

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
MAY 18, 2016**

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

ALTERNATES PRESENT: Armando Darna, Sitting
John Topping

ABSENT: Sandra DeCampos

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

The Chair opened the Business Meeting at 7:53 p.m.

CONSIDERATION OF PUBLIC HEARINGS:

BOTTICELLO FARMS, LLC – application #2016-029 - Request a use variance under Art. II, Sec. 2.01 and a parking variance under Art. IV, Sec. 9.01.01 to permit a farmers' market on June 4, July 2, August 6, September 3, and October 1, 2016 at 209 and 215 Hillstown Road, Rural Residence zone.

MOTION: Mr. Haley moved to approve the variance with the condition that a police officer be hired during the operation and, if the Police Department deems it necessary, more protection will be provided during the road construction. Mr. Slegeski seconded the motion.

Mr. Stevenson said the application was similar to last year's and there were no complaints last year. He did not think this proposal would have any negative impact on the neighborhood. He noted that it had been testified that the police presence was necessary.

All members voted in favor.

STEVEN MURRAY – application 2016-048 - Request a special exception under Art. II Sec. 9.14.02(e) to allow food vending from a truck at 670 Center Street, Neighborhood Business and Design Overlay zones.

MOTION: Mr. Gionet made a motion for discussion. Mr. Haley seconded the motion for discussion.

Mr. Gionet said he did not like the idea of approving the operation for three years and he was concerned about the 8 tables with 16 stools. He thought the hours of 1:00 p.m. to 9:00 p.m. were acceptable. He said there should not be any banners other than the one mentioned, and there should only be sandwich board signs to prevent cars from cutting through, not to advertise the menu.

Mr. Haley said he did not support the application because it was not a good fit for the neighborhood. He said it is a poorly lit lot that cars cut through, and if the cart was open until 9:00 p.m. it would be open after dark. Ice cream and fried dough would also attract younger customers, he said. Mr. Slegeski agreed, saying this was a poor location because drivers cut through the lot. He added that food carts tend to grow in size and functionality; the Board approves a proposal and then there are extra signs, extra tables, a flag, and sandwich signs. The safety issues particularly concerned him in this case, Mr. Slegeski said. Mr. Stevenson said he respected the other members' comments. He noted that there would most likely be some updated regulations relating to food carts this year, although he could not predict what the Planning and Zoning Commission would do. He said he believed that proposals like this would not have to come before the Board once those regulations are in place, but he could not predict that.

MOTION: Mr. Haley moved to deny the special exception. Mr. Slegeski seconded the motion. Mr. Haley, Mr. Slegeski, Mr. Gionet and Mr. Darna voted in favor of denial. Mr. Stevenson voted against the motion. The motion to deny passed 4 to 1.

168 MAIN, LLC – application #2016-056 – Request a use variance of Art. II Sec. 6.01 to allow a three-family house (two-family permitted) at 168 Main Street, Residence C and Residence A zones.

MOTION: Mr. Gionet moved to approve the variance. Mr. Darna seconded the motion.

Mr. Gionet said the applicant has improved the property. Mr. Haley said he could not support the application because he did not see a reason to turn this into a three-family house and did not think there was a sufficient hardship. Mr. Stevenson said he supported the application because there are other multifamily homes from two to four units in the neighborhood, so he did not think this would have any negative impact on the neighborhood. He added that the additional unit would probably not be noticeable from Main Street because it will be in the rear of the building.

Mr. Gionet, Mr. Darna, Mr. Stevenson, and Mr. Slegeski voted in favor. Mr. Haley voted against the motion. The motion passed 4 to 1.

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

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

ACCEPTANCE OF NEW APPLICATIONS

MARY A. TEIXEIRA – application #2016-063 - Request a variance of Art. II, Sec. 1.03.01 to allow one turkey to be kept on the property at 94 Broad Street, Residence B zone.

The meeting was adjourned at 8:06 p.m.

I certify these minutes were adopted on the following date:

June 22, 2016
Date

James Stevenson, Chair

kmw