

**ACTIONS OF THE ZONING BOARD OF APPEALS
JUNE 24, 2009**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Albert Gionet, Secretary

ALTERNATES PRESENT: Edward Slegeski (sitting)
Armando Darna (sitting)
Paul Harnois

ABSENT: Robert Schneider
Mark Connors

The following actions were taken by the ZBA at its meeting of June 24, 2009:

MADINA, LLC – application #2407 – request special exception approval under Article IV Section 5.01.02 to expand the retail space of an existing gasoline service station and conversion to a convenience store at 262 Oakland Street, Residence A zone.

MOTION: Mr. Slegeski moved to approve the special exception with the conditions that 1) there would be no sale of propane on the site until the receipt of appropriate approvals; 2) the building and zoning permits are obtained for the interior changes; and 3) two of the 27 parking spaces be identified as handicapped accessible; Ms. Maffe seconded the motion and all members voted in favor.

The reasons for the approval were the footprint will not be expanded, there is no adverse impact to the neighborhood, and service will be to existing gasoline station customers.

JAMES R. LACEY – application #2408 – request of variance of Article II Section 2.01.01 to reduce side yard setback to 11' (15' required) at 213 Shallowbrook Lane, Rural Residence zone.

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

The reason for the approval was there will be no adverse impact to the neighborhood.

AMBER KALOUSTIAN – application #2409 – request a special exception under Article II Section 9.14.02(e) to permit outdoor sales (a food vending cart) Spring and Summer of 2009 and 2010 at 385 Broad Street, General Business zone.

MOTION: Mr. Gionet moved to approve the special exception until September 30, 2010 with the conditions that 1) trash container must be kept at the location; 2) the cart must be taken away at the end of the each day of business; 3) signs are limited to the

cart only; 4) only customers in the parking lot can be served; and 4) hours of operation are limited to 10:00 a.m. to 3:00 p.m.; Mr. Slegeski seconded the motion and all members voted in favor.

PREMIER BUILDING & DEVELOPMENT, INC. – application #2410 – request a variance to Article III Section 1.01 to create two nonconforming lots from two existing small lots of record at 95-99 Union Street, Residence C zone.

MOTION: Ms. Maffe moved to approve the variance with the modifications listed in staff memoranda from Scott Neff to Renata Bertotti, dated June 23, 2009; Russell Johnston to Renata Bertotti, dated June 16, 2009; James Davis to Renata Bertotti, dated June 19, 2009 except for items #3 & #4 to show wetlands and floodplain; and James Mayer to Renata Bertotti, dated June 18, 2008. Mr. Darna seconded the motion and all members voted in favor.

The reason for approval was it created a better lot configuration.