plan to make it more acceptable and she has done so. The proposed addition is set further away from the property line. It was 9.45 feet away and is now 12.05 feet away where an existing 13.49 exists. He stated that they are not adding to the accessory apartment. He pointed out the bulkhead in the plans which will be ingress/egress for the common space. He explained that the family has been trying to create more space in the time of COVID.

Kelly Franceskino, 20 South Side Drive, Wallingford, explained that from the main dwelling finished basement there would be an entry into the four-season porch. There would be access from the accessory apartment into the same shared space. There is a door to exit the room to the outside yard. There is still access to the basement. She noted that she submitted letters from her neighbors and has their full support. She stated that she hopes that with these modifications, pulling away from the side yard setback and making it shared space, and complying with the Board's wishes, approval will be granted to go ahead.

Chairman Rusczek asked if they are removing the bilco door. Mrs. Franceskino confirmed and explained that it will be the entry to the shared space and there will be a door off that room that to get outside. Chairman Rusczek asked how they would access the house. Mrs. Franceskino replied the bilco door will be removed and there will be a door like stairs out into the new space. To get to the main house from the new shared space you'd go in the new back door into the room and then down the stairs into the main dwelling. So there will be a staircase into this room where the bilco door was. Chairman Rusczek noted that there is an entrance into the accessory apartment. He asked if there will be a door to the main house first floor. Mrs. Franceskino confirmed that it is through the bilco area. She noted that the basement is finished, so that's the main house. Chairman Rusczek asked if there was an entryway to the first floor of the house from the 3 season room. Mrs. Franceskino replied no, just to the finished basement.

Chairman Rusczek asked Amy Torre, Zoning Enforcement Officer, what the difference was between this application, and the last application that was denied. Mrs. Torre replied that there is a slight decrease in the side yard setback but an increase in building coverage. She noted that the footprint is around the corner of the accessory apartment thus proposing to eliminate the need for the third variance in the original request for the accessory apartment add-on. She stated that it is still questionable whether this would be considered accessible to both units. She reported that she doesn't know if the fire marshal would have an issue with the entryway from the basement. There may be structural and safety issues if you cannot enter at the grade level of the home. This equal level as the accessory apartment is now where the flooring would be because right now that bilco presents two different floor levels. There was no plan showing how it could be structurally possible, nor whether or not it would be in keeping with the regulations regarding accessory apartments. They dropped a variance that may still be needed from the first application. She stated that there is a history of variances approved on this property. Chairman Rusczek noted that because to the back, is it considered an addition to the accessory apartment? He stated that he doesn't see the bilco door as an entryway. Mrs. Torre replied that it remains to be seen whether the additional variance should be requested. It is just not being requested at this time. She stated that it appears, potentially, to still be an expansion of the accessory apartment.

Mr. Wolfer asked Mrs. Torre if there is an exit door being used in the addition. He noted that Mrs. Torre said there is a door from the house into the apartment but is there an exit. Mrs. Torre replied that there is no entry to the main house at this point. They are proposing that the bilco door will somehow be the entry point into the house and then they are proposing an exit into the outdoors. She stated there is an entry to this new space from the accessory apartment and at this point no means of entry into it from what is proposed. They have to show how it could be constructed.

Mr. Reynolds stated the bilco doors will be eliminated and the proposed addition incorporates the bilco doors and the access would be to the finished basement of the primary residence. He noted that there are no plans to show that because they are waiting for approval. He acknowledged that they would have to meet the approval that is granted, otherwise it cannot be built. If we cannot show this a being part of the primary residence they wouldn't get a building permit to move ahead.

Chairman Rusczek stated that they usually want a drawing of some sort to see what it's going to look like. He stated that, in the picture, it looks like the bilco door footing is about grade. He asked if there will there be a step up into the accessory apartment. Mrs. Franceskino replied yes, the plan is to bring the steps up into the new addition from the basement. It is the same height as the existing house. She noted that they aren't going any higher or longer.

Chairmen Rusczek asked what the hardship is. Mr. Reynolds replied that the lot itself is the hardship. It meets the 18,000 square feet requirement but it's a corner lot with two front requirements of 40 feet which pushes the house way back. Then there are the two 20 foot side setbacks. He explained that the other variances were granted in past due to the shape of the parcel. There is not much back yard because the house is pushed back. Chairman Rusczek stated that he is not seeing the hardship. He stated, in his opinion, that there could be are other places to the back of the house with possibly not needing a variance.

Mr. Czerwinski asked for clarification that there is a door to the addition and a door into the accessory and then the bilco area is converted to an entry/exit that leads to the basement. Mrs. Franceskino confirmed and stated that the bilco door will be the entry from the main dwelling into the addition.

There is a door from the accessory apartment into the same space and then there is a door to the outside. Mr. Czerwinski asked for clarification that the bilco area goes to the basement, so that entry into the new structure goes into the basement of the existing house. Mrs. Franceskino confirmed. Mr. Reynolds added that the location is primarily where an existing wooden deck is presently. There is already an open deck in that location which is at least 75% of where they are proposing the addition.

