

Zoning Board of Appeals February 22, 2023 Meeting Minutes

Call to Order:

Mr. Brian Heath, Chairman, called the meeting to order via Virtual Zoom Meeting at 7:00pm

Attendees:

Present: Brian Heath, Chairman, Anna Klimas, Member, Daniel Greenberg, Member

Absent:

Staff Present: Robert Rulli, Community and Economic Development Director, Nicole Salvo, Executive Assistant, Building Inspector, Steve Solari

I. Call to Order

II. 7:00 PM: Public Hearings*

Request for Extension – 31 Perkins

Representative Daniel Bailey, Pierce Atwood LLC, present for the meeting.

Mr. Bailey begins to share his presentation for the request with some of the following items; Store Space owns the property, parking requirement Variance was granted previously, they wish to extend the granted variance as they look into how to best use the site.

Member Klimas asked about needing this variance if they propose a new building?

There was no public comment.

IT was discussed that this extension would allow for the applicant to take a good look at all the options for the site and not take away their ability to use the original plan if so desired.

Motion to issue extension for 1 year made by Member Klimas, seconded by Member Greenberg.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

120 Pine Ridge – Variance

Attorney Don Correa & Renee Dangoia, present to represent the applicant.

Attorney Correa begins with an overview of the history of this lot, whereas the lot line was incorrectly noted in years past. The attached garage was built years ago, and there was no survey required, which he stated was why it was so close to the property line, no one knew.

Director Rulli asked why the deck, which also did not meet setback requirement, was not part of their request too.

Chairman Heath asked the representative why they would apply for a variance when this is a pre-existing non-conforming use.

Member Klimas asked if there was pending litigation.

Director Rulli asked what the hardship was, as it appeared this was self-inflicted by the property owner at the time.

Member Klimas made note that an out of court settlement was made on this matter.

Member Greenberg stated that the easement, which was granted in court, would satisfy the issue at hand, and that if the board granted the requested variance of .2', it would be far beyond what is required.

Motion to close the public hearing made by Member Klimas, seconded by Member Greenberg.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

Motion to DENY the request made by Member Klimas, seconded by Member Greenberg.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

681 Plymouth St – Variance

Applicant, David Hartrey, present for the meeting.

He shared with the board that after he received an ANR from the Planning Board, the Zoning enforcement officer directed him to the ZBA to make this request so that his property complies with the by-laws. The hut on the property is over the allowed size.

Motion to close the public hearing made by Member Klimas, seconded by Member Greenberg.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

Motion to approve the variance request made by Member Klimas, seconded by Member Greenberg.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

III. Board Business

Discussion & Vote for Vice-Chair – it was discussed that as Member Klimas was the next member with the most time and experience on the board, she would be the new Vice-Chair.

Motion to appoint Member Klimas as Vice-Chair made by Member Greenberg, seconded by Member Health.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye

IV. Adjournment

MOTION: Member Greenberg moves to close the public hearing, Member Klimas seconds.

Roll call vote:

Brian Heath – Aye

Anna Klimas - Aye

Daniel Greenberg – Aye