

**ZONING BOARD OF APPEALS**

MINUTES

Monday, April 4, 2011

The Town of Bloomfield Zoning Board of Appeals held a meeting on April 4, 2011, scheduled for 7:30 p.m. at the Town Hall, Council Chambers in Bloomfield, Connecticut with the following members present:

Present:

Jacqueline Isaacson, Chairperson  
Donna Banks  
Kim Chamerda  
Robert Cromwell  
Pamela Gray  
Bill Starkie  
Lucille Wactowski

Also Present: Michael Kosilla  
Maureen Sullivan,  
Recording Clerk

Absent: Fannie Pittman

Ms. Isaacson called the meeting to order at 7:37 p.m. Ms. Gray read the Legal Notice that appeared in The Hartford Courant.

1. **Request by Carlos Cruz/The Metropolitan District for a Variance for front, side and rear yards and lot coverage for a pumping station located between Lots 7 and 1108 Bear Ridge Drive, R-40 zone (continued from March 7, 2011).**

Ms. Isaacson read a letter from the MDC requesting an extension of the hearing until the May 2, 2011 meeting.

2. **Request by The Colvest Group, Ltd. for Variances for parking in the required front yard, minimum driveway width, and required planting islands at 1024 Blue Hills Avenue, GWB zone.**

Attorney Chris Smith, a land use attorney with Shipman and Goodwin, spoke on behalf of the applicant. Notice letters that were sent to the abutters, a photograph of the posted signage, and an affidavit were submitted. The applicant requested three variances; the first variance was for an increase in the maximum driveway width from 24 feet to 30 feet in one location and 35 feet in a second location, the second variance concerned the prohibition of parking in the front yard setback area as provided by the zoning regulations and the third variance concerned the

elimination of the required planted islands at the end of parking rows at two locations to accommodate the traffic patterns proposed with the use. Attorney Smith introduced the members of the development team: Mr. Peter LaPointe of The Colvest Group, Mr. Dana Steele with J.R. Russo & Associates in East Windsor, and Attorney Matt Ritter of Shipman and Goodwin. Attorney Smith submitted information in support of the presentation and application to the Board and discussed the exhibits. The proposal was to construct an automotive retail building on the site. The building will be approximately 6,150 square feet. The building will meet all the required setbacks for the zone. It will eliminate the approved auto repair use for the property as of 2009. The site and parking were discussed. Currently there are two cuts into Blue Hills Avenue for access points which will be eliminated. There will be a combined single access from Blue Hills Avenue that will be 30 feet in width. There will be a 35 foot ingress and egress point on Ledyard Avenue to accommodate deliveries. The delivery traffic flow was discussed. Deliveries will be after hours. The variance requests were discussed. There will be no repairs at the site. The applicant will be eliminating the existing nonconformities with the existing building on the property.

Questions from the public:

Ms. Sandra Pisani of 10 Brookdale Avenue stated she has observed numerous accidents with cars pulling out of the Getty station to Blue Hills Avenue. Ms. Pisano wanted to know if traffic will be allowed to pull out on to Blue Hills Avenue or will they be directed to Ledyard Avenue. Attorney Smith replied the traffic will come back onto Blue Hills Avenue from the site or exit onto Ledyard Avenue. This is a state highway so the curb cuts that are proposed with this site development plan will need to be reviewed and approved by the Department of Transportation. The single access driveway was discussed.

Questions from the Board:

Ms. Isaacson asked if the delivery trucks will use Ledyard Avenue to which Attorney Smith replied yes. The traffic flow for delivery trucks was discussed. Mr. Dana Steele, a Professional Engineer with J.R. Russo & Associates, discussed the turning radii for tractor trailers and the traffic flow.

Ms. Isaacson asked about the signage. Mr. Steele showed the location of the free standing sign on the plans and there will be signs on the building. The building will be one story.

Ms. Chamerda asked about the parking spaces and the width of the spaces. Mr. Steele replied the Regulations require a 9 foot by 18 foot parking space. The tenant preferred a 10 foot wide space. The Regulations require 25 parking spaces; however the applicant wanted 30 spaces; which is allowed by the Regulations.

Ms. Isaacson asked the hours of operation. Mr. LaPointe discussed the hours of operation at other Advanced Auto stores. The store will be open seven days a week. Deliveries will be earlier in the morning or after closing, which the store manager will decide based on staffing.

Ms. Isaacson was concerned for the neighbors if the deliveries will be really early in the morning or really late in the evening. Attorney Smith replied if approvals are received, the applicant will have more information on timing prior to the TPZ meeting.

Ms. Gray asked about the island that the applicant would like to eliminate. Mr. Steels replied the space will be painted rather than plantings and showed the area on the plans.

Mr. Cromwell asked if there will be any machining operations. Attorney Smith responded no, it will be strictly retail. There will be no repair work.

Mr. Kosilla stated this site was put on the town's blight list that was approved by the Council. The state will be the ultimate decider on the width of the driveway on Blue Hills Avenue.

Comments from the public:

Ms. Sandra Pisani asked if it will be necessary to regrade the land and compact it. Ms. Pisani stated that was an issue in the past and houses were damaged because of the compaction process.

Mr. Steele replied there will be some regrading of the site. The surfaces will be paved which will need to be rolled and compacted. The site is an existing use that vehicles have been parking on and is well compacted. The applicant believed the effects of compaction and rolling of the site will be minimal.

Mr. LaPointe stated the reason the applicant requested a wider driveway on Blue Hills Avenue and the elimination of the landscaped islands was to allow the delivery trucks to enter the site.

Attorney Smith discussed the legal hardships. All the setback requirements for the new building will be met. The uniqueness of the property was discussed. The access points will be controlled on Blue Hills Avenue by the State Department of Transportation.

Ms. Isaacson closed the public hearing. Ms. Chamerda voted on the application this evening.

There was discussion about the timing of truck deliveries. The applicant explained that the deliveries would probably occur just before the store opened for business in the morning or just before closing. The employees have to be at the store to help unload so they don't want the store to be busy, especially given the route through the parking lot that the truck has to take.

Mr. Cromwell made a motion to approve the request by The Colvest Group, Ltd. for variances for parking in the required front yard, maximum driveway width, and required planting islands at 1024 Blue Hills Avenue, GWB zone, and the hardships include the shape of the property, the parking problem and the driveway width, the landscaped front yards and setbacks are another hardship, and the small lot is an unusual shape, as well as the parking in the front yard, the width of the driveway and the elimination of the plantings. Ms. Chamerda seconded the motion and it was approved unanimously.

### 3. Minutes of March 7, 2011.

Ms. Gray made a motion to approve the minutes of March 7, 2011. Mr. Cromwell seconded the motion and it was approved unanimously.

Mr. Cromwell made a motion for the meeting to adjourn. Ms. Chamerda seconded the motion and it was approved unanimously.

The meeting adjourned at 8:25 p.m.

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Pamela Gray, Secretary

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Maureen Sullivan, Recording Secretary