

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
December 20, 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
Joel Fontaine, Economic Office of Neighborhood Services
Denise McGinley, Division of Land Use

For Amendments, please see shaded areas on 11 East Central Street below:

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

**** 65 Temple Street – Special Permits:** 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 Special Permits (*to renovate one of two existing vacant structures and use for retail sales*) as listed below:

Special Permits:

1. Expansion or change of a non-conforming use.
2. To allow a retail sales in a MG-2.0 zoning district.

Note:

1. Board requested that Planning Board produce Waiver of Constructive Grant.

15 Putnam Lane – Extension of Time: Upon a motion duly made and seconded, it was voted by the Board to approve a six-month extension of time to August 20, 2005 for construction commencement activity to begin.

373 Bridle Path – Extension of Time: Upon a motion duly made and seconded, it was voted by the Board to approve a six-month extension of time to June 20, 2005 for construction commencement activity to begin.

10 Frank Street – Variances: Upon a motion duly made by John Reynolds and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Leave to Withdraw Without Prejudice 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).

Note:

1. Waive fees re: future filing for Special Permit (except for advertisement).

8 Penn Avenue – Variances & Special Permits: Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted 5-0 to approve all Variances and Special Permits with the exception of Leave to Withdraw Without Prejudice items as so noted below and with the following condition:

Variances:

1. Relief of 5 feet from Exterior Side Yard setback requirement.
2. Relief of 8 feet from Interior Side Yard setback requirement.
3. Relief of 10 feet from Front Yard setback requirement.
4. Relief of 32 spaces from Off-Street parking requirement (*Leave to Withdraw Without Prejudice*).

Special Permits:

1. Construction, reconstruction or conversion to non-residential use (*Leave to Withdraw Without Prejudice*).
2. Waiver of landscaping or barrier requirement:
 - a. Exterior side yard: 110 square feet
 - b. Interior side yard: 74 square feet
 - c. Rear yard: 261 square feet
3. Expansion or change of a non-conforming use.

Condition:

1. No more than one (1) business allowed at location i.e. Package store.

55 Greencourt Street – Variance: Upon a motion duly made by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to deny the requested Variance (*to construct single-family dwelling – Lot 3R*) as listed below:

Variance:

1. Relief of 1,113 square feet from Gross Dimensional requirement.

11 East Central Street – Variances & Special Permit: Upon a motion duly made by John Reynolds and seconded Matthew Armendo, the Board voted 5-0 to approve the requested Variances and Special Permit (*to construct / install a new coffee shop with a sit-down and drive-through service area within existing vacant space in the existing building as a separate tenant from the existing restaurant / pub*) as listed below:

Variances:

1. Relief from Article IV, Table 4.4, note Number 5 (Setbacks, Buffers and Landscaping for parking areas); and, Note Number 6 (Interior Landscaping for parking lots).
2. Relief from Article V, Section 5(2)(G)(Standards for Review) and Section 5(3)(Standards for Approval or Disapproval).

Special Permit:

1. To allow a food service (drive-in/take-out) in a BG-6.0 zoning district.

21-31 Foster Street – Variance & Special Permit: Upon a motion duly made by John Reynolds and seconded Jerry Horton, the Board voted 5-0 to approve the requested Special Permit and Variance (*to renovate building and add a single story*) as listed below:

Variance:

1. Relief of 18,000 square feet from Gross Dimensional requirement.

Special Permit:

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

**** 3 Jeanette Street – Special Permit:** Upon a motion duly made by John Reynolds and seconded Jerry Horton, the Board voted 5-0 to continue the requested hearing to February 14, 2005 for Special Permit (*to convert said structure to a two-family dwelling*) with note as listed below:

Special Permit:

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

Note:

1. Have Code Enforcement Department inspect drainage problem.

151 Harrington Way – 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 expand pre-existing non-conforming use of abutting parcel in order to erect temporary greenhouses*) with conditions as listed below:

Special Permit:

1. To allow greenhouses in a RS-7 zoning district.

Conditions:

1. Commercial vehicle (deliveries, etc.) access is to be by way of Harrington Way only.
2. Adequate screening required on backside of property and on Emerson Street side.

19 Oxford Street – Variances & Special Permits: Upon a motion duly made by John Reynolds and seconded Lenny Ciuffredo, the Board voted 5-0 to approve the requested Special Permits and Variances (*to rehabilitate structure into three new condominium dwellings*) as listed below:

Variances:

1. Relief of 399 square feet from Gross Dimensional requirement.
2. Relief of 3 feet 3 inches from Side Yard setback requirement (north side).
3. Relief of 7 feet 6 inches from Side Yard setback requirement (south side).
4. Relief of 5 feet 7 ½ inches from Rear Yard setback requirement.

Special Permits:

1. Expansion or change of a non-conforming use.
2. Conversion of additional dwelling units (one unit).

91 Chatham Street– Variances & Special Permit: Upon a motion by John Reynolds and seconded by Lenny Ciuffredo, the Board voted 5-0 to approve the requested Variances & Special Permits (*to construct six condominium dwellings*) as listed below:

Special Permit:

1. New residential construction (six units).

Variances:

1. Relief of 8 feet 9 inches from Side Yard setback requirement (south side).
2. Relief of 4 feet 11 inches from Side Yard setback requirement (south side).
3. Relief of 10 feet from Rear Yard setback requirement.
4. Relief of 6 feet from Front Yard setback requirement.

**** 164 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*) as listed below:

Special Permit:

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

**** 164 Southwest Cutoff – Special Permit:** Upon a motion duly made by John Reynolds and seconded by Jerry Horton, the Board voted to continue the requested hearing to January 24, 2005 for Special Permit (*to use premises as motor vehicle sales, rental, service and repair*) with notes as listed below:

Special Permit:

1. 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?

39 Esther Street – Variance & Special Permit: Upon a motion duly made by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to approve the Variance & Special Permit (*to raise roof of garage for storage and off-street parking*) as listed below:

Variance:

1. Relief of seven (7) feet from Article IV, Section 8(II)(J) requirements.

Special Permit:

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

16 Edgeworth 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 bring premises into conformance with regards to Frontage requirement*) as listed below:

Variance:

1. Relief of 2 feet 6 inches from Frontage requirement (each lot).

OTHER BUSINESS:

220-222 Burncoat Street – Scrivener's Error: Signed

Approval of Minutes: December 6, 2004 meeting.

The meeting adjourned at 8:30 p.m.