

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
January 24, 2005**

Board Members Attending: Thomas Hannigan
John Reynolds
Jerry R. Horton
Matthew Armendo
Lenny Ciuffredo
Morris Bergman
David George

Staff Attending: Jody Valade, Division of Land Use
David F. Holden, Department of Code Enforcement
Denise McGinley, Division of Land Use

Thomas Hannigan, Chairman, opened the meeting at 5:30 P.M. The following actions were taken:

**** 64 Fruit Street – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to continue the requested hearing to February 14, 2005 for Administrative Appeal as listed below:

Administrative Appeal:

1. To overturn enforcement order of the Director of Code Enforcement; to cease and desist operation of a lodging house in a RG-5 zoning district.

**** 66 Fruit Street – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to continue the requested hearing to February 14, 2005 for Administrative Appeal as listed below:

Administrative Appeal:

1. To overturn enforcement order of the Director of Code Enforcement; to cease and desist operation of a lodging house in a RG-5 zoning district.

**** 126 Southwest Cutoff – Special Permit:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to continue to February 14, 2005 the requested hearing for Special Permit (*to modify non-conforming use by changing it from truck terminal to motor vehicle sales, rental, service and repair – demolish existing building and construct new building: same size and dimensions*) with notes as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

Notes:

1. Transfer neighbor's concerns list (Donna & Ray Griffin @ 19 Saybrook Road) to Joel Fontaine (Economic Office of Neighborhood Services).
2. The Special Permit must run with owner of Business? Or owner of land?

**** 126 Southwest Cutoff – Special Permit:** Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted to continue the requested hearing to February 14, 2005 for Special Permit (*to use premises as motor vehicle sales, rental, service and repair*) with notes as listed below:

Special Permit:

2. To allow motor vehicle sales in a BL-1.0 zoning district.

Notes:

1. Transfer neighbor's concerns list (Donna & Ray Griffin @ 19 Saybrook Road) to Joel Fontaine (Economic Office of Neighborhood Services).
2. The Special Permit must run with owner of Business? Or owner of land?

653 Main Street – Variances & Special Permit: Upon a motion duly made and seconded, the Board voted 5-0 to approve the requested Variances & Special Permit (*to convert existing five-story building into fifty apartments, demolish single-story storage building, construct a new parking lot / garage, and an additional sixty-unity condominium building in its place*) with condition as listed below:

Variances:

1. Relief of seventy feet from Frontage requirement.
2. Relief of ten feet from Rear Yard setback requirement.
3. Relief of five feet from minimum parking lot setback requirement.
4. Relief from Off-Street parking requirement.
5. Relief from Floor-to-Area ration requirement.

Special Permit:

1. Expansion or change of a non-conforming use.

Condition:

1. No more than 129 parking spaces (subject to appropriations in letter from the DPW dated January 21, 2005).

4 Natural History Drive – Variances & Special Permit: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 4-1 (Jerry Horton voted No) to approve the requested Variances and Special Permit (*to bring existing carport (not garage) into compliance with city ordinances*) with condition as listed below:

Variances:

1. Relief of 1 foot from Side Yard setback requirement.
2. Relief of 20 feet from Front Yard setback requirement.

Special Permit:

1. Expansion or change of a pre-existing non-conforming use (carport).

Condition:

1. Variance granted for detached carport only (not garage) in order to bring attached carport into compliance. (This precludes the construction of a permanent garage).

23 Bancroft Street – Variances & Special Permit: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Variances and Special Permit (*to convert three-family dwelling to a four-family dwelling*) as listed below:

Variances:

1. Relief of 2,396 square feet from Gross Dimensional requirement.
2. Relief of 20 feet from Frontage requirement.
3. Relief of 5 spaces from Off-Street parking requirement.

Special Permit:

1. Expansion or change of a pre-existing non-conforming structure.

3 St. John's Road – Variance: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Variance (*to bring pre-existing deck into compliance with City ordinances*) with conditions as listed below:

Variance:

1. Relief of eight (8) feet from Side Yard setback requirement.

Conditions:

1. Variance relief of eight (8) feet; not ten (10) as requested.
2. Railing is to be installed.

104 Chicopee Street – Variance: Upon a motion duly made by Lenny Ciuffredo and seconded by John Reynolds, the Board voted 5-0 to approve the requested Variances (*to construct a farmer's porch within the front yard setback*) as listed below:

Variances:

1. Relief of 174 square feet from Gross Dimensional requirement.
2. Relief of 10 feet 5 inches from Front Yard setback requirement.

8 Penn Avenue – Variance: Upon a motion duly made by Jerry Horton and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Variance (*to relocate package store – presently existing at 236 Grafton Street – to the first floor of 8 Penn Avenue*) as listed below:

Variance:

1. Relief of 11 spaces from Off-Street parking requirement.
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OTHER BUSINESS: (0)

Approval of Minutes: January 10, 2005 meeting.

The meeting adjourned at 7:30 p.m.