

*Accepted as amended September 20, 2011*

**ZONING BOARD OF APPEALS HEARING  
Police Station Community Room  
Tuesday, July 12, 2011 – 7:30 pm  
Minutes**

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

**Absent:** Member Ellen Freyman.

Chairman Lavenburg opened the hearing at 7:32 pm.

**Old Business:**

**Petition 2011-12; Longmeadow Shops/Steve Walker; 684 Bliss Road;** request finding of adequate off-street parking for 164 seat restaurant. Steven Walker, owner of Longmeadow Shops appeared before the Board. The Board reviewed the applicant's information and the applicable by-laws. Chairman Lavenburg opened the hearing for public comment; no one from the public came forward to speak for or against the petition and the public comment time was closed. Member Bennett made a motion, seconded by Member Preston, that the Board make the following findings of fact:

- based on the square footage and business usages, the town by-laws require 504.9 parking spaces be available at the shopping center;
- there are 454 spaces available, which is a deficit of 50.9 spaces;
- the hours of the proposed new business will be 10:30 am to 11 pm;
- the peak hours for the proposed business will be Thursday, Friday and Saturday from 6:00 pm to 10:00 pm when most other businesses are not open;
- the parking study furnished by the applicant supports a parking variance;
- the Board has discretion to modify the required number of spaces to 75% of the by-law requirement which would be 378.7, leaving a surplus of 75.3 spaces.

Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted unanimously in favor of the motion.

Member Bennett made a second motion, seconded by Member Plotkin, that the Board grant a parking variance based on the foregoing facts. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted in favor of the motion.

Member Bennett made a third motion, seconded by Member Preston, that the Board make a finding that there is adequate off-street parking available for the applicant's restaurant.

Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted in favor of the motion.

**Petition 2011-14; Welch; 25 Meadowbrook Rd.;** request permission to construct 2-tier patio & retaining wall on rear of property. William Welch appeared before the Board and asked to withdraw his petition. Member Plotkin made a motion, seconded by Member Preston, that the Board allow Mr. Welch to withdraw his petition. Members Lavenburg, Bennett, Plotkin, Plumb, and Preston voted in favor of the motion; the petition is withdrawn.

**New Business:**

**Petition 2011- Hirshberg;** Member Plotkin made a motion to continue the matter to the August 16, 2011 hearing. Member Preston seconded the motion. Members Lavenburg, Bennett, Plotkin, Plumb and Preston voted in favor of the motion; the matter is continued.

**Acceptance of Minutes:** Member Bennett made a motion, seconded by Member Preston, to accept the minutes from June 21, 2011 as amended. Members Lavenburg, Bennett, Plotkin, Plumb and Preston voted unanimously in favor of the motion approving the minutes.

*Accepted as amended September 20, 2011*

**Adjournment:** The Hearing adjourned at 8:23 pm.

Respectfully submitted,  
Elayne Ayan