

*Accepted as amended 7/12/11*

**ZONING BOARD OF APPEALS HEARING  
Police Station Community Room  
Tuesday, June 21, 2011 – 7:30 pm  
Minutes**

**Present:** Board Chairman David Lavenburg, Members Stephen Bennett, Daniel Plotkin, Jerry Plumb, and Russell Preston.

**Absent:** Members Ellen Freyman and Mark Sirulnik.

Chairman Lavenburg opened the hearing at 7:30 pm.

**Old Business:**

**Petition 2011-9; Glynn; 18 Burbank Road;** special permit to extend garage & add a room above on non-conforming dwelling. Mr. Glynn appeared before the Board. His application was continued from the May 24, 2011 hearing. Mr. Glynn informed the Board he has withdrawn the portion of the original plan, which would have increased the garage size and therefore the side setback non-conformity. He is now seeking a permit only to extend the second floor over the existing one-car garage. No one from the public spoke for or against the petition, however a letter was submitted to the Board from Peter Chapman of 18 Burbank Road in support of the proposed addition. Member Plumb made a motion that the Board find the existing non-conformities are the lot size, frontage, rear setback and front setback. Member Plotkin seconded the motion, and members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. Member Plumb made a second motion that the Board find the proposed addition over the existing garage would not increase the existing non-conformities, and noted that no one from the public spoke against the petition. Member Preston seconded the motion and members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. The special permit is granted.

**New Business:**

**Petition 2011-10; Mannix; 48 Emerson Road;** special permit to add a single story addition on the east side of the non-conforming dwelling. Joe Mannix appeared before the Board. Chairman Lavenburg opened the hearing to public comment. Neighbor Tom Kelleher of 38 Emerson Road reviewed the plans and had no objection to the petition; no one else from the public spoke for or against the application. Chairman Lavenburg made a motion, seconded by Member Preston, that the Board make a finding of fact that the existing non-conformities are lot frontage and southwest side setback. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. Chairman Lavenburg made a second motion that the Board find the proposed addition would not increase the existing non-conformities, and noted that no one from the public spoke against the petition. Member Preston seconded the motion and members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. The special permit is granted.

**Petition 2011-11; Baatz; 186 Longmeadow Street;** special permit to expand kitchen & additional laundry & mudroom on non-conforming dwelling. Catherine Baatz appeared with Rich Gale of Pecoy & Sons Construction Co. The existing non-conformities were identified as lot area, front setback, right sideyard (north) setback and frontage. No one from the public spoke for or against the petition. Member Plotkin made a motion that the Board find the proposed addition, with the walkway not to encroach more than nine feet, nine inches to the right side yard setback, would increase the existing side setback and lot density non-conformities. Member Bennett seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. Member Plotkin made a second motion that the Board find that the proposed addition would not be substantially more

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detrimental than the existing non-conformities, that it would generally conform with the look of the neighborhood, and noted that no one from the public spoke against the petition. Member Preston seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion; the special permit is granted.

**Petition 2011-12; Longmeadow Shops/Steve Walker; 684 Bliss Road;** request finding of adequate off-street parking for 164 seat restaurant. At the applicant's request, Member Plumb made a motion, seconded by Member Preston, that the matter be continued to the July 12, 2011 Hearing. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion; the matter is continued.

**Petition 2011-13; Cranor, 24 Lincoln Park;** request special permit to replace deck with a new 36' x 14' deck on rear of non-conforming dwelling. Mr. and Mrs. Cranor appeared before the Board and submitted letters from Frank & Linda Montefusio of 31 Hillside Terrace and Peter & Elaine Berardi of 21 Hillside Terrace in support of the proposed deck addition. The existing non-conformities were identified as lot area and rear setback. No one from the public spoke for or against the petition. Member Preston made a motion, seconded by Member Bennett, that the Board find the proposed deck addition would increase the existing rear setback and lot density non-conformities. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. Member Preston made a second motion that the Board find the increase in non-conformities would not be substantially more detrimental than the existing non-conformities, that the construction would generally conform with the look of the neighborhood, and noted that no one from the public spoke against the petition. Member Plumb seconded the motion and members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion; the special permit is granted.

**Petition 2011-14; Welch; 25 Meadowbrook Rd.;** request permission to construct 2-tier patio & retaining wall on rear of property. Paula Welch appeared before the Board. Member Plotkin made a motion that the Board continue the application to the July 12, 2011 Hearing so that Mrs. Welch could obtain a detailed site plan. Member Plumb seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion; the matter is continued.

**Petition 2011-15; Appleman; 68 Northfield Rd.;** request special permit to build screened in porch over existing cement patio on non-conforming dwelling. Jay and Denise Appleman appeared before the Board. No one from the public spoke for or against the petition. Member Bennett made a motion that the Board make a finding that the existing non-conformities are frontage on Northfield Road and Berkshire Lane, lot size and rear yard (east) setback. Member Preston seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion. Member Bennett made a second motion that the Board find the proposed addition would not be substantially more detrimental than the existing non-conformities, that it would generally conform with the look of the neighborhood, and noted that no one from the public spoke against the petition. Member Preston seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion; the special permit is issued.

**Acceptance of Minutes:** Member Plotkin made a motion, seconded by Member Preston, to accept the minutes from May 24, 2011 as presented. Members Lavenburg, Bennett, Plotkin, Plumb and Preston voted unanimously in favor of the motion approving the minutes.

**Adjournment:** The Hearing adjourned at 8:25 pm.

Respectfully submitted,  
Elayne Ayan