

**ACTIONS OF THE ZONING BOARD OF APPEALS
MAY 28, 2009**

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

ALTERNATES PRESENT: Edward Slegeski (sitting for application #2405 & #2406; recused for application #2404)
Armando Darna (sitting for application #2404)

ABSENT: Mark Connors
Paul Harnois

The following actions were taken by the ZBA at its meeting of May 28, 2009:

TERESA & MOISES PORRAS – application #2405 – request a variance to Article II Section 6.01.01 to use the 3rd floor as habitable space in conjunction with a residential unit at 14 Edgerton Street, Residence C zone.

MOTION: Mr. Slegeski moved to approve the variance with the condition that the applicants meet all building code requirements; Ms. Maffe seconded the motion and all members voted in favor.

The reason for the approval was the space will be used in conjunction with an existing unit and there are no cooking facilities in the space.

THOMAS J. KIBBIE – application #2406 – request a variance to Article II Section 1.03.05(a) to allow a fence 10' in height (6' permitted) for a 40' section of a 120' fence at 27 Marshal Road, Residence A zone.

MOTION: Mr. Slegeski moved to deny the variance, Mr. Schneider seconded the motion and all members voted in favor.

The reason for the denial was there was no zoning hardship.

SPHINX SHRINERS – application #2404 – request special exception approval under Article IV Section 16 for an outdoor carnival at 334 Broad Street, General Business zone.

MOTION: Mr. Darna moved to approve the special exception with the conditions that the carnival operates from June 10 & 11 from 6 p.m. to 11 p.m., June 12 from 6 p.m. to 12 a.m., June 13 from 12 p.m. to 12 a.m., and Sunday 12 p.m. to 11 p.m.; Mr. Gionet seconded the motion and all members voted in favor.

The reason for the approval was the carnival operated at this location previously and the proposal met the special exception requirements.

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