

TOWN OF SOUTHTON  
ZONING BOARD OF APPEALS  
TUESDAY, JANUARY 25, 2011

Chairman Robert Salka called the Public Hearing and Regular meeting of the Southington Zoning Board of Appeals to order at 7:02 o'clock, p.m. in the Town Council Chambers with the following members in attendance:

Edmund Costello, Jeffrey Gworek, Patricia Potter & Bryan Wysong

Alternates: Matthew O'Keefe  
Juanita Champagne

Others: Rob Librandi, Zoning Enforcement Officer

Absent: Ronald Bohigian, Alternate  
Michael Milo, Alternate

A quorum was determined.

The Pledge of Allegiance to the American Flag was recited by everyone in attendance.

Vice Chairman Edmund Costello explained to the audience the procedure to be followed in the presentation of an appeal. He advised that should their appeal be approved, they file it with the Town Clerk's Office before proceeding with the project.

ROBERT SALKA, Chairman, presiding:

Public Hearing Items:

A. APPEAL 5834A, Application of Southington Country Club, Inc. for a special exception approval to serve alcohol in the relocated bar area under Section 3-01.31C, 11-04 & 15-05 of the Zoning Regulations, 150 Savage Street, property of Southington Country Club Inc. in an R-20/25 zone.

THE CHAIR: Go ahead.

RAY KASTNER: Good evening, my name is Ray Kastner and I'm a principle of the Southington Country Club.

Basically, what we're trying to do is we took over the golf course seven or eight years ago. One of the issues that was very

problematic was for someone to buy tickets to play golf; they had to go into the bar. And, it wasn't a good situation for minors, kids or anybody that you couldn't separate the two.

So, what we came up with this year is we're going to relocate the bar. The bar will go into a Pro Shop and basically where we have a vending/storage area, we're going to turn that area and we have an outdoor patio, covered patio, enclose that and relocate the bar.

So you guys have a set of plans? Okay.

So basically, there'd be a separate entrance into the Pro Shop from the outside so people come in and buy tickets, play golf. A small Pro Shop in there.

If -- we host the Cheshire Girls' Golf Team and half the time the Cheshire Boys' Golf Team. So, we will still have chairs in the Pro Shop if they want to get a cheeseburger or whatever food, they can be served in there and not have to go into the bar area.

Our liquor permit is a patio liquor permit which basically we can serve anywhere on our property. I guess we really have 96 acres.

When we first took over, Frank Vinci was there, and we filled out the application and then we came for it and we got approval. So, we went from café to a patio license.

So basically, relocating this, as far as the Liquor Commission, it wouldn't be an issue. They're going to applaud it. Because they were kind of pushing us for a while to do it. Every year we had a priority list of what we can put into the course and this year the priority is to relocate it.

What else can I say? That's about it.

THE CHAIR: Okay. Do we have any questions of the applicant?

MS. POTTER: How many patios do you --- I'm sorry, I see a covered patio, smokers' patio, the new patio. Is it liquor on all the patios?

MR. KASTNER: We can have liquor on every inch of the property we own.

MS. POTTER: No, no, no. I mean, what your old permit was?

MR. KASTNER: Every inch of the property. A patio permit allows you to sell liquor anywhere on the property. So, relocating isn't the issue to be honest with you, because we were selling it on the patio. We were selling it on the first tees, the fairways with a golf cart. We can sell it anywhere.

MS. POTTER: Okay.

MR. KASTNER: Okay? So we just give it up where we had the cash register, if you want to call it. We're taking that out of the area that was the old bar and making that --- separating it into two entities. One is a bar restaurant and one is Pro Shop.

So, I would say sixty percent of our business is strictly people coming in to play golf. They shouldn't have to go into a bar.

MS. POTTER: It says: bar/lounge.

MR. KASTNER: Correct.

MS. POTTER: How many people actually can be seated at the bar?

MR. KASTNER: Probably 17.

MS. POTTER: Seventeen bar stools?

MR. KASTNER: Pardon?

MS. POTTER: Seventeen bar stools?

