

LONGMEADOW ZONING BOARD OF APPEALS
Minutes of March 21, 2007

Allen, Lot 1 & 2 Dunn Road, requesting to be allowed to have a buildable lot, Petition #2005-29.

Petition was continued to May 2, 2007.

Omni-Point, T-Mobile, requesting to be allowed to place a Cell Tower on residents property, Petition #2006-18.

Petition was continued to June 6, 2007.

Berce, 10 Oxford Rd., requesting a Special Permit to be allowed an addition on the rear of the dwelling, Petition #2007-5.

On February 13, 2007 the Board met with Dick Curran, Architect for the Berce's. Mr. Curran state that the proposed addition was approximately 884 square feet to the first floor and 697 square feet to the second floor and 213 square feet to the attached garage.

The Board noted the existing nonconformities were on both Oxford Road & Ellington Road with the front setbacks being short and that the lot size was smaller than allowed today.

The Chairman opened the meeting to the public. The following neighbors spoke in opposition of the proposed addition, concerned by the size and overall volume of the additions, Richard Hingman, 244 Ellington Rd., Betsy Port, 212 Farmington Road and Christine & Jim Fitzpatrick, 215 Ellington Rd. Mrs. Fitzpatrick submitted a chart showing lot size, lot acre, 1st & 2nd floor square footage, total square footage and 1st & 2nd floor ratios for every house in the neighborhood. The Chairman asked Mr. Curran if he wanted time to discuss the issues with his client and reschedule for the March 21, 2007 meeting. Mr. Curran accepted the request to continue the meeting to March 21, 2007.

The Board reopened the public hearing for the proposed addition. Mr. Curran presented the changes to the Board. The changes to the proposed addition would reduced the addition by 550 square feet which had been given to the neighbors prior to the meeting for there approval. Mr. Curran met with Betsy Port and Board Member Preston received a phone call from Mrs. Fitzpatrick noting her approval to the new design.

A motion was made and seconded to make a finding that the proposed 1,244 square foot addition to the first and second floors and garage to the dwelling would be more intensive than the existing nonconformities by adding to the house on a nonconforming and increasing the dwelling within the 40' setback along Ellington Road.

Board members Lavenburg, Plotkin, Bean, Sirulnik and Preston voted in favor of the motion therefore moving to step 2.

A second motion was made and seconded that the Board make a finding that the extension of the nonconformities described above would not be substantially more detrimental to the neighborhood then the existing nonconformities based on the modified site plan dated February 15, 2007 by the abutting neighbors and the addition generally conforms to the neighborhood.

Board members Lavenburg, Plotkin, Bean, Sirulnik and Preston all voted in favor of the motion therefore granting the Special Permit.

Kranz, 65 Hillcrest Ave., requesting a Special Permit to add on to the rear of the dwelling, Petition #2007-6.

Mr. Kranz and his design contractor, Dick Curran appeared before the Board requesting a Special Permit to add a 25 feet by 20 feet addition on the rear of their home.

The Board discussed the nature of the existing non conformities and agreed that the plans as submitted will result in an intensification of the existing nonconformities. It was noted that the construction will generally conform to dwellings in the neighborhood and that as such, no detrimental effect upon the neighborhood would result from granting the Special Permit.

No one from the public spoke for or against the petition.

A motion was made and seconded that the proposed addition would be more intensive than the existing nonconformities of front and side set backs as well as lot size.

Board Members Preston, Bean, Lavenburg, Sirulnik and Plotkin all voted in favor of the motion.

A second motion was made and seconded that the proposed addition would not be more substantially more detrimental to the neighborhood than the existing nonconformities.

Board Members Preston, Bean, Lavenburg, Sirulnik and Plotkin all voted in favor of the motion therefore granting the Special Permit.