

**ACTIONS OF THE ZONING BOARD OF APPEALS
MARCH 28, 2012**

MEMBERS PRESENT: James Stevenson, Chair
Robert Haley, Secretary
Edward Slegeski

ALTERNATES PRESENT: Sandra Stough (sitting)
Michael Stebe (sitting)
Armando Darna

ABSENT: Albert Gionet, Vice Chair
Donna Roberto

STAFF PRESENT: James Davis, Zoning Enforcement Officer; Renata Bertotti,
Senior Planner; and Ginger MacHattie, Recording Secretary

The following actions were taken by the ZBA at its meeting of March 28, 2012:

BRUCE ACETO – application #2012-006 – request a special exception approval under Art. II Sec. 9.14.02 and Art. IV Sec. 5.01.02 to allow an existing storage container to remain on site at 630 and 634 Center Street, Neighborhood Business zones.

MOTION: Mr. Haley moved to approve the special exception with the conditions that the top of the container be clear of all debris; the site is to remain free and clear of all banners, flags, streamers or similar items, unless a permit has been applied for and approved prior to display by the Town of Manchester's Zoning Enforcement Officer; the site is limited to a maximum outdoor parking for six (6) vehicles to include employee and customer parking as requested by the applicant as shown on the plans provided; there will be no parking of autos on this site in excess to those demarcated on this plan; there will be no storage of auto related materials, parts, fluids or other items outside of the building; and the owner/operator is to ensure that a clear unobstructed path is provided for access to the building from the provided handicap parking space. Mr. Slegeski seconded the motion and all members voted in favor.

The reasons for the approval were the storage container is painted the same as the building, is compatible with the neighborhood and has existed in its current location for a long time.

LIGHT OF THE GOSPEL CHURCH – application #2012-010 – request a special exception approval under Art. II Sec. 9.14.02(e) to allow the outdoor serving of food twice a month on site at 46 West Center Street, Business II zone.

MOTION: Mr. Stebe moved to approve the special exception with the conditions that the event would be held on the 1st and 3rd Friday of the month from April 1, 2012 to October 31, 2012. Ms. Stough seconded the motion and Mr. Stevenson voted in favor. Mr. Haley and Mr. Slegeski voted against. The motion to approve failed 3 to 2.

The reason for the denial was concern for traffic safety during the event.

LETRISA MILLER – application #2012-017 – request a variance to Art. IV Sec. 9.03.24 to reduce the required parking to 15 spaces (17 req.) and to Art. II Sec. 22.06 to reduce the side yard setback to 7' (10' req.) to place an A/C condenser unit in the side yard at 95 Avery Street, Special Design Commercial zone.

MOTION: Mr. Haley moved to approve the variance. Mr. Slegeski seconded the motion and all members voted in favor.

The hardships were the topography of the lot, the configuration of the drainage easement and the size of the lot.

MARK & KATHRYN FAUSEL – application #2012-019 – request a variance to Art. II Sec. 4.01.01 to reduce the side yard setback to 2' (10' req.), and to Art. IV Sec. 7.01.01 to increase the nonconforming structure at 37 Strong Street, Residence A zone.

MOTION: Mr. Slegeski moved to approve the variance. Ms. Stough seconded the motion and all members voted in favor.

The hardship was there would be no further encroachment into the side yard and the proposal addresses the ongoing damage to the house and it will improve the condition of the home and neighborhood.

AMERICAN GROUP, LLC – application #2012-023 – request a special exception under Art. II Sec. 24.02.02(a) and Art. IV Sec. 5.01.02 to allow used automobile sales at 266 West Middle Turnpike, General Business zone.

MOTION: Mr. Slegeski moved to approve the special exception with the conditions that the site remains free and clear of all banners, flags, streamers or similar items, unless a permit has been applied for and approved prior to display by the Town of Manchester's Zoning Enforcement Officer; the site be limited to a maximum of four autos offered for sale as requested by the applicant and as shown on the plans provided; there shall be no parking of autos on this site in excess to those demarcated on this plan; there shall be no storage of auto related materials, parts, fluids or other items outside of the building; and the owner/operator shall ensure that a clear unobstructed path is provided for access to the building from the

provided handicap parking space. Mr. Stebe seconded the motion and all members voted in favor.

The reasons for the approval were the sale of propane has been removed from the site and the handicapped parking space is in the closest location to the building.

APPROVAL OF MINUTES – of public hearing and business meeting of February 22, 2012.

MOTION: Mr. Slegeski moved to approve the minutes as written. Mr. Haley seconded the motion and all members voted in favor.