

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
JANUARY 25, 2012**

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

ALTERNATES PRESENT: Sandra Stough (sitting)

ABSENT: Donna Roberto
Armando Darna
Michael Stebe

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

The Chair opened the Business Meeting at 7:35 p.m.

CONSIDERATION OF PUBLIC HEARINGS:

RISHIMA & PRIYAL, LLC – application #2011-152 – request a variance to Article IV Section 7.02.02 and 7.02.03 to change a non-conforming use to allow alcoholic liquor sales in a portion of the premises at 276 Oakland Street, Residence A zone.

MOTION: Mr. Gionet moved to deny the request for a variance. Mr. Haley seconded the motion for discussion purposes.

Mr. Gionet said he did not see a hardship and was worried that we will not see a Laundromat at this location.

Mr. Haley said he agreed with Mr. Gionet and was concerned about the Laundromat. This is empty space and he did not see what good it would do to deny this application. Peros was great but it's gone; the past is the past, he said.

Mr. Slegeski expressed concerns about the expansion from 1,800 square feet to 3,000 square feet. He thought the applicant may expand even more in the future. However, he could not come up with a compelling reason to deny this application.

Mr. Stevenson said he supports this application. Times have changed and tastes have changed. There are three convenience stores on Oakland Street. He can understand why it failed; the demand has been fulfilled and the market is saturated.

After discussing, Mr. Gionet voted in favor of the denial and Mr. Haley, Mr. Stevenson, Mr. Slegeski and Ms. Stough voted against the denial. The motion failed 1 to 4.

MOTION: Mr. Haley moved to approve the request for a variance with the condition that window signs be limited to the alcoholic liquor sales business proper. Ms. Stough seconded the motion and Mr. Stevenson and Mr. Slegeski voted in favor. Mr. Gionet voted against. The motion passed 4 to 1.

The reason for the approval was the proposal is a natural expansion of a previously approved use and expanding the existing business is better than empty space.

APPROVAL OF MINUTES:

October 26, 2011 – Public Hearing/Business Meeting

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

December 7, 2011 - Joint PZC/ZBA Workshop Meeting

MOTION: Mr. Haley moved to approve the minutes with the correction that Mr. Gionet was present at the meeting. Mr. Slegeski seconded the motion and all members voted in favor.

ADOPTION OF 2012 MEETING SCHEDULE:

MOTION: Mr. Haley moved to adopt the 2012 meeting schedule. Ms. Stough seconded the motion and all members voted in favor.

ELECTION OF OFFICERS:

MOTION: Mr. Gionet nominated Mr. Stevenson for Chair. Ms. Stough seconded the motion and all members voted in favor.

MOTION: Mr. Haley nominated Mr. Gionet for Vice Chair. Mr. Slegeski seconded the motion and all members voted in favor.

MOTION: Mr. Gionet nominated Mr. Haley for Secretary. Ms. Stough seconded the motion and all members voted in favor.

ACCEPTANCE OF NEW APPLICATIONS:

AMERICAN GROUP, LLC – application #2011-150, 151 – request a variance to Article IV Section 5.03.01 to reduce the rear yard setback to 2.4’ (30’ req.), and request a special exception under Article II Section 24.02.02(a) to allow automobile sales at 266 West Middle Turnpike, General Business zone.

RISHIMA & PRIYAL, LLC – application #2011-152 – request a variance to Article IV Section 7.02.02 and 7.02.03 to change a non-conforming use to allow alcoholic liquor sales in a portion of the premises at 276 Oakland Street, Residence A zone.

MUHAMMADU N. BELLY – application #2012-002 – request a variance to Article II Section 1.03.04(c) to reduce the rear yard setback to 20 inches +/- (3’ required) for placement of a shed at 48-50 Wadsworth Street, Residence B zone.

The meeting was adjourned at 7:51 p.m.

I certify these minutes were adopted on the following date:

February 22, 2012

Date

James Stevenson, Chair

**NOTICE: THE CASSETTE TAPE RECORDING OF THIS BUSINESS MEETING
CAN BE HEARD IN THE PLANNING DEPARTMENT.**

OFFICIAL TAPE NO. 541

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