

**ZONING BOARD OF APPEALS HEARING
Police Station Community Room
Tuesday, September 20, 2011 – 7:30 pm
Minutes**

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

Absent: Members Ellen Freyman and Daniel Plotkin.

Chairman Lavenburg opened the hearing at 7:38 pm.

Old Business:

Petition 2011-18; Cannizzo/Cash; 140 Ellington Rd.; request special permit for 2-story addition. Francis Cannizzo, Jr. and Susan Cash appeared before the Board. After a review of the petition, Chairman Lavenburg opened the hearing to public comment. As no one from the public came forward to speak, public comment was closed. Chairman Lavenburg made a motion that the Board make a finding that the existing non-conformities are lot size, frontage to both Ellington and Laurel Streets, front setbacks to both Ellington and Laurel Streets, and garage setbacks. The motion was seconded by Member Plumb. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion. Chairman Lavenburg made a second motion, seconded by Member Preston, that the Board find the proposed addition would increase the existing non-conformities by reducing the open space of the lot and by further increasing the primary setback non-conformity to Laurel Street. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion. Chairman Lavenburg made a third motion, seconded by Member Preston, 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. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion; the special permit is granted.

New Business:

Petition 2011-19; Casey; 37 Rosemore St.; request special permit to add deck to rear of dwelling. Sean Casey appeared before the Board. After a review of the petition, Chairman Lavenburg opened the hearing to public comment. No one from the public spoke for or against the petition. Member Bennett made a motion, seconded by Member Preston, that the Board find the existing non-conformities are frontage, lot size, front setback, both side setbacks and garage setbacks. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion. Member Bennett made a second motion, seconded by Member Preston, that the Board find the proposed addition would increase the existing non-conformities by reducing the open space of the lot. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion. Member Bennett made a third motion, seconded by Member Plumb, 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. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion; the special permit is granted.

Accepted as presented October 25, 2011

Acceptance of Minutes: Member Plumb made a motion, seconded by Member Bennett, to accept the minutes from the July 12, 2011 hearing as amended. Members Lavenburg, Bennett, Plumb and Preston voted unanimously in favor of the motion approving the minutes.

Adjournment: The Hearing adjourned at 7:58 pm.

Respectfully submitted,
Elayne Ayan