



TOWN OF KILLINGLY, CT ZONING BOARD OF APPEALS

Thursday – April 11, 2024

Regular Meeting – In Person

7:00 PM

Town Meeting Room – 2nd Floor

Killingly Town Hall

172 Main Street

Killingly, CT

MINUTES

RECEIVED
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2024 APR 17 AM 10:02
Elizabeth M. Wilson

I. **CALL TO ORDER CALL TO ORDER** – Chair, Andrew Farner called the meeting to order at 6:59 p.m.

II. **ROLL CALL** – Andrew Farner (Chair) was present in person.
Lynn LaBerge (Vice-Chair); William Menghi and David Izzo, Sr. were present via online.

Staff Present – Jonathan Blake, Planner I and Zoning Enforcement Officer (present in person).

Others Present In-Person – Anthony Germano; J.S. Perreault, Recording Secretary.

Others Present via Online – None.

III. **CITIZEN PARTICIPATION** -- Public comment can be emailed to publiccomment@killinglyct.gov or mailed to Town of Killingly, 172 Main Street, Killingly, CT 06239 on or before the meeting. All public comments received prior to 2:00 PM on the day of the meeting will be posted on the Town's website www.killingly.org.

Andrew Farner read aloud the above information regarding citizen participation. Jonathan Blake stated that no public comment had been received.

IV. **PUBLIC HEARINGS – (Review/Discussion/Action)**

1. **Application #24-836 of WTA Properties LLC**; to vary the Borough of Danielson Zoning Regulations Section 470; Dimensional Requirements – Table A & Section 420.1.A; Min. lot area for four (ADA) residential units from 24,000 sq ft to 7840 sq ft, with onsite parking. Property located at 29 Mechanic Street; GIS MAP 198, LOT 94; BHD Zone.

Anthony Germano represented himself and gave an overview of his plan for the former VFW Hall, a commercial building in a residential neighborhood (with no parking to accommodate commercial space), and to create something special. Mr. Germano also explained that he would also like to rehab 33 Mechanic Street (a nearly condemned home to the right of the VFW) which would make five buildings on that side of the street being renovated.

- Submitted construction plan shows four apartments in the single-level 3,700 sq. ft. building with an existing handicap ramp: Two, 2-bedroom units with 720 sq. ft. of gross living area; two, 1-bedroom units with 600 sq. ft. of gross living area; and 400 sq. ft. at the entry for common area use.
However, after reviewing the space and conferring with Staff, he would like to create four ADA-compliant apartment units with handicap accessible entries, specialized kitchens, spacious bathrooms with walk-in showers and compliant fixtures. All four units would have heating and cooling as well as in-apartment laundry.
- Mr. Germano explained the hardship: Lot size is 7,840 sq. ft. and the zoning requirement for four units is 16,160 sq. ft. and one parking space per bedroom, which equates to six.

Mr. Germano explained that he would like to purchase the adjacent property at 33 Mechanic Street and tear down the existing building and utilize the back portion of the property for shared parking and added green space. He has been trying to contact the owner of that property, but has not been able to. Mr. Germano explained that, on the 29 Mechanic Street property, he could create three parking spaces in the back, and could likely create two parking spaces to the right of the entry at the front of the building (which would still be short one of the six spaces required). He said that there is almost nothing that he can do to meet the square footage requirement of the lot. He said that his plan does right the ship of having such a large building in the middle of a highly dense residential neighborhood with no parking.

- Mr. Germano asked the Board for a variance to be able to rehab the building, using the perfectly good bones and foundation of an existing building and transform it into something that is more conducive to its surroundings, will take away the parking challenge that the Town has had with this building for so long, and he feels that the four ADA compliant living spaces will provide an option for those who may not be able to live in Killingly as there are so few options for those who need specialized housing.

Jonathan Blake clarified that the requirement is actually 24,000 square feet.

Regarding determining whether or not this proposal would be appropriate for the zone, Mr. Blake made reference to, and read aloud from, page 125, Item E, of the Connecticut Land Use Law Permissible Land Use Agencies, Boards and Commissions (from the Connecticut Bar Association) dated March 11, 2023. It states that two basic requirements must be satisfied:

- 1) It must show that it does not affect, substantially, the comprehensive zoning plan (the use must be consistent with other uses in the area).