Mrs. Torre stated that the non-conforming lot size was the basis for three prior variances to property, so hardship is exhausted. She questioned the Board to find hardship with the land. She stated that first and foremost to consider whether or not an additional variance is necessary. Mr. Reynolds noted that he only came up with two prior variances in his research. He's aware of the front and side setback variances. Mrs. Torre replied that the application refers to three variances. She noted that the property is already over the building coverage as a result of the earlier additions and you are asking to go further over. She stated that the application from two months ago misrepresented what space was and the accessory apartment was granted in arrears because the addition was proposed as expanded living space to the main dwelling but was actually an accessory apartment. Mrs. Franceskino stated that the expansion for the addition in the back, some of it is the existing deck, and the rest is empty space between the accessory apartment and the main dwelling porch, so they are not going further into the yard. The neighbors are okay with it. Regarding the hardship with the land, when the addition was put on in 1985, it was for additional living space. Later when her parents retired, they had the apartment legalized for them because they put in the bathroom and kitchen. She noted that her parents build the house in 1965. She reiterated that it will be common space. She stated that the hardship is the corner lot and the world we live in today. They are not going taller or further. She pleaded with the Board to let her proceed. Mr. Reynolds noted that the family is three generations in this space.

Mr. Wolfer asked for clarification that the Fire Marshal can't approve of a plan unless he sees it physically there. Chairman Rusczek agreed and suggested that the building department would want to look at it too. Mr. Reynolds confirmed. In terms of moving ahead with a building permit, he would go to other town officials including fire and building department if the variances are granted.

Public Comment – none

Chairman Rusczek closed the public hearing and opened it up for discussion and possible action by the Board.

Chairman Rusczek noted that he still doesn't see the hardship and believes the application is not much different from the earlier application. He also thinks it is a stretch to use the bilco door as an entrance into the main living space.

Mr. Parisi stated that this commission is sometimes difficult because the rules are not easy to apply. He stated that he agrees with the staff and Chairman Rusczek.

Mr. Wolfer: Motion to approve the variance request for side yard of 12.05 ft. to construct an addition at 20 South Side Drive as shown on Proposed Plot Plan, land of Kelly and Anthony Franceskino, 20 South Side Drive dated 9/17/2020, subject to:

1. Full access created from primary dwelling to the proposed addition,
2. Comments from Erik Krueger, Senior Engineer, Water & Sewer Division dated October 8, 2020, and
3. Comments from Health Department received October 7, 2020.

Mr. Rys: Second

Vote: Carmody – no to approve; Czerwinski – no to approve; Wolfer – no to approve; Rys – no to approve and Chairman Rusczek – no to approve.

The variance for the side yard has been denied.

Mr. Wolfer: Motion to approve the variance request for building coverage of 18% to construct an addition at 20 South Side Drive as shown on Proposed Plot Plan, land of Kelly and Anthony Franceskino, 20 South Side Drive dated 9/17/2020, subject to:

- 1. Full access created from primary dwelling to the proposed addition,**
- 2. Comments from Erik Krueger, Senior Engineer, Water & Sewer Division dated October 8, 2020, and,**
- 3. Comments from Health Department received October 7, 2020.**

Mr. Rys: Second

Vote: Carmody – no to approve; Czerwinski – no to approve; Wolfer – no to approve; Rys – no to approve and Chairman Rusczek – no to approve.

The variances are denied.

Chairman Rusczek called again for any representative for applications 20-021 and 20-022. None were heard.

CONSIDERATION OF MINUTES

Mr. Rys: Motion to accept the minutes of the Monday, September 21, 2020, regular meeting.

Mr. Wolfer: Second

Mr. Wolfer referred to the new business section of the minutes. He noted an article in the Record Journal and commended Sam Carmody on doing a fine job in letting someone know there was a problem. He stated that he took offense to the letter he received from the Mayor. He noted that not every body that has representation for the citizens of the town meets in the Town Hall. They do them virtually. Mr. Conroy commented that he had no choice to work in public and that his presence endangered others. He stated that being there that night was unacceptable. Mr. Wolfer asked what the plan was for this Board going forward. He mentioned that the Mayor's letter said there is a new ventilation system in Town Hall. Mr. Wolfer stated he would challenge him on that and would like proof that the air quality is better than it was two months ago. He asked what we as a Board are going to do for meetings going forward. Will they be virtual or in Town Hall?

Chairman Rusczek agreed to look into it. He stated that he would like to stay virtual to the first of the year and revisit it. He admits that he might not get his way. He noted that he wasn't at the last meeting. He noted that some board members contacted him with concerns. He noted that we are here to serve the public and if there's another option we need to consider it so the public can be safe. He went to the planning office and reported the concerns of the majority of the Board members. He stated that he can't promise that the next meeting will be virtual but is hoping it will be. He stated that he respects the opinions of the Board. His impression is that the majority is concerned. He doesn't see a problem with virtual meetings.

Mr. Wolfer thanked Sam for bringing it up and getting more people involved. Mr. Carmody thanked the Chairman for working to accommodate concerns. Chairman Rusczek noted that he understands the concerns and will look into the November meeting and will report back.

Vote: Unanimous to approve

NEW BUSINESS

Chairman Rusczek reported that he understands there will not be a quorum for the scheduled December meeting, so he will cancel that meeting. So, due to lack of a quorum, the December ZBA meeting will be canceled.

The Board sang happy birthday to Lou Czerwinski.

ADJOURNMENT

Mr. Wolfer: Motion to Adjourn at 8:15 pm.

Mr. Rys: Second

Vote: Unanimous to approve

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary