

DRAFT

**THE CITY OF GROTON
ZONING BOARD OF APPEALS
MEETING MINUTES
TUESDAY, JULY 25, 2006**

**MUNICIPAL BUILDING
COUNCIL CHAMBERS
7:30 P.M.**

I. ROLL CALL

Present: D. Rugh, Chairman, E. Gergen,
R. Walker, K. Harkins, J. Zeppieri
Alternate: B. Frucht
Also Present: Carlton Smith, Zoning Official, Attorney John Wirzbicki
Absent:

II. APPROVAL OF MINUTES

Zoning Board of Appeals Meeting Minutes of May 23, 2006
Motion: R. Walker
Second: J. Zeppieri
Decision: Unanimous

1. Correction: R. Walker, K. Harkins and J. Zeppieri are regular members.

III. PUBLIC HEARING

1. ZBA APPLICATION #455, applicant Fellowship House Ministries, Inc., property located at 18 Hamilton Avenue, Groton, seeks a variance for relief from the following City of Groton Zoning Regulations:
 - a. The order of the Zoning and Building Official dated 06/02/2006 directing the applicant to Cease and Desist operating an alternative incarceration center at 18 Hamilton Avenue on the basis that it is not being used as a rooming house as defined in ARTICLE 7 – DEFINITIONS, Paragraph 7.2 Other Terms, particularly the definition of “Rooming House”, and the apparent claim that the non-conforming use was discontinued under ARTICLE 5, Paragraph 5.7, pursuant to the language in the order to Cease and Desist that “it appears that you have failed to operate the facility as a rooming house for a period in excess of three (3) years”.

The property is located in the R-5.2 Residential Zone and identified as PIN # 168806484582E.

Exhibits presented:

1. Agenda
2. Notice of Hearing
3. Application
4. Certified Mailings
5. Day Publication
6. Plot Plan
7. Memo to B. Goodrich
8. Memo from B. Goodrich
9. Water Department Review
10. Electric Department Review
11. Police Department Review
12. Copy of Transmittal to Department Heads
13. Check off list packets were delivered to Board Members
14. Entire packet June 1st 2006 information goes back to 1990
15. Duplicate
16. Notice to Quit Possession
17. Letter from P. Izzo

Discussion:

Attorney Peter W. Rotella representing Fellowship House Ministries, Inc., is appealing the Cease and Desist Order. Contract is between Department of Corrections.

Carlton Smith, Building and Zoning Official: working with the Department of Corrections for three (3) months. City residents complaining. Was counseled and supervised. Has 15 days to respond.

Attorney Rotella: No services on Hamilton Avenue. All serviced on 466 Long Hill Road. No requirement in Contract that has to provide services on Hamilton Avenue.

City Attorney John Wirzbicki: Use of facility has not significantly changed since 1997. Two Corporations: Project Transition and Fellowship House. Court definition of rooming house. State of Connecticut is reserving these rooms. 16 beds at Hamilton House. \$1,200.00 per month, per bed the State pays. Look at entire packet; primary factor- State of Connecticut is primary ownership. Attempt to comply with court order.

Mr. Sarsfield, Dennison Avenue: Would like to know who the principal is in the Faith Ministries. People in neighborhood are scared. Shady bunch.

Mr. P. Izzo: Deceitful people. Why did they have twenty-four (24) hour security when it first opened? Not now. No respect for the neighborhood. Attorney codes should be respected. Main contention supervision.

Carlton Smith, Building and Zoning Official: We'll have the Assistant Chief of Police at the next meeting.

Motion to table the meeting to next month

Motion: J. Zeppieri
Second: E. Gergen
Decision: Unanimous

IV. OTHER BUSINESS

V. ADJOURNMENT

Motion to adjourn: J. Zeppieri
Seconded by: E.Gergen
Decision: Unanimous

Meeting adjourned at 9:30 p.m.

Dwaine Rugh
Chairperson