

**ZONING BOARD OF APPEALS**  
**CORRECTED MINUTES OF MEETING**  
**May 9, 2005**

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

**Staff Attending:** Jody Valade, Division of Land Use  
David F. Holden, Department of Code Enforcement  
Denise McGinley, Division of Land Use  
Edgar Luna, Economic Office of Neighborhood Services

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

**Executive Session:** Zoning Board of Appeals with Attorney Donald Ryder relative to pending litigation regarding the following items (Cancelled and will be heard May 23, 2005 at 5:00 P.M.):

- A. 166-207 Grafton Street (CDB Realty Trust versus Zoning Board of Appeals)
- B. 1 & 3 Prioulx Street (Riggieri, Trustee of the E.T. Bass Real Estate Investment Trust versus Zoning Board of Appeals)

**2 Hastings Avenue – Special Permit:** Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to continue the requested Special Permit (*to allow single-family attached dwellings in an RL-7 zoning district*) to June 27, 2005.

**301 Bridle Path – Variance:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Variances (*to raze current structure and construct a new single-family dwelling*) as listed below:

Variance:

1. Relief of four feet from Side Yard setback requirement.
2. Relief of five feet from Front Yard setback requirement.

**237 Chandler Street – Variance & Special Permits:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Variance and Special Permits (*to alter existing privileged nonconforming structure to provide for a*

*different use pursuant to Article XIII, Section 5 (office, manufacturing & storage space for new businesses)) with conditions as listed below:*

Variance: relief of 76 spaces from Off-Street Parking requirement

Special Permit:

1. Expansion or change of a privileged non-conforming structure.
2. To allow manufacturing and other industrial operations in BL-1.0 zoning district.

Conditions:

1. Limited to Petitioner
2. Relief of 58 off-street parking spaces rather than 76.

**257 Park Avenue – Variance & Special Permit:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Variance & Special Permits (*to expand existing occupancy from 108 to 143 seats*) with conditions as listed below:

Variance: Relief from off-street parking requirement.

Special Permit: Expansion or change of a non-conforming use/structure.

Conditions:

1. Waiver of 19 spaces from Off-street Parking requirement;
2. Petitioner is to keep alley clean.

**71 Pullman Street – Variance & Special Permits:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to grant a six month extension of time for Special Permit (*to construct another structure on the lot to be used for retail/restaurant/takeout*).

**39 Seymour Street – Variance & Special Permits:** Upon a motion duly made by Jerry Horton and seconded by John Reynolds, the Board voted 5-0 to continue the request for Variance & Special Permit (*to construct exterior set of stairs to facilitate a second egress for third floor apartment*) until May 23, 2005.

**39 Shelby Street – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the Administrative Appeal (*to overturn the March 9, 2005 Planning Board decision granting Site Plan approval for parcel located at 39 Shelby Street*) to May 23, 2005.

**311 Bridle Path – Variances:** Upon a motion duly made by Matthew Armendo and seconded by John Reynolds, the Board voted 5-0 to continue the request for Variances (*to raze existing to approve the requested Variances (to raze existing structure and replace with a new single family dwelling)*) to May 23, 2005.

**50 Chino Avenue – Special Permit:** Upon a motion duly made by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to grant a Leave to Withdraw Without Prejudice for a Special Permit (*to allow a single family semi-detached dwelling (duplex) in a RS-7 zoning district*).

**Shannon Street/Rice Lane – Variances:** Upon a motion duly made by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to grant a Leave to Withdraw Without Prejudice for Variances; and to waive fees for a refileing (*to develop a portion of said land area by converting it into forty-six townhouses (eight of which will be on Shannon Street: Lot 2B; and thirty-eight of which will be on Rice Lane: Lot C)) as follows:*

Variance: relief of three feet from Frontage setback requirement (Lot A-2B).

Variance: relief of sixteen feet from Frontage setback requirement (Lot C).

**68 Laurel Street – Extension of Time:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Extension of Time.

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**OTHER BUSINESS: (0)**

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**Approval of Minutes:** Upon a motion duly made and seconded, the Board voted 5-0 to approve the minutes of the April 25, 2005 meeting.

The meeting adjourned at 7:30 p.m.