



Board of Zoning Appeals MEETING MINUTES

Tuesday, November 15, 2022 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Members Present: Mr. Peter Cotter- Chairman, Mr. Gary Molchan- Vice Chairman, Mr. Zak Krebeck.

Staff Present: Mr. Miguel Salinas- Director of Planning , Mr Lynn Thomas- Town Planner, Mr. Joseph A. Mayer- Plan Reviewer, Mr. Nicholas Johnson-Planner, Ms. Samantha Smith- Administrative Specialist.

Approval of Minutes.

Approval of Minutes from the 10/18/2022 meeting.

Upon motion by Vice Chairman Mr. Molchan and seconded by Mr. Krebeck and carried unanimously, minutes of the 10/18/2022 meeting were approved.

Applications

Application: SE-831/SE-22-11
Location: 220 Marlboro Ave
Applicant: Susan Wingert
Owner: LCP Easton Investors LLC
Request: Donation bin request.

Ms. Sue Wingert was present on behalf of Helpsy and LCP Easton Investors LLC to request a Special Exception for the placement of (2) two clothing donation bins. The Applicant confirmed that Helpsy will retain ownership of the bins. The Applicant and the Board discussed that the bins will be located between two parking spaces on the left hand side of the building facing the bypass. The Applicant advised that the bins will be serviced a minimum of three times per week and would not adversely affect traffic activity.

Chair Cotter opened up questions to the public for comment. There was no comment. Chair Cotter opened up questions and comments to the Staff. Mr. Lynn Thomas advised that the land is designated for commercial use and the request is appropriate.

Upon motion by Mr. Krebeck and seconded by Vice Chair Molchan and carried unanimously, **SE-831/SE 22-11** was approved.

Application: V-796 / V22-08
Location: 8223 Elliott Road
Applicant: Ian Krynski
Owner: Easton Shoppes Business Trust
Request: Variance request to permit the ownership and operation of a liquor store within 1000 feet of a church.

Mr. Zachary A. Smith and Mr. Ian Krynski was present on behalf of Easton Liquors LLC to request a Variance to permit the ownership and operation of a liquor store within 1000 feet of a church and/or place of worship. Mr. Smith addressed changes to the commercial atmosphere in downtown Easton and that there is adequate buffering between the place of worship and the direction the commercial property is facing. The Applicant and the Board discussed the conflict of an established policy amendment despite the unique demand for a liquor store in this area. Mr. Miguel Salinas advised that the Town attorney did provide recommendation that it is within the variance. Mr. Lynn Thomas advised the Board that the Planning Commission intend to address this legislation in future Zoning Code Amendment discussions.

Chair Cotter opened comments to the Board. Mr. Krebeck addressed the uniqueness of the Variance request. Chair Cotter addressed concern for a Variance approval contradicting the enforcement of an upstanding policy.

Upon motion by Mr. Krebeck, seconded by Vice Chair Molchan and carried 2-1, **V-796 / V 22-08** and **SE-835 / SE 22-15** was approved.

Application: SE- 835 / SE-22-15
Location: 8223 Elliott Road
Applicant: Ian Krynski
Owner: Easton Shoppes Business Trust
Request: Special Exception request to permit the ownership and operation of a liquor store.

Mr. Zachary A. Smith and Mr. Ian Krynski was present on behalf of Easton Liquors LLC to request a Special Exception to permit the ownership and operation of a liquor store. The Applicant was sworn in for the Special Exception request. The Applicant has since received operational approval from the Liquor Board contingent on Town approval. Mr. Smith acknowledged the Staff recommendation for other vacant properties within the shops, however, the smaller vacant shops would provide hardship to the anticipated 5,000 square footage required.

Chair Cotter opened comments to the public. Ms. Nancy Kelly addressed a concern for new construction within the shopping center and the Town of Easton. Mr. Smith clarified that the proposed location is within a vacant commercial space.

Upon motion by Mr. Krebeck, seconded by Vice Chair Molchan and carried 2-1, **V-796 / V 22-08** and **SE-835 / SE 22-15** was approved.

Application: SE-836/ SE-22-16
Location: 106, 108, 110 Talbot Lane
Applicant: Academy Art Museum, Inc. c/o Zachary A. Smith
Owner: Robert G. Shannahan & Talbot Lane LLC
Request: Authorize a museum use.

Mr. Zachary A. Smith and Ms. Sarah Jesse was present on behalf of the Academy Art Museum to request a museum use to utilize the properties located at 106, 108 and 110 Talbot Lane as an annex to the existing museum. Mr. Smith advised that the Applicant has since received a parking waiver approval from the Planning Commission to accommodate the museum parking standard. Ms. Jesse acknowledged the historical significance of the project; complimentary to its intended use as administrative offices and collection storage. The Applicant and the Board discussed the inclusion of screening and their requirements for the surrounding property. The Staff advised that the Planning Commission granted permissible use for a museum parking standard as the Central Business District is exempt from off-street parking standards.

Chair Cotter opened comment to the public.

Mr. Joe Minerich of the Easton Neighborhood Service Center commented that the proposed project would be a positive contribution to the community. Mr. Minerich submitted a written personal statement to be submitted for the record.

Chair Cotter opened comment to the Board. There was no further comment.

Upon motion by Chair Cotter and seconded by Mr. Molchan and carried unanimously, **SE-836/ SE-22-16** was approved with the condition that all adequate screening requirements are met.

Application: SE- 837 / SE 22- 17
Location: 7254 Doral Court
Applicant: Elizabeth A. Ferguson
Owner: Elizabeth A. Ferguson
Request: Special Exception as an Accessory Dwelling Unit

Mrs. Elizabeth A. Ferguson was present to request a Special Exception to request an Accessory Dwelling Unit. Chair Cotter noted that with limited time before the conclusion of the meeting the Applicant is entitled to move forward within the remaining time, or to postpone until the next Hearing date. The Applicant requested to proceed. The Applicant proposes to use the property to be used as an "In-Law" suite. Chair Cotter clarified that any future short-term living use would also require a Special Exception. Staff confirmed that applicable building permits would be required for finishing the basement. The Applicant is proposing the use of off street parking with no impact to traffic and other health, safety and wellness systems.

Chair Cotter opened comment to the public. There was no public comment.

Upon motion by Chair Cotter and seconded by Mr. Molchan and carried unanimously, **SE-837 / SE 22- 17** was approved.

Adjournment

At 10:03 AM, upon motion by Chair Cotter and seconded by Mr. Molchan and carried unanimously, the regularly scheduled meeting was adjourned.