

**ZONING BOARD OF APPEALS HEARING**  
**Police Station Community Meeting Room, 34 Williams Street**  
**Tuesday – May 18, 2010 – 7:30 pm**

**Present:** Board Chairman David Lavenburg, Members Stephen Bennett, Daniel Plotkin, Russ Preston and Dave Spencer.

**Absent:** Members Ellen Freyman Jim Ryan and Mark Sirulnik,

Chairman Lavenburg opened the hearing at 7:32 pm.

**Old Business:**

**Petition #2010-10; Lot #35 Terry Drive; Whipple;** request for a special permit or variance for a new single family dwelling on Lot #36 on Terry Drive. The applicant had requested the matter be postponed. Member Daniel Plotkin made a motion to continue the matter to June 22, 2010. Member Russ Preston seconded the motion. Members Lavenburg, Bennett, Plotkin, Preston and Spencer voted in favor of the motion, continuing the matter to June 22, 2010.

**New Business:**

**Petition #2010-14; 140 Field Rd.; Lopardo;** request for a special permit for addition and deck on left rear of dwelling. Builder Dave Thornton of Miracle Home Improvement appeared with the applicant. Member Stephen Bennett identified the existing non-conformities to be frontage, lot size and east setback. No one from the public spoke for or against the petition, although the applicant stated that his neighbors had voiced their support for the addition. Member Bennett made a motion that the Board find that the proposed addition would increase the existing non-conformities by reducing the open space of the lot. Member Preston seconded the motion. A vote was called and Members Lavenburg, Bennett, Plotkin, Preston and Spencer voted in favor of the motion.

Member Bennett made a second motion that the Board find that the proposed addition would not be substantially more detrimental to the neighborhood, would generally conform to the structures of the neighborhood and noted there was no public comment against the petition. A vote was called and Members Lavenburg, Bennett, Plotkin, Preston and Spencer voted unanimously in favor of the motion. The special permit will be issued.

**Petition #2010-15; 178 Westmoreland Ave.; Smith;** request for a special permit for an addition on non-conforming dwelling. The applicant appeared before the Board. No one from the public spoke for or against the petition. Member Preston identified the existing non-conformities to be frontage, front setback and lot area. Member Preston made a motion that the Board make a finding that the addition would increase the existing front setback non-conformity from 34 feet to 30 feet and that the addition would decrease the open space of the lot. Member Plotkin seconded the motion. A vote was called and Members Lavenburg, Bennett, Plotkin, Preston and Spencer voted in favor of the motion.

Member Preston made a motion that the Board make a finding that the proposed addition would not be substantially more detrimental to the neighborhood, would generally conform to the structures of the neighborhood and noted there was no public comment against the petition. A vote was called and Members Lavenburg, Bennett, Plotkin, Preston and Spencer voted in favor of the motion. The special permit will be

issued.

The hearing adjourned at 7:48 pm.

Respectfully submitted,  
Elayne Ayan