MR. KASTNER: I think roughly 17. He's showing 22. That may change. Twenty-two is maximum at the bar but the architect doesn't have the expertise on bar stools, how much space you need and everything. So, that's a schematic. We have to have certain stations at the bar, so that's going to be eliminating a seat or two. But roughly in that area. We'll probably - it shows on the plan 143 people which is totally impossible because there is only going to be about 36 to 44 seats available in that whole area. But we will have the existing dining room that will be open to that area. Again, so if somebody wants to go to dinner there and they don't want to be in a bar atmosphere, lounge atmosphere, then there will be separate seating.

THE CHAIR: Any other questions of the applicant?

It sounds like to me it just sounds like it makes more sense because I remember going in and walking into the bar where the cash register is, you know, to buy your tickets and stuff. So to me, this is just sort of makes sense to do this.

And, there's no really limitations that we're looking at here, encroachments or anything like that with regards to the application itself.

MR. KASTNER: We are not increasing any square footage. Whatever roof space we had, it is going to be the same.

You mentioned patios, we do - our main business is in the spring, summer and fall. And, it's just so nice out there to sit on the patios. We are actually expanding the patio a little bit than what

was existing. Just that two of the areas would be open air and one would be covered.

And, the smoking area, which is where we have to separate the two, we did it nicely with one side as a smoking area and the other side which is a covered patio, you can't smoke under. Then we have another area in case somebody wants to sit outside and have dinner or lunch. They could be outside without a covered area and not have to be in the smoking area.

The only thing that is going to change on your diagram and our diagram is the smoking area/patio; the architect does not like smokers. So he may where they can't have a table and they have to stand to smoke. That area will be a regular patio with chairs and tables.

MS. POTTER: Okay.

THE CHAIR: One of the limitations with this type of application, unless I'm wrong, when we look at the regulations of 11.4.5 is it has to be renewed every two years. Is that still correct, Rob? When I was going through the application one of the items in there was that it had to be renewed every two years. Is that still?

MR. LIBRANDI: I believe so, yes.

THE CHAIR: Okay. You have no problem with that?

It's part of the regulations so it's not where -

MR. KASTNER: Is that a liquor board or the town regulations?

THE CHAIR: It's in the town regulations. Yes.

So, we probably want to include that in the motion? Just to clarify it. Because it is in the regulation. Do you see it, Rob?

MR. LIBRANDI: Yup.

THE CHAIR: Okay. It's 11.04.5.

MR. WYSONG: I remember reading it but that didn't register as a two year --

(Pause)

MR. LIBRANDI: You are considered a club, right?

MR. KASTNER: What's that?

MR. LIBRANDI: It's a golf club?

MR. KASTNER: It's a country club now. I don't --- there are different types of clubs. There are the private clubs where --- we are not a private club.

MR. LIBRANDI: Yah.

THE CHAIR: It says: maybe granted temporary or conditional permits for not more than two year duration for the sale of alcohol liquor upon the premises used by a club for golf purposes under such restrictions as may be law provided.

So, I mean, that's the way I read it.

MR. KASTNER: Now, was this regulation always intact?

THE CHAIR: It's dated March 22<sup>nd</sup>, 2008.

MR. KASTNER: Okay. It's just the last time we were here -

THE CHAIR: Am I reading this correctly? I mean I just want to make sure.

MS. POTTER: He's before that time.

(Chuckles)

MR. KASTNER: Well, I guess, as long as it was an old one. We've never been back here since we came originally, came in here in 2003.

THE CHAIR: I'm sorry?

MR. GWOREK: I just have, I'm on a different - I'm reading the same thing but -

THE CHAIR: Okay.

MR. GWOREK: -- the way I think you're interpreting it as if it's a private club. This is more of a ---

(Undertone comments)

MR. LIBRANDI: So there is no dues or anything like that?

MR. KASTNER: We have memberships for golf but it is open to the public. We call it semi-private. It's not like an American Legion where you have to join. They can get away with certain things, maybe smoking, I'm not sure, but we are not --- I wouldn't think you would have to come here every two years because the state regulates our permit.

