

ZONING BOARD OF APPEALS
MINUTES OF MEETING
October 18, 2004

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

Staff Attending: Joanne Valade, Division of Land Use
David F. Holden, Code Enforcement

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

**** 38 Toronita Avenue – Administrative Appeal:** Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Administrative Appeal (*to overturn the June 23, 2004 Planning Board decision granting approval for an Opening of Way for Public Use*).

**** 346 Shrewsbury Street – Special Permit & Variance:** Upon a motion duly made by Lenny Ciuffredo and seconded by Morris Bergman, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Special Permit & Variance (*to convert vacant structure to a restaurant*) as listed below:

Variance:

1. Relief of twenty-five spaces from off-street parking requirement.

Special Permit:

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

**** 14 Jewett Terrace – Variance:** Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Variance (*to construct a single-family dwelling*) as listed below:

Variance:

1. Relief of fifteen feet from Frontage requirement.

428 Lake Avenue – Variances & Special Permit: Upon a motion by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice for **Variances** (*to split the lot into two; thereby creating an additional new lot*) as listed below:

Variances:

1. Relief of five feet from Side Yard setback requirement (Lot 1).
2. Relief from Side Yard setback requirement (Lot 2) (of 4 feet from right side & 4 feet from left side).

Upon a motion by John Reynolds and seconded by Morris Bergman, the Board voted 4-1 (Jerry Horton voted No) to approve the **Special Permit** (*to split the lot into two; thereby creating an additional new lot*) as listed below:

Special Permit:

1. Expansion of pre-existing non-conforming structure.

67 Millbrook Street – Variance & Special Permit: Upon a motion duly made and seconded, the Board voted 4-1 to approve the requested **Special Permit** (*to construct billboards on said premises*) as listed below with the following conditions:

Special Permit:

1. To allow outdoor advertising in MG-2.0 district.

Conditions:

1. Only two (2) billboards allowed;
2. At or greater than 1,000 feet apart; and
3. Not animated.

Upon a motion duly made and seconded, the Board voted to approve requested Leave to Withdraw Without Prejudice at the request of the applicant for **Variance** (for relief of signage height limitations (Article IV, Section III, C) *to construct billboards on said premises*). .

5 Norton Street – Variances: Upon a motion duly made by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Leave to Withdraw Without Prejudice at the request of the applicant for Variances (*to construct a detached garage*).

**** 980 Grafton Street – Variance:** Upon a motion duly made by John Reynolds and seconded by Morris Bergman, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Variance (*to construct a wall sign*) as listed below:

Variance:

1. Relief of 55 square feet from signage Gross Dimensional requirement.

**** 10 Frank Street – Variances:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to continue the requested hearing to November 22, 2004 for Variances (*to divide existing lot into two equal size parcels in order to construct a single-family dwelling on newly created lot*) as listed below:

Variance:

1. Relief of 2,000 square feet from Gross Dimensional requirement (each lot).

2. Relief of 15 feet from Frontage requirement (each lot).

222 Mower Street – Special Permit: Upon a motion duly made and seconded, the Board voted to approve the requested Special Permit (*to convert attached garage into additional living space*) as listed below:

Special Permit:

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

Rosemont Road (Lot 64) – Variances: Upon a motion duly made by Matthew Armendo and seconded by John Reynolds, the Board voted 5-0 to approve the Variances (*to construct a single family dwelling*) as listed below:

Variance:

1. Relief of 347 square feet from Gross Dimensional requirement.
2. Relief of 17 feet from Frontage requirement.

660 Burncoat Street – Variance: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Variance (*to construct an accessory building*) as listed below:

Variance:

1. Relief of five feet from Article IV, Section 8 (II)(J) accessory structure height requirement.

9 Polito Drive – Variances: Upon a motion duly made and seconded, the Board voted 5-0 to approve the Variance (*to construct an addition and an attached garage to existing single family dwelling*) as listed below:

Variances:

1. Relief of ten feet from Rear Yard setback requirement.
2. Relief of seven feet from Front Yard setback requirement.

15 Alexander Road – Special Permit: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the Special Permit (*to reclassify structure as a two family dwelling*) as listed below:

Special Permit:

1. To allow a two-family dwelling in an RS-7 zoning district.

6 Arthur Street – Special Permit: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve the Special Permit (*to operate a nail salon*) as listed below with the following condition:

Special Permit:

1. To allow a personal service shop operation (nail salon) in a RG-5 zoning district.

Condition:

1. Only one use allowed (nail salon) with only one (1) salon chair allowed.

**** 40 Sterling Street – Variances:** Upon a motion duly made and seconded, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Variance (*to subdivide parcel in order to construct a two-family dwelling on newly created lot*) as listed below:

Variances:

1. Relief of eight feet from Side Yard setback requirement.
2. Relief of seven feet from Frontage setback requirement.
3. Relief of eight feet from Rear Yard setback requirement.

**** 65 Temple Street – Special Permits:** Upon a motion duly made by John Reynolds and seconded Jerry Horton, the Board voted 5-0 to continue the requested hearing to November 8, 2004 for Special Permits (*to relocate “Kelley Square Flea Market” into one of two existing vacant structures*) as listed below:

Special Permits:

1. Expansion or change of a non-conforming use.
2. To allow a flea market operation in a MG-2.0 zoning district.

788 West Boylston Street – Special Permit: Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the Leave to Withdraw Without Prejudice at the request of the applicant Special Permit (to allow automobile sales and repair in a BL-1.0 zoning district: *to establish used car dealership with repair shop – from existing location on same street*).

15-23 Eastern Avenue – Extension of Time: Upon a motion duly made and seconded it was voted by the Board to approve a six-month extension of time for construction commencement activity to begin.

OTHER BUSINESS:

Approval of Minutes: Corrected minutes of the September 27, 2004 meeting will be voted upon at the November 8, 2004 meeting.

The meeting adjourned at 8:30 p.m.

NOTE: ** Reflect filings that have been continued.