

ZONING BOARD OF APPEALS HEARING
Police Station Community Meeting Room, 34 Williams Street
Tuesday – December 15, 2009 – 7:30 pm

Present: Board Chairman David Lavenburg, Members Stephen Bennett, Ellen Freyman, Daniel Plotkin, Russ Preston and Mark Sirulnik.

Absent: Jim Ryan and Dave Spencer.

Old Business:

Petition #2009-18; 669 Shaker Road – LaPorte; application for a variance for fencing. Board Member Mark Sirulnik made a motion that the Board continue the matter to the January 12, 2010 hearing. Board Member Russ Preston seconded the motion. A vote was called and Members Lavenburg, Bennett, Plotkin, Preston and Sirulnik voted in favor of the motion, continuing the matter to January 12, 2010. No one from the public spoke for or against this petition.

Petition #2009-31; 74 Dunn Rd. – Regan; request for special permit for addition on dwelling located in Flood Plain. Mike Mocko appeared on behalf of the applicant. As no one from the public spoke for or against the petition, Chairman Lavenburg closed the hearing for public comment. The Board determined the non-conformities to be side lot line, frontage and square footage. By connecting the building to the garage, a new non-conformity may be created to the extent that the by-laws vary for setback of detached and attached garages. The Board expressed concern that the file contained no evidence that notice had been given to the various town offices as required by Article III, Sec. E5b. Planning and community Development Secretary Beverly Rose will be asked to look into the matter and give notice if it has not already been given. Member Daniel Plotkin made a motion to continue the matter to January 12, 2010. Member Russ Preston seconded the motion. A vote was called and Members Lavenburg, Freyman, Plotkin, Preston, and Sirulnik voted in favor of the motion, continuing the matter. The Board agreed that the applicant does not need to appear on January 12, 2010 as the application will be approved as long as notices were sent and no objections are made by the town offices notified.

New Business:

Petition #2009-32; 66 Colton Place – Ruyffelaert; request for a special permit to add a 3rd floor dormer on a non-conforming dwelling. No one from the public spoke for or against the petition. Member Russ Preston made a motion approving the request. Member Mark Sirulnik seconded the motion. Members Lavenburg, Freyman, Plotkin, Preston and Sirulnik voted in favor of the motion, approving the petition for a special permit.

Petition #2009- 33; 1579 Longmeadow St. – Gunn; request for a special permit for a 2 story addition on the rear of a non-conforming dwelling and a detached garage. No one from the public spoke for or against the petition. Member Stephen Bennett made a motion approving the application. Member Russ Preston seconded the motion. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted in favor of the motion, approving the application.

Respectfully submitted,
Elayne Ayan