MR. WYSONG: Where do the two years come in? I interpret the two years as being if we're granting a temporary or a conditional permit. I don't think that's the issue that's in front of us.

(Pause)

THE CHAIR: Okay. You're right.

MR. O'KEEFE: I think looking at the definition of club under it looks like Section 2.03 number 2, club. That's more for a benevolent society than a for profit business and you are a for profit business, is that correct?

MR. KASTNER: We try.

THE CHAIR: You would hope.

(Chuckles)

Okay.

MR. LIBRANDI: Because the other permit for the patio and such, those aren't time limited ones.

THE CHAIR: No, they are not. I remember those coming before us. Okay.

Any other questions of the applicant?

(No response)

Thank you.

Is there anyone speaking in favor of the application?

(No response)

Is there anyone opposing this application?

(No response)

Hearing none, this application is closed.

Continued Public Hearing Items:

A. APPEAL #5833A, application of William Lange for a front yard variance to allow 36.5' where 44.5' was allowed and 50' required to install a covered porch: and .7' front yard variance where 50' is required: and an 8.7' side yard variance where 25' is required and 18.3' previously allowed to rebuild existing garage and add addition onto rear of garage under sections 7A-00 & 15-04, 124 Thistle Lane, property of Diane C. & William H. Lange in an R-40 zone.

This item has been withdrawn.

7:15 o'clock, p.m.

### REGULAR MEETING

Approval of Minutes - Regular Meeting of January 11, 2011

Ms. Potter made a motion to approve as presented. Mr. Costello seconded. Motion passed unanimously on a voice vote.

#### NEW BUSINESS:

A. APPEAL 5834A, Application of Southington Country Club, Inc. for a special exception approval to serve alcohol in the relocated bar area under Section 3-01.31C, 11-04 & 15-05 of the Zoning Regulations, 150 Savage Street, property of Southington Country Club Inc. in an R-20/25 zone.

Ms. Potter made a motion to take Appeal 5834A and bring it to the floor. Mr. Costello seconded.

Mr. Costello stated he didn't see this as much of a change. They're moving the cash register. It seems like it'll keep people who don't want or need to be in the bar from the bar.

The Chair commented it is a favorable change.

Motion passed 5 to 0 on a roll call vote.

#### MISCELLANEOUS/OLD BUSINESS/NEW BUSINESS

The Chair said that we have no applications for next meeting. Since it is two week cycle, we can probably cancel the February 8<sup>th</sup> meeting.

Mr. Wysong made a motion to cancel the February 8<sup>th</sup>, 2011 meeting due to lack of active applications. Ms. Potter seconded. Motion passed unanimously on a voice vote.

The Chair asked for an update on the cease and desist orders sent forward:

- Prospect Street: Mr. Librandi said a letter was sent and they have 30 days which would be sometime the beginning of next month to comply. The Chair said he noticed that they have cleaned it up. He has cleaned up the whole backyard. I think he's in preparation of closing it down.

- True Property on the corner of Mt. Vernon and Prospect: Mr. Librandi said he did post a bond. We allowed him to have the equipment on the property until he finished the work. So until he removes that equipment after the project is finished, then we can release the bond.

What project is this? It's been ongoing years. He has a backhoe and a shovel and dump truck. Mr. Librandi said he is installing a retaining wall because he's saying that he is getting water in the basement. Some areas of flooding on the property and this is a retaining wall that has gone to engineering and planning and they've inspected and approved the plans.

The Chair asked if when he completes the project the equipment has to leave and Mr. Librandi confirmed that.

- Fence on West Center Street: Mr. Librandi said the fence; the owners did send a letter. They did hire somebody, but due to the weather, they keep having to change it. And, they do call and keep in touch on the status.

They are going to cut the fence to 4'.

Hearing nothing else to come before the Board, Ms. Potter made a motion to adjourn. Mr. Costello seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:20 o'clock, p.m.)

Robert Salka, Chairman  
Zoning Board of Appeals