

ZONING BOARD OF APPEALS

MINUTES
Monday, May 3, 2010

The Town of Bloomfield Zoning Board of Appeals held a meeting on May 3, 2010, scheduled for 7:30 p.m. at the Town Hall in Bloomfield, Connecticut with the following members present:

Present:
Jacqueline Isaacson, Chairperson
Pamela Gray, Secretary
Donna Banks
Kim Chamerda
Robert Cromwell
Fannie Pittman
Bill Starkie
Lucille Wactowski

Also Present: Michael Kosilla
Maureen Sullivan,
Recording Clerk

Absent: None

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TOWN OF BLOOMFIELD
ZONING BOARD OF APPEALS**
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1. Request by Michael McGuinness for a Variance for an expansion of a nonconforming use and the front yard setback for a dog kennel at 88 Tariffville Road, R-40 zone.
Dated at Bloomfield, Connecticut this 19th day of May, 2010.
ZONING BOARD OF APPEALS
4-21-10
Jacqueline Isaacson,
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Ms. Isaacson called the meeting to order at 7:30 p.m. Ms. Gray read the Legal Notice that appeared in The Hartford Courant.

1. **Request by CGR Medical Development LLC to withdraw variances concerning floodplain management to allow a professional medical office at 458-470 Cottage Grove Road, R-10 and I-1 zones.**

Ms. Isaacson informed the Board that the request by CGR Medical Development LLC for variances concerning floodplain management to allow a professional medical office at 458-470 Cottage Grove Road has been withdrawn.

2. **Request by Michael McGuinness for a Variance for an expansion of a nonconforming use and the front yard setback for a dog kennel at 88 Tariffville Road, R-40 zone.**

Mr. Michael McGuinness of 88 Tariffville Road has lived at the property since 1976 when he initially applied for a continuation of a non-conforming use. The property was a kennel/veterinarian hospital and the applicant made it a commercial kennel. This was a secondary occupation for Mr. McGuinness. The building which was built in 1976 was falling down, so Mr. McGuinness wanted to replace it with a newer building. Mr. McGuinness discussed the kennel building. The applicant is doing the work himself. The concrete patio was discussed. The house is 200 years old and is on the road.

Ms. Chamerda asked about the plans. Mr. McGuinness showed the new building on the plans. A variance for about six feet is required. Ms. Isaacson asked why it cannot be moved back six feet. Mr. McGuinness discussed the layout. The house is connected to the kennel by two doors from two separate rooms. The kennel was discussed.

Ms. Gray asked whether the purpose of the expansion was for a kennel and dog day care. Mr. McGuinness stated his intent is to upgrade it and basically be a boarding kennel. Ms. Isaacson asked the number of dogs that can be accommodated. Mr. McGuinness replied about 20 dogs. The applicant would like to keep it small and residential.

Mr. Cromwell asked if there are close neighbors to this property. Mr. McGuinness replied the nearest neighbors are Mr. Brad Klein and Ms. Jane Nadel and submitted letters and a petition in favor of the application.

Ms. Gray read the letters from Mr. Klein of 82 Tarriffville Road in favor of the application. A signed petition from Mr. Klein and Ms. Nadel, Mr. Charles and Ms. Betsy McComb of 75 Tarriffville Road, Mr. Joel Toohey of 78 Tarriffville Road and Jamie Mullarkey of 76 Tarriffville Road dated May 1, 2010 was submitted in favor of the application.

Mr. Cromwell asked about the land behind the building. Mr. McGuinness discussed the dog runs.

Ms. Jane Nadel Klein of 82 Tarriffville Road spoke in favor of the application.

Ms. Isaacson discussed the memorandum from staff dated May 3, 2010 and requested the applicant address the issues. There are open building permits for work on the main house from 1983 and 1985 for a 12' by 20' sunroom addition and a 25' by 43' addition on the house. Only limited inspections were performed and no Certificate of Occupancies has been issued for either of the permits. Mr. McGuinness discussed financial issues with the additions and worked on the additions as his financial situation allowed. The applicant believed the addition will be finished and would like to discuss the issue of the open permits with Mr. Kosilla.

Ms. Gray read the next issue which stated the original plan for the larger addition looks nothing like the existing structure, including a very large deck off the rear for which there is no permit. Mr. McGuinness stated it has changed due to inspiration. The deck has work that needs to be done and will be happy to speak with Mr. Kosilla. Ms. Isaacson stated there needs to be a permit. Mr. Kosilla stated the applicant will need to work with the Building Official.

Mr. Starkie asked if the applicant was a veterinarian to which Mr. McGuinness replied he was not. He did this as a supplement to his income since 1976. A veterinarian license is not needed to operate a kennel.

Ms. Gray discussed the next issue regarding the mapping of the parcels. Mr. McGuinness stated he first bought the acre with the buildings, then he purchased the 3 ½ acres to the south and an option of 3 ½ acres to the north. The deed presently reflects two parcels but the maps show three parcels and the previous map had one. The entire property is 8 ½ acres.

Ms. Gray discussed the issue regarding the dog runs added in the back of the property. The area does not show on any site or plot plan. Without approval of the Zoning Board of Appeals, this area would constitute an expansion of a non-conforming use of the property. A variance would be needed.

Ms. Gray discussed the issue of the 27 1/2' by 48' kennel building for which the applicant is before the Board which has already been constructed without the benefit of the Planning or Building Department's approval. Mr. McGuinness replied that was built within the last few years after he tore the old one down. It is a work in progress. Ms. Isaacson stated a permit is required.

Ms. Isaacson suggested the applicant withdraw the application and work on some of the issues and come back with an application. Ms. Isaacson stated she is troubled by some of the issues. Ms. Isaacson explained if the Board voted on the application and it is denied, then there is a six month waiting period before the applicant can come back with a new application.

Mr. Starkie stated he would be more comfortable if the applicant straightened out the items and came back before the Board.

Mr. McGuinness requested to withdraw the application.

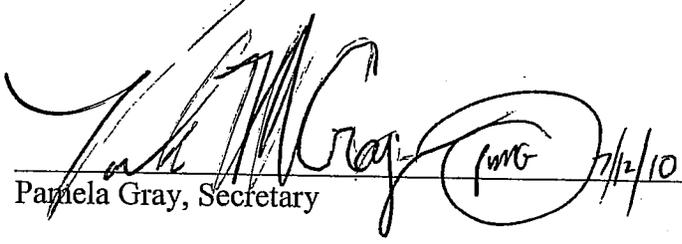
Ms. Isaacson received a letter and was copied on another letter by Mr. Andrew Walter and will read the letters.

3. **Minutes of March 1, 2010.**

There was a question on the March 1, 2010 minutes. The minutes will be voted on at the next meeting.

Ms. Gray made a motion for the meeting to adjourn. Ms. Pittman seconded the motion and it was approved unanimously.

The meeting adjourned at 8:30 p.m.

 (PAG) 7/12/10

Pamela Gray, Secretary

 (H.P.S.)

Maureen Sullivan, Recording Secretary