

The following members attended the public meeting:

Doreen Prouty, Chairperson
Fred Harpin, Vice Chairperson
Gary Suffriti, Clerk
Larry Hoague-Alternate
Betty Manchino-Secretary

1. Kot - Case #1759

Chairperson Prouty reopened this public hearing at 6:30PM. Sitting on this case was Prouty, Harpin and Hoague.

Dave Bean was the spokesman for the petitioner Mr. Kot. Mr. Bean distributed new plans for 0 Witheridge St., a parcel at the end of Witheridge St. of 1.7 acres. Mr. Kot had purchased this land in 2004 with the intentions of building apartments and was told that due to environmental problems this would not be possible. He in turn submitted a plan to build a single family dwelling but was told he did not have the proper frontage to continue with this plan.

The preliminary plan submitted to the Planning Board, engineering and conservation was met with many items that had to be addressed. Engineering would not recommend this plan due to the unstable soil and conservation found the plans proximity to the wetlands a problem and the planning board denied the initial plan. The only avenue that Mr. Kot had was to apply to the ZBA for a hardship variance to pursue his actions to build on this lot.

Since they received the orders from Engineering of items that needed to be addressed, Mr. Bean has addressed all the necessary items to pursue building this residence. He also stated they have received an Order of Conditions from the conservation commission and that all they require is approval of the ZBA and approval of the Building Inspector and this project can proceed.

Chairperson Prouty stated she would recommend approval of this application pending a letter from Engineering stating that all conditions required by this department have been made.

Chairperson Prouty opened this hearing to the public and Martin Andruss, 67 Horsham Place who lives directly in back of this proposed dwelling asked where this house was being built, and whether they would leave a buffer on the northern property line to allow his house some privacy.

Chairperson closed the hearing at 7:05PM and went directly into a public meeting.

Chairperson Prouty stated the petitioner had met all the requirements for a variance, and this was a definitely unique hardship because there is nothing more Mr. Kot can do with all this property.

Chairperson Prouty made the motion to grant this variance.

Harpin - yeah

Hoague-yeah

Prouty - yeah

Chairperson Prouty made the motion to close this public meeting at 7:15PM.

2. Omni-Point- Case #1767

Chairperson Prouty reopened this public hearing at 7:20PM. Sitting on this case were Prouty, Harpin and Hoague.

Attorney Simon Brighenti, representing the petitioner, stated the board had received the report from Dave Maxon, the lease from Napolitan's, and the site plan all information the board had requested.

Chairperson Prouty read into the record the approval of the Planning Board and the Engineering Department.

Attorney Brighenti asked if his client wished to put in a gravel driveway instead of a paved road and to put in a chain linked fence instead of a stockade fence what procedure should he follow.

Chairperson Prouty stated that the board would give him the approval for the antenna and if he wished to go back to the planning board on the other two matters that would be up to the applicant..

Chairperson Prouty made the motion to accept this application and the ZBA would have no objections if the petitioner were to go back to the planning board on changes 1 and 2.

Harpin-yeah

Hoague-yeah

Prouty-yeah

3. Rocky's - Case #1780

Chairperson Prouty opened this public hearing at 8:00. Sitting on this petition were Prouty, Harpin and Suffriti.

Chairperson Prouty read into the record the public notice.

Gordon Sandman a manage of Rocky's explained that during the BigE they section off their property for 75 parking spaces and keep a portion accessible for their customers. They allow transient parking for fairgoers at this time.

Chairperson Prouty read into the record approval of the Planning Board and approval of the Safety Officer that this parking does not pose any safety hazards during the BigE.

Chairperson Prouty opened this hearing to the public and there were no abutters for this permit.

Chairperson Prouty made the motion to go directly into a public meeting.

Chairperson Prouty made the motion to accept this application

Harpin - yeah

Suffriti-yeah

Prouty - yeah Unanimous.

4. Development Associates - Case #1775

Chairperson Prouty reopened the public hearing at 8:20PM and she read into the record the public notice. Sitting on this case were Prouty, Suffriti and Hoague.

Chairperson Prouty read into the record a letter dated January 26, 2007 from Development Associates requesting to withdraw their petition without prejudice.

Chairperson Prouty made the motion to accept this request for withdrawal without prejudice

Suffriti-yeah

Hoague-yeah

Prouty-yah

5. Minutes of January 22, 2007 were approved.

6. Harpin motion to adjourn at 8:45PM, Prouty seconded.