Mr. Blake noted other properties: 51 Mechanic Street (4-unit building on .16 acre); 73 Mechanic Street (4-family on .31 acres); 104 Mechanic Street (5-unit building on .42 acres), there are also many 2-family, 3-family and single-family units in the zone. Mr. Blake explained that this is focusing just on the Borough High-Density Zone. The General Commercial Zone which is across the street is also almost all residential, non-conforming properties.

- 2) Regarding proof of unusual hardship, Mr. Blake explained about it being a former VFW property, the small size and peculiar nature of it, sitting in a residential zone. He said that it is unusual/not common and he does not feel that it would be giving it any advantage compared to anything else in that zone.

QUESTIONS/COMMENTS FROM THE BOARD:

- Andrew Farner asked how many parking spaces the 51 Mechanic Street property has.
 - Mr. Blake answered that he sees at least three (but a long driveway). Mr. Blake explained that the parking for the subject property would need coordination with the Town's Engineering Department (regarding slopes and safe access). There was discussion regarding Statute requirements vs. Borough parking standards.
- Lynn LaBerge asked if the Applicant was asking for reductions to any of the setbacks. Mr. Farner stated that he is not. Ms. LaBerge commented about the rear of the property and that there is discrepancy between the property card and the plan (50 feet vs. 48 feet). Mr. Germano explained that he had recently found out that there had been an addition to the original building which was not quite square with the original building. He explained that they anticipate keeping the exterior walls as they are and to adjust the two apartments (bedrooms) in the back.

Motion was made by Lynn LaBerge to close the public hearing for **Application #24-836 of WTA Properties LLC**; to vary the Borough of Danielson Zoning Regulations Section 470; Dimensional Requirements – Table A & Section 420.1.A; Min. lot area for four (ADA) residential units from 24,000 sq ft to 7840 sq ft, with onsite parking. Property located at 29 Mechanic Street; GIS MAP 198, LOT 94; BHD Zone.

Second by David Izzo. No discussion.

Roll Call Vote: David Izzo – yes; Lynn LaBerge – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

V. UNFINISHED BUSINESS – (Review/Discussion/Action)

- 1. Application #24-836 of WTA Properties LLC**; to vary the Borough of Danielson Zoning Regulations Section 470; Dimensional Requirements – Table A & Section 420.1.A; Min. lot area for four (ADA) residential units from 24,000 sq ft to 7840 sq ft, with onsite parking. Property located at 29 Mechanic Street; GIS MAP 198, LOT 94; BHD Zone.

Motion was made by David Izzo to approve **Application #24-836 of WTA Properties LLC**; to vary the Borough of Danielson Zoning Regulations Section 470; Dimensional Requirements – Table A & Section 420.1.A; Min. lot area for four (ADA) residential units from 24,000 sq ft to 7840 sq ft, with onsite parking. Property located at 29 Mechanic Street; GIS MAP 198, LOT 94; BHD Zone.

Second by William Menghi.

Discussion:

- David Izzo noted that his reasons for approval are that it is for the good of the neighborhood and for the good of the building instead of it just sitting there and rotting away. Regarding the variance, they are not looking for much to make their proposal work.
- Lynn LaBerge noted that, in the Borough, everything is close anyway and this would help that residential neighborhood and, without the variance, they would not be able to do the improvements to the property.

Roll Call Vote: Lynn LaBerge – yes; David Izzo – yes; William Menghi – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

VI. NEW BUSINESS

Mr. Blake explained about some upcoming required training for the Board Members.

VII. ADOPTION OF MINUTES

- 1. February 8, 2024, Regular Meeting**

Motion was made by Lynn LaBerge to accept the Minutes of the Regular Meeting of February 8, 2024.

Second by Andrew Farner. No discussion.

Roll Call Vote: William Menghi – yes; Lynn LaBerge – yes; David Izzo – yes; Andrew Farner – yes.

Motion carried unanimously (4-0-0).

VIII. CORRESPONDENCE TO THE BOARD – None.

IX. COUNCIL LIAISON – No representation.

X. ADJOURNMENT

Motion was made by William Menghi to adjourn at 7:29 p.m.

Second by David Izzo. No discussion.

Motion carried unanimously by voice vote (4-0-0).

Respectfully submitted,

J.S. Perreault

Recording Secretary