

**ZONING BOARD OF APPEALS**  
**March 4, 2013 Meeting Minutes**

Board Members Present: Curtis Ruckey, Howard Aspinwall, Robert Rosenberg,  
Douglas Hamilton and Daniel Merrigan

Town Staff Present: Jennifer Rodriguez,  
Town Planner, Assistant Zoning Enforcement Officer and Acting  
Wetlands Agent

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Chairman Ruckey called the meeting to order at 7:03 pm.

Board roll call was taken.

**MINUTES:**

**Chairman Ruckey referred to the January 7, 2013 meeting minutes and asked the Board members and staff for any comments or corrections. There were none. Mr. Ruckey then asked for a motion. Mr. Hamilton moved to approve the January 7, 2013 meeting minutes, as published. Mr. Merrigan seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**BILLS & CORRESPONDENCE:**

There were none.

**OLD BUSINESS:**

There was none.

**NEW BUSINESS:**

- a. Public hearing on Application #FY12-13-07, Owner: Bobby G's Old Fashioned Service, Inc. Applicant: Robert B. Gegetskas II for a use variance for the property located at 61 South Main Street to allow a Motor Vehicle License at the property and for a Motor Vehicle Dealers' License for the same property.**

Robert Gegetskas of 555 Rainbow Road and owner of Bobby G's Old Fashioned Service addressed the Board and stated that he wanted to expand his current General Repairers' License to a Motor Vehicle Dealers' License

Chairman Ruckey asked the Board members for any questions. Mr. Hamilton referred to the drawing that had been submitted with the application in question and noted that there were only three parking spaces designated for used vehicle sales. Mr. Gegetskas stated that those three parking spaces were actually for employees. Mr. Hamilton then asked Mr. Gegetskas

how many vehicles he intended to have for sale. Mr. Gegetskas replied that he had ten parking spaces for used vehicles sales, but that he did not intend to have more than three vehicles for sale at any given time. Mr. Hamilton then referred to the grassy, island area and noted that Mr. Gegetskas had had mopeds for sale in that area. He then asked Mr. Gegetskas if a license was required to sell mopeds. Mr. Gegetskas replied that a license was not needed.

Chairman Ruckey asked Ms. Rodriguez if there were any requirements for a lot the size of the one in question. Ms. Rodriguez replied that the only requirement was for three parking spaces per bay and one employee parking space. Mr. Ruckey then noted that the applicant had three bays. He then asked Mr. Rodriguez if the applicant had adequate parking for three bays. Ms. Rodriguez replied that there appeared to be enough parking.

Chairman Ruckey asked Mr. Gegetskas if the requested use variance and Motor Vehicle Dealers' License were for 61 South Main Street only. Mr. Gegetskas replied that that was correct.

Mr. Hamilton asked Mr. Gegetskas if he also owned the property located at 63 South Main Street. Mr. Gegetskas stated that he did own that property as well. Mr. Hamilton then asked if he was also going to have vehicles for sale at that property. Mr. Gegetskas replied that he was not going to have vehicles for sale at the property located at 63 South Main Street.

Chairman Ruckey asked Ms. Rodriguez to explain the nuances between the two requests listed on the application before the Board. Ms. Rodriguez explained that the first was a request for a use variance to allow used vehicle sales in an Industrial zone. She went on to say that if approved it would not change the zone, but simply allow the use in the existing zone. She also noted that the Board would have to approve the use variance first, before considering the second request for an actual Motor Vehicle Dealers' License.

Mr. Hamilton asked what kind of precedence the Board would be setting if they were to approve the two requests. Ms. Rodriguez stated that every application was unique.

Chairman Ruckey commented that the main thing to consider was whether or not the requested use variance and Motor Vehicle Dealers' License would fit with the area in which it would be located.

Chairman Ruckey asked the Board members for any further questions or comments. They had none.

Chairman Ruckey asked for any public comments in favor of the application.

Joe Oliveira of 18 Regina Drive addressed the Board and stated that Mr. Gegetskas had been in business in Windsor Locks for a very long time and that he was a good business man. He went on to say that Mr. Gegetskas provided service to his personal vehicles as well as Town vehicles and ambulances. Mr. Oliveira stated that Mr. Gegetskas was a good partner to the community.

Chairman Ruckey asked for any public comments in opposition to the application. There were none.

