

**ACTIONS OF THE ZONING BOARD OF APPEALS
SEPTEMBER 23, 2009**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Albert Gionet, Secretary (recused for #2416)
Robert Schneider
Mark Connors

ALTERNATES PRESENT: Edward Slegeski
Paul Harnois (sat for #2416)
Armando Darna

The following actions were taken by the ZBA at its meeting of September 23, 2009:

DONALD CHILDREE – application #2412 – request a variance to Article II Section 5.01.01 to use the 3rd floor as habitable space in conjunction with the residential units at 30-32 Foster Street, Residence B zone.

MOTION: Ms. Maffe moved to approve the variance with the conditions that all fire safety and building code requirements be met. Mr. Schneider seconded the motion and all members voted in favor.

The reason for the approval was there is no adverse impact on the neighborhood and no changes to the outside appearance of the building.

MANCHESTER POLICE ACTIVITIES LEAGUE INC. – application #2413 – request a variance to Article II Section 16.15.02 (j) 3 to permit a health & recreation club within 200' of a residential zone, at 642 Hilliard Street, Industrial Zone.

MOTION: Mr. Gionet moved to approve the variance; Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was the proposed use would be beneficial to the neighborhood, and there is a grade separation from the abutting residential uses.

KATHRYN & MICHAEL GROSSO – application #2414 – request a variance to Article II Section 4.02.01 to allow consideration of a conversion of a single-family home to a three-family home (conversion to two-family permitted) at 203 Highland Street, Residence A zone.

MOTION: Mr. Schneider made the motion to approve the variance to allow consideration of a conversion from a one to a three family by the Planning and Zoning Commission with the condition that the applicants meet all fire codes and building codes. Ms. Maffe seconded the motion and all members voted in favor.

The reason was the applicant is pursuing proper approvals for the work of residential units created without approvals before the applicant purchased the property.

MARC A. LUPACCHINO – application #2415 – request a variance to Article II Section 4.01.01 to reduce the front yard setback to 23’ (25’ required) for a covered handicap ramp at 42 Jensen Street, Residence A zone.

MOTION: Ms. Maffe made the motion to approve the variance as requested, Mr. Connors seconded the motion and all members voted in favor.

The reason for the approval was the minimal intrusion into the setback and the design of the handicapped ramp and roof would not be detrimental to the neighborhood.

MANCHESTER KID ZONE LLC – application #2416 – request an amendment to allow hours of operation from 10:00 a.m. to 9:00 p.m. Monday through Sunday (hours of operation currently limited to 3:00 p.m. to 9:00 p.m. weekdays, 10 a.m. to 4:00 p.m. weekends, and summer hours from 8:00 a.m. to 6:00 p.m. weekdays and no weekend hours) at 422 North Main Street, Industrial zone.

For this application Mr. Gionet recused himself, Mr. Harnois sat for this application.

MOTION: Ms. Maffe made the motion to amend the condition for hours of operation to 10 a.m. to 9 p.m. Mr. Connors seconded the motion and all members voted in favor.

The reason for the approval was there were previous approvals for the same use for the same hours in an adjacent portion of the building, and the variance would allow uniform hours of the operation for the like uses in the building.

JOSEPH GIBILISCO – application #2417 – request a variance to Article II Section 7.02.01 to reduce side yard setback to 2’ (10’ required) to build a carport at 56 Amherst Drive, Planned Residence Development zone.

MOTION: Mr. Schneider made the motion to approve the variance as requested; Ms. Maffe seconded the motion, and Mr. Stevenson and Mr. Connors voted to approve. Mr. Gionet voted against the motion.

The reason for the approval was the proposed carport is compatible with the neighborhood, is well designed, is located to minimize impact to the wetlands.

The Zoning Board of Appeals accepted the following application for the October 21, 2009 public hearing.

JEFFREY NODDEN – application #2418 – request a variance of Article II Section 3.01 to permit a second business to operate and for a sign variance at 819 Middle Turnpike East, Residence AA zone.

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