

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
February 14, 2005**

Board Members Attending: Jerry R. Horton
Matthew Armendo
Lenny Ciuffredo
Morris Bergman
David George

Staff Attending: Jody Valade, Division of Land Use
David F. Holden, Department of Code Enforcement
Denise McGinley, Division of Land Use

Lenny Ciuffredo opened the meeting at 5:35 P.M. The following actions were taken:

**** 65 Temple Street – Special Permit:** Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 5-0 to continue the requested hearing to February 28, 2005 for Special Permits (*to renovate and use one of the buildings on the site for retail sales*) as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.
2. To allow retail in a MG-2.0 zoning district.

126 Southwest Cutoff (ML-0.5 & RS-7) – Special Permit: Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 4-0 (David George abstained) to approve the Special Permit (*to modify non-conforming use by changing it from truck terminal to use as motor vehicle sales, rental, service and repair – demolish existing building and construct new building: same size and dimensions*) with conditions as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

Condition:

1. Effective upon zone changes (City Council approval of re-zone).

126 Southwest Cutoff (ML-0.5 & BL-1.0) – Special Permit: Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 4-0 (David George abstained) to approve the Special Permit (*to use said premises for motor vehicle sales, rental, service and repair*) with conditions as listed below:

Special Permit:

1. To allow motor vehicle sales in a BL-1.0 zoning district.

Condition:

1. Effective upon zone changes (City Council approval of re-zone).

**** 3 Jeanette Street – Special Permit:** Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 4-0 (David George abstained) to continue the requested hearing to March 28, 2005 for Special Permit (*to convert existing single-family dwelling to a two-family dwelling*) with conditions as listed below:

Special Permit:

1. Expansion or change of a pre-existing non-conforming structure.

Conditions:

1. Petitioner to forward letter waiving constructive grant.
2. Petitioner to obtain engineer report (designing drainage system to divert water).

**** 344 Pleasant Street – Variances & Special Permit:** Upon a motion duly made by Jerry Horton and seconded by Morris Bergman, the Board voted 5-0 to continue the requested hearing to February 28, 2005 for Variances and Special Permit (*to construct a 2,888 square foot addition for retail use, and a 938 square foot addition for storage, and reconfigure existing parking lot to create 14 parking spaces*) as listed below:

Variances:

1. Relief of 12 spaces from Off-Street parking / loading requirement.
2. Relief of 650 square feet from landscaping / barrier requirement.

Special Permit:

1. Expansion or change of a non-conforming use.

Note:

1. Neighbor requested a fence be erected.

23 Dominion Road – Variances: Upon a motion duly made by Matthew Armendo and seconded by Jerry Horton, the Board voted 4-0 (David George abstained) to approve the requested Variances (*to construct a single-family dwelling*) with conditions as listed below:

Variances:

1. Relief of 2,000 square feet from Gross Dimensional requirement.
2. Relief of 15 feet from Frontage requirement.

Conditions:

1. Dominion Road to remain open and problem free during construction.
2. Residents of the property to use off-street parking.
3. New construction is limited to three (3) bedrooms.

**** 26 Washburn Street – Variance & Special Permit:** Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to continue the requested hearing to March 14, 2005 for Variance and Special Permit (*to construct three apartments above existing bakery*) as listed below:

Variance:

1. Relief of three spaces from off-street parking requirement.

Special Permit:

1. Expansion or change of a pre-existing non-conforming use.

610 Grove Street – Special Permit: Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Special Permit (*to expand retail to include food*) with conditions as listed below:

Special Permit:

1. Expansion or change of a pre-existing non-conforming use.

Conditions:

1. Expansion is limited to pastry only.
2. Allowance is limited to the Petitioner only.

**** 44 Christine Street – Special Permit:** Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to continue the requested hearing to March 14, 2005 for Special Permit (*to construct a second story onto existing single-family dwelling – expansion not to extend beyond existing footprint*) with conditions as listed below:

Special Permit:

1. Expansion or change of a non-conforming use.

Conditions:

1. Petitioner must resubmit plans showing elevations.

14 Wilkinson Street – Special Permit: Upon a motion duly made by Morris Bergman and seconded by Matthew Armendo, the Board voted 5-0 to approve the requested Special Permit (*to construct a single-family semi-detached dwelling*) with conditions as listed below:

Special Permit:

1. To allow single-family semi-detached dwelling in a RS-7 zoning district.

Conditions:

1. Petitioner must construct a retaining wall, which would allow water to drain back onto Wilkinson Street.

22 Dallas Street – Variances & Special Permits: Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Leave

to Withdraw Without Prejudice for Special Permit & Variances (*to convert existing two-family dwelling to a three-family dwelling*) as listed below:

Variances:

1. Relief of twenty-five feet from Frontage requirement.
2. Relief of six feet six inches from Front Yard setback requirement.

Special Permits:

1. Conversion to additional dwelling units (one unit).
2. To allow three-family dwelling in a RL-7 zoning district.

20 Onset Street – Variance: Upon a motion duly made by Jerry Horton and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Leave to Withdraw Without Prejudice for Variance (*to construct a single-family semi-detached dwelling unit -- duplex*) as listed below:

Variance:

1. Relief of twenty-five feet from Frontage requirement.

527 Grafton Street – Special Permit: Upon a motion duly made and seconded, the Board voted 2-3 (Lenny Ciuffredo, David George and Matthew Armendo voted No) and the petition for requested Special Permit (*to operate a used car sales business on the premises*), as listed below was denied:

Special Permit:

1. To allow motor vehicle sales in a BL-1.0 zoning district.

1393 Grafton Street – Special Permits: Upon a motion duly made by Matthew Armendo and seconded by Jerry Horton, the Board voted 5-0 to approve the requested Special Permits (*to demolish all existing structures and rebuild six new residential units with retail / office space*) as listed below:

Special Permits:

1. To allow retail sales in a ML-0.5 zoning district.
2. New residential construction (six units).

**** 64 Fruit Street – Administrative Appeal:** Upon a motion duly made by Jerry Horton and seconded by Morris Bergman, the Board voted 5-0 to continue the requested Administrative Appeal (*to overturn enforcement order of the Director of Code Enforcement to cease and desist operation of a lodging house in a RG-5 zoning district*) to February 28, 2005.

**** 66 Fruit Street – Administrative Appeal:** Upon a motion duly made by Jerry Horton and seconded by Morris Bergman, the Board voted 5-0 to continue the requested Administrative Appeal (*to overturn enforcement order of the Director of Code Enforcement to cease and desist operation of a lodging house in a RG-5 zoning district*) to February 28, 2005.

41 & 45 Allston Avenue – Extension of Time: Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Extension of Time (*to divide lot and construct two single-family semi-detached dwellings*).

517 Grove Street – Extension of Time: Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Extension of Time (*to construct an addition onto the rear of existing two-family dwelling*).

181 Lake Avenue – Extension of Time: Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to approve the requested Extension of Time for construction commencement.

OTHER BUSINESS: (0)

Approval of Minutes: Upon a motion duly made by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to approve the minutes of the January 24, 2005 meeting.

The meeting adjourned at 8:30 p.m.