**Chairman Ruckey asked for a motion regarding use variance requested in Application #FY12-13-07. Mr. Hamilton moved to approve the use variance requested in Application #FY12-13-07, Owner: Bobby G's Old Fashioned Service, Inc. Applicant: Robert B. Gegetskas II for the property located at 61 South Main Street under the guidelines that the property be maintained and applicable changes in design go through the Planning and Zoning Commission. He then noted that the business had been at the location in question for a long time. Mr. Rosenberg added that the use variance was for the property located at 61 South Main Street only. He then seconded the amended motion. All were in favor. The vote was 5 – 0, the motion was approved.**

Chairman Ruckey referred to the second part of Application #FY12-13-07, the Motor Vehicle Dealer's License. He noted that since the Board had just approved the use variance, Mr. Gegetskas needed the Board's approval in order to actually obtain a Motor Vehicle Dealer's License. He then asked the Board members for any questions or comments. They had none.

Chairman Ruckey asked for any public comments in favor of the application for a Motor Vehicle Dealers' License. There were none.

Chairman Ruckey asked for any public comments in opposition to the application for a Motor Vehicle Dealers' License. There were none.

**Chairman Ruckey asked for a motion regarding the Motor Vehicle Dealer's License requested in Application #FY12-13-07. Mr. Rosenberg moved to approve a Motor Vehicle Dealers' License for the property located at 61 South Main Street. Mr. Hamilton seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**b. Public hearing on Application #FY12-13-08, Owner/Applicant: Steven Booth for a variance for the property located at 36 Chester Drive to reduce the side yard setback to 5 feet, where 12 feet are required, in order to convert an existing single carport into a two door garage.**

Steven Booth of 36 Chester Drive addressed the Board and stated that he currently had a two car driveway with only a single wide carport. He then explained that he wanted to convert the existing carport into a two car garage. Mr. Booth commented that the two car garage would look much better, increase the value of the property and allow him to get his vehicles off the street and out of the driveway.

Chairman Ruckey noted that the hardship listed on the application was that the house was not centered on the lot. Mr. Booth stated that that was correct. He went on to say that a two car garage would look nicer and be more functional than the single carport with regard to vehicle storage.

Chairman Ruckey commented that for something like the conversion listed on the application the Board would usually receive a site plan. He then asked Mr. Booth which way the slant of the roof on the new garage would go. Mr. Booth replied that it would go front to back, the same as the roof on the house.

Mr. Hamilton noted that there was a fence along the property and asked Mr. Booth if that fence belonged to him. Mr. Booth replied that it was his fence.

Mr. Hamilton stated that he had driven by the property in question and that the distance from the property line to the neighbor's house was in excess of 25 feet.

Chairman Ruckey asked the Board members for any questions. They had none.

Chairman Ruckey asked Mr. Booth if he had spoken to his neighbors regarding his proposed two car garage. Mr. Booth explained that his next door neighbor had only been there for two months and that he had not met them yet. He then pointed out that the other abutting neighbor was in the back of his property, therefore the proposed garage really would not affect them.

Chairman Ruckey asked Mr. Booth if he had considered any other size garage. Mr. Booth replied that if he were to build anything smaller he would not get his vehicles in there. Mr. Ruckey asked if there was going to be one big garage door. Mr. Booth stated that that was correct. He went on to say that the proposed garage size was the smallest he could get and still fit two vehicles inside.

Mr. Hamilton commented that the proposed garage would change the aesthetics of the house drastically. Mr. Booth agreed.

Mr. Merrigan pointed out that the only place where the garage would be 5 feet from the property line would be in the front corner; it would then get farther from the property line towards the back corner of the garage. Mr. Booth stated that that was correct.

Chairman Ruckey asked for any public comments in favor of the application. There were none.

Chairman Ruckey asked for any public comments in opposition to the application. There were none.

**Chairman Ruckey asked for a motion regarding Application #FY12-13-08. Mr. Rosenberg moved to approve FY-12-13-08, Owner/Applicant: Steve Booth for a variance for the property located at 36 Chester Drive to reduce the side yard setback to 5 feet, where 12 feet are required, in order to convert an existing single carport into a two door garage with the condition that an as-built be submitted to the town upon completion of construction. Ms. Rodriguez stated that the as-built should be submitted prior to framing. Mr. Ruckey noted that the hardship as specified in the application was that the house was significantly off center on the lot. Mr. Aspinwall seconded the amended motion. All were in favor. The vote was 5 – 0, the motion was approved.**

Chairman Ruckey asked all Board members to telephone him prior to each meeting if they were not going to be able to attend. In addition, he asked that they also find their replacement for that meeting.

**Mr. Hamilton moved to adjourn the meeting. Mr. Aspinwall seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:27 pm.**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**THIS IS A DRAFT**

**Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.**