

ACTIONS OF THE ZONING BOARD OF APPEALS
DATE: SEPTEMBER 28, 2016

MEMBERS PRESENT: James R. Stevenson, Chair
Albert Gionet, Vice Chair
Robert Haley, Secretary
Edward Slegeski
Armando Darna

ALTERNATES PRESENT: John Topping
Matthew Peak

ABSENT: Sandra DeCampos

STAFF PRESENT: James Davis, Zoning Enforcement Officer
Renata Bertotti, Senior Planner
Katie Williford, Administrative Secretary

The following actions were taken by the ZBA at its meeting of September 28, 2016:

FRANCINE REYNOLDS – application #2016-103 – Request a yard variance of Art. II, Sec. 7.02.02 to allow a deck 19.5 feet from the rear property line (30 feet required) at 49 Woodland Street, Unit R, Planned Residential Development zone.

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

The reasons for the approval were that the proposed deck would be the same size as the existing patio; that it would provide additional safety for the residents; that there would be no change in the use of the area; and that the topography of the lot was not conducive to growing grass.

SCOTT COOLEY – application #2016-107 - Request a yard variance of Art. II Sec. 5.01.01 to allow a deck 15 feet from the front property line (20 feet minimum required) at 42 Hawthorne Street South, Residence B zone.

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

The reason for the approval was the difficulty of egress for the special needs child who lives at this property.

MARK HARNOIS – application #2016-108 – Request a yard variance of Art. II Sec. 1.03.04 to allow a shed less than 10 feet high to be located 1 foot from the side property line (3 feet minimum required) at 275 Lake Street, Rural Residence zone.

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

The reason for the approval was the site topography and the location of the septic system and leach field.

PAUL BOLDUC – application #2016-109 – Request a yard variance of Art. II Sec. 5.01.01 to allow a deck 20 feet from the rear property line (30 feet required) at 28 Jeffrey Alan Drive, Residence B zone.

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

The reasons for the approval were the size and shape of the lot.

TIMOTHY FOX – application #2016-110 - Request a yard variance of Art. II Sec. 4.01.01 to allow an addition to the existing mudroom 8 feet from the side property line (10 feet required) at 18 Devon Drive, Residence A zone.

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

The reasons for the approval were that a large tree on the property restricts where the mudroom could be located and that the proposed mudroom would provide safer egress for the children living at the property.

REDEEMED CHRISTIAN CHURCH OF GOD – application #2016-104 – Request a use variance of Art. II Sec. 23 to allow a church at 252 Spruce Street (a.k.a. 254 Spruce Street), Neighborhood Business zone, and a parking variance of Art. IV, Sec. 9.03.13 to allow 15 parking spaces (19 spaces required).

MOTION: Mr. Haley moved to approve the variances with the following conditions:

1. That the applicant or property owner installs a solid fence along their property lines that abut the residential neighbors to the south and west.
2. That there will be pavement markings and signage indicating a one-way passage entering from Eldridge Street and exiting to Spruce Street, with a “Do Not Enter” sign at the Spruce Street exit.
3. That the residential home will be permanently converted to a single family use.

Mr. Slegeski seconded the motion and all members voted in favor.

The reasons for the approval were that the parcel abuts Residence B zoned properties and is near the Central Business District, and the proposal meets the special exception requirements for a place of worship.

HILLIARD MILLS, LLC – application #2016-111 – Request a use variance of Art. II, Sec. 16.13 to allow health coaching and psychotherapy practices at 642 Hilliard Street, Industrial and Rural Residence zones.

MOTION: Mr. Haley moved to approve the variance with the condition that health coaching and psychotherapy practices will be restricted to Building 1. Mr. Darna seconded the motion and all members voted in favor.

The reasons for the approval were the lack of definitions of psychotherapy and health coaching in the zoning regulations; that the use is compatible with other uses in the building and area; and that the building is less conducive to industrial uses than it is to the proposed use.

APPROVAL OF JULY 27, 2016 MINUTES: PUBLIC HEARING AND BUSINESS MEETING

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

RECEIPT OF NEW APPLICATIONS

OM FOUNDATION, INC. – application #2016-115 - Request a variance of Art. II Sec. 1.00.02(e)1 to allow a place of worship on a street that is not an arterial or collector street at 15 Burnham Street Extension, Rural Residence zone.