

ZONING BOARD OF APPEALS HEARING
Police Station Community Meeting Room, 34 Williams Street
Tuesday – August 11, 2009 – 7:30 pm

Present: Board Chairman David Lavenburg, Members Stephen Bennett, Russell Preston, James Ryan and Mark Sirulnik.

Chairman Lavenburg opened the hearing at 7:34 p.m.

Board Member Ellen Freyman arrived at 7:36 p.m.

Old Business:

Petition #2008-21; Lot 20 Greenmeadow Drive ; Moore; application for a variance.

Board Member James Ryan made a motion to continue the application to September 15, 2009. Board Member Russell Preston seconded the motion. A vote was called and Board members Lavenburg, Freyman, Preston, Ryan, and Sirulnik voted unanimously in favor of the motion continuing the matter.

Petition #2009-11; Lot #61 Wild Grove Lane; Witoslaw; request to amend a special permit.

Board Member Russell Preston made a motion to continue the application to September 15, 2009.

Board Member James Ryan seconded the motion. A vote was called and Board members Lavenburg, Bennett, Freyman, Preston, and Ryan voted unanimously in favor of the motion to continue the matter.

Petition #2009-14; 362 Converse St.; Michael Batchelor; application for a special permit to enclose a side porch. The existing non-conformities are frontage, lot square footage, west setback, and front setback. No one from the public spoke for or against the application. Board Member James Ryan made a motion that the Board find that the proposed enclosure of the existing porch would not intensify any of the existing non-conformities. Board member Russell Preston seconded the motion. A vote was called and Board members Lavenburg, Bennett, Freyman, Preston, and Ryan voted in favor of the motion approving the application for a special permit.

New Business:

Petition #2009-18; 669 Shaker Rd.; Heather LaPorte; application for a variance for fencing.

The Board felt this application meets the criteria necessary for them to be able to grant a variance in that the lot is a unique shape and setting, the applicant faces a substantial hardship in that she needs to be able to fence in the back yard for her children's safety and the proposed fence would not result in a detriment to the neighborhood or public good. No one from the public spoke against the application; two people spoke in favor of it: Mary Sitaras, 69 Longfellow Dr. and Carolino Centeno, 75 Whitmun Road. As it was not included with the application, the Board requested the applicant submit a plan from the fencing company showing specific dimensions and placement of the proposed fence. In order to give the applicant time to provide the supporting information, Board member Mark Sirulnik made a motion to continue the matter to the September 15, 2009 hearing. Board member Russell Preston seconded the motion. A vote was called and Board members Lavenburg, Freyman, Preston, Ryan, and Sirulnik voted in favor of the motion continuing the matter to September 15, 2009.

Petition #2009-19; 69 Longfellow Dr., Mary Sitaras; application for a variance.

The applicant is seeking a variance to rebuild a garage and to add a second story to it. No one from the public spoke for or against the application. After much discussion, the Board did not feel this application would meet the strict guidelines necessary to grant a variance for height. In order to give Mr. & Mrs. Sitaras the opportunity to research legal grounds by which the Board might be able to grant this variance, Board member Stephen Bennett made a motion to continue the application to the September 15, 2009 hearing. Board member Russell Preston seconded the motion. A vote was called and members

Lavenburg, Bennett, Freyman, Preston and Ryan voted in favor of the motion, continuing the matter to September 15, 2009.

Petition #2009-20; 75 Whitmun Rd.; Carolino Centeno, Jr.; application for a special permit for addition of a deck. The applicant has a conforming structure on a lot that is non-conforming in its frontage and square footage. No one from the public spoke for or against the application. Board Member Russell Preston made a motion that the Board find the proposed ground-level deck, attached to the rear of the dwelling will increase the site density of the non-conforming lot. Board member Mark Sirulnik seconded the motion. A vote was called and members Lavenburg, Freyman, Preston, Ryan and Sirulnik voted unanimously in favor of the motion. Board member Russell Preston made a motion that the Board find that the proposed deck would not be detrimental to the neighborhood and noted that no one from the public spoke against the application. Board member Mark Sirulnik seconded the motion. A vote was called and members Lavenburg, Freyman, Preston, Ryan and Sirulnik voted unanimously in favor of the motion; the special permit was granted.

Petition #2009-21; 101 Hopkins Place; Stella Coughlin/Mike Michon; application for a special permit for an addition to the front of the dwelling and for a two-story addition on the rear of the dwelling. No one from the public spoke for or against the application. Board member Ellen Freyman made a motion that the Board find the proposed additions to the dwelling would increase the existing front setback, west setback and site density non-conformities. Board member Russell Preston seconded the motion. A vote was called and members Lavenburg, Bennett, Freyman, Preston, and Ryan voted unanimously in favor of the motion. Board member Ellen Freyman made a motion that the Board find the increased non-conformities would not be more detrimental to the neighborhood, noting that no one from the public spoke against the application. Board member Russell Preston seconded the motion. A vote was called and members Lavenburg, Bennett, Freyman, Preston, and Ryan voted unanimously in favor of the motion, granting the special permit.

The hearing adjourned at 9:10 p.m.

Respectfully submitted,
Elayne Ayan