

Zoning Board of Appeals  
March 21, 2017 – Meeting Minutes  
Town Hall – Room 1

**MEMBERS PRESENT:** Chairman Laurie Robinson; Patrick Reading; Bob Setschinsky, Michael Solis, and Jason Radachy; Stan Soby, Board of Selectmen Liaison; Staff: Randy Benson, Planning Director. Daphne Schaub, Assistant Planner/Zoning Enforcement Officer and Gail Therian, Clerk

**MEMBERS ABSENT:**

**1. CALL MEETING TO ORDER**

Chairman Robinson called this meeting to order at 7:00 p.m.

**2. ADDITIONS TO AGENDA - None**

**3. PUBLIC HEARINGS –**

- A. ZBA#17-001, Dan Neal, Applicant/Owner, for property located at 373 Westchester Road, Tax Map #4W-11, Lot #003-0, Rural Zone. Applicant is appealing the decision of the Zoning Enforcement Officer regarding violation of Section 8.8(12), Junk Vehicles, of the Colchester Land Use Development Regulations.

D. Schaub read the Public Hearing legal notice published in the *Rivereast* on March 10 and March 17, 2017.

Chairman Robinson asked the members of the audience if anyone had any concerns or comments about the members of the Board that were seated for the Public Hearing. No comments were made. She went on to explain the Public Hearing procedure. She stated that the voting members for this evening on this application were: L. Robinson, P. Reading, B. Setschinsky, M. Solis and J. Radachy. Copies of the Exhibit list were distributed to the Board members.

D. Neal, owner of property at 373 Westchester Road, questioned the Board about which level of the law he should be obeying, the local, state or federal laws. He stated he took control of the property in the 1970's and explained that he likes to repair old vehicles and equipment. Discussion regarding the year the Junk Vehicle regulation went into effect was held. Mr. Neal was questioned about the number of vehicles that are on the property and when they were placed on the property. Board discussed the potential environmental impact on the property.

D. Neal explained the financial ramifications to him if he is required to remove the unregistered vehicles. Discussion took place about Mr. Neal's options and the Zoning Enforcement Officer's suggestion for the clean-up of the property. D. Schaub explained that she is willing to work with Mr. Neal to solve this Cease and Desist Order in order to prevent further penalties.

Speaking in Favor - No one spoke

Speaking in Opposition – No one spoke

**Motion by** B. Setschinsky  
to close the Public Hearing on ZBA#17-001  
**Second by:** M. Solis  
**Vote:** Motion carried unanimously

**4. PENDING APPLICATIONS –**

- A. ZBA#17-001, Dan Neal, Applicant/Owner, for property located at 373 Westchester Road, Tax Map #4W-11, Lot #003-0, Rural Zone. Applicant is appealing the decision of the Zoning Enforcement Officer regarding violation of Section 8.8(12), Junk Vehicles, of the Colchester Land Use Development Regulations.

RECEIVED  
COLCHESTER, CT  
2017 MAR 23 AM 11:21  
Gayle Furman  
GAYLE FURMAN  
TOWN CLERK

Board members began deliberation on this application. J. Radachy said that in regards to Mr. Neal's confusion on which level of law he should follow, it would be the Town regulations. Discussion followed regarding the "Required Corrective Action" in the Cease and Desist Order. The Board requested D. Schaub to research when the Junk Vehicle regulation was first established. They also discussed non-conforming use of the property.

**Motion by:** J. Radachy  
to continue the discussion to the next regularly scheduled meeting on April 18, 2017.  
**Second by:** P. Reading  
**Vote:** **Motion carried unanimously**

**5. Minutes of Previous Meeting – Minutes of the Regular Meeting February 21, 2017**

**Motion by:** P. Reading  
to approve the minutes of the February 21, 2017 Regular meeting as written.  
**Second by:** M. Solis  
**Vote:** **Motion carried unanimously**

**6. APPLICATIONS RECEIVED: - None**

**7. OLD BUSINESS – None**

**8. NEW BUSINESS - None**

**9. CORRESPONDENCE – None**

**10. ADJOURNMENT**

**Motion by:** B. Setschinsky  
to adjourn the meeting at 8:26 p.m.  
**Second by:** J. Radachy  
**Vote:** **Motion carried unanimously**

Gail N. Therian, Clerk