

ACTIONS OF THE ZONING BOARD OF APPEALS
APRIL 25, 2007

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Robert Schneider, Secretary
Albert Gionet
Robert Haley

ALTERNATES PRESENT: Edward Slegeski
Susan Shanbaum

MEMBERS ABSENT: Paul Harnois

The following actions were taken by the Zoning Board of Appeals at its meeting of April 25, 2007:

ALBERT CAVANNA – application #2318 – request a variance of Article II Section 3.01.01 to reduce front yard setback from 40’ to 31’ to construct an addition at 93 Forest Street, Residence AA zone.

Mr. Gionet moved to deny the variance as requested because he did not find a hardship. Mr. Haley seconded the motion.

Mr. Gionet voted in favor of the motion and the other members voted against the motion to deny the variance and the motion failed.

Mr. Schneider moved to grant the variance as requested, Ms. Maffe seconded the motion. All members voted in favor of the motion to grant the variance except for Mr. Gionet, who was opposed.

The reason for the approval was that the taking of land for highway improvement purposes along the property frontage affected the ability of the corner lot to meet the minimum setback requirements, and that the addition would have a minimal impact on the neighborhood.

JAY PITCHELL – application #2271 – **CONTINUATION** – request a modification of a condition of the special exception approval to increase the number of cars permitted to be sold from 18 to 28; at 333 Main Street, Business III zone.

Mr. Schneider moved to approve an increase in the number of cars to be sold on the lot from 18 to 24, Mr. Stevenson seconded the motion. Mr. Schneider, Mr. Stevenson and Ms. Maffe voted in favor of the motion, and Mr. Haley and Mr. Gionet voted against the motion. The special exception modification was denied due to the failure to achieve the necessary four votes.

In voting for the application ZBA members stated there was ample room on the lot to accommodate the additional cars and address internal site circulation issues. Mr. Gionet and Mr. Haley felt that the lot was crowded, there was not sufficient parking, and additional vehicles would only add to congestion at the site.

JAY PITCHELL – application #2271 – **CONTINUATION** – site plan modification approval at 333 Main Street, Business III zone.

Mr. Schneider moved to approve the site layout as proposed with the condition that the handicapped space be relocated to meet ADA requirements, and that cars for display or customer parking only be allowed in designated parking spaces. Mr. Schneider, Ms. Maffe, and Mr. Stevenson voted in favor of the motion, Mr. Gionet and Mr. Haley voted against the motion.

Those voting in favor believed the site could be designed to handle the additional cars and, if necessary, the owner could move cars to avoid congestion. Mr. Gionet and Mr. Haley felt there was insufficient internal circulation between the northern and southern sides of the property and felt the site plan as proposed would not address those concerns as raised by the Town review staff.

AML HOLDINGS' – application #2308 – request for an extension until May 25, 2007.

Ms. Maffe moved to grant the extension as requested by the applicants to May 25, 2007. Mr. Schneider seconded the motion and all members voted in favor.

MAY MEETING DATE

Ms. Maffe moved to reschedule the Zoning Board of Appeals to May 24, 2007. Mr. Gionet seconded the motion and all members voted in favor. The meeting was rescheduled from May 23, 2007 to avoid a conflict with the Eighth Utilities District Annual meeting.

RECEIPT OF NEW APPLICATIONS

RISHIMA & PRIYAL, LLC – Application #2320 – request a variance to change existing use to permit sale of alcoholic liquors under package store permit, at 276 Oakland Street, Residence A zone.

GREGORY & SHARON MAINVILLE – Application #2321 – request a variance to Article II Section 4.01.01 to reduce the front yard setback to 37.5' (40' required per subdivision plan) to build an addition, at 74 Braeside Crescent, Residence aa cluster zone.

PETER DAIGLE – Application #2322 – request a variance of Article II Section 4.01.01 to increase the size and scope of a previously approved addition maintaining the 5' side yard approved in 1952, at 20 Tower Road, Residence A zone.