

The following members attended the public meeting:

Doreen Prouty - Chairperson
James Marmo - Vice Chairperson
Joseph Conte - Clerk
Gary Suffriti - Alternate
Michael Mercadante - Alternate

1. **Chairperson Prouty opened the meeting at 6:30 PM**
2. **Member Conte made a motion to go out of order and have the election of officers first on the agenda.** Member Marmo seconded the motion. All were in favor. Jim Marmo nominated Doreen Prouty for Chairperson, Joe Conte seconded. All were in favor. Doreen Prouty nominated James Marmo for Vice-Chairperson. Joe Conte seconded. All were in favor. Doreen Prouty nominated Joseph Conte for Clerk, James Marmo seconded. All were in favor.

3. **Case # 1838 – Dan Thibault**

Chairperson Prouty opened this public hearing at 6:35 PM by reading the public notice, introducing the members of the board and explaining the procedure of the meeting. Sitting on this case were Doreen Prouty, James Marmo, and Joe Conte.

Dan Thibault explained that he would like to construct a two story addition. The first floor will contain a new kitchen and mudroom. The second floor will contain a bedroom and bath.

He stated that this new addition will be on the back of the house and will meet all zoning regulations. Chairperson Prouty agreed that the proposed will meet all zoning requirements. She also told the petitioner that although it is not mentioned in the petition, the subject property is also in non-conformance. Frontage requirement for Residential A-2 is 110' and his property has a frontage of 100'.

Mr. William Bobskill, 17 McKinley St. spoke in favor of this petition. Mr. Steven Salvas, 45 McKinley St. stated he is a direct abutter and is in favor. Ms. Victoria Houle, 1165 River Rd. is in favor. No one spoke in opposition.

Chairperson Prouty explained the twenty day appeal period and closed the public hearing, going directly into a public meeting. The members agreed that the proposed addition will meet all zoning requirements.

Chairperson Prouty calls for a vote to approve this request with the condition that the addition be built according to the plans signed by the members of this Board.

Marmo-yes

Conte-yes

Prouty-yes

Vote: Unanimous.

Chairperson Prouty also explained that this Special permit is for the proposed addition only and must be recorded with the Hampden County Registry of Deeds and it shall become null and void if construction does not commence within two years.

Public meeting closed at 6:45 PM.

4. Case # 1839 and # 1840 – Frank DeCaro:

Chairperson Prouty opened this public hearing at 6:45 PM by reading the public notice, introducing the members of the board, explaining the procedure of the meeting and also stated that both cases before the Board would be heard together. Sitting on this case were Doreen Prouty, Jim Marmo, and Joe Conte.

Mr. DeCaro explained that he has recently purchased this property and has been renovating the existing structure. He would like to construct a new breezeway and attached garage. The new addition will meet all zoning regulations. The base elevation of the new garage will be above the 100 year flood. There will be no basement. The petitioner also states he has gone before the Conservation Commission and received approval.

Chairperson Prouty opened the hearing to the public. Ms. Victoria Houle, 1165 River Rd. states she is neither in favor nor against the petition. Her concerns are compensatory storage and compliance with the Rivers Act. She was informed by the Board members that the Conservation Commission deals with these issues. Mr. William Parker, 21 Pomeroy St. spoke in favor.

Chairperson Prouty explained the twenty day appeal period and closed the public hearing and went directly into a public meeting.

The members agreed that the proposed addition will meet all the zoning requirements. It was also agreed that the petitioner has provided the required information regarding the elevations for this addition. The Board has not been notified by the Conservation Commission as to their findings.

Chairperson Prouty called for a vote to approve this request with the conditions that the addition be built according to the plans signed by the members of this Board, this Special Permit is for the proposed addition only. And the petitioner must receive written approval from the Conservation Commission, if needed.

Marmo-yes

Conte-yes

Prouty-yes

Vote: Unanimous.

Chairperson Prouty also explained that this decision must be recorded with the Hampden County Registry if Deeds and it shall become null and void if construction does not commence within two years.

Chairperson Prouty closed the public meeting at 7:00 PM.

5. Case 1841 –Steve and Marilyn Plummer

Chairperson Prouty opened this public hearing at 7:05 PM by reading the public notice, introducing the members of the board and explaining the procedure of the meeting. Sitting on this case were Doreen Prouty, James Marmo, and Gary Suffriti.

Mr. Plummer explained that he wishes to enlarge the existing garage from a one-car to a two-car garage. He believes the addition would look better as proposed rather than built as a detached garage farther back on his property. Building the garage as proposed would also allow access to both vehicles without going outside.

Member Suffriti stated that the petitioner is asking to take a structure which currently meets the zoning regulation and create a structure which would not conform. Alternate member Mercadante read the requirement needed to be met under Ch. 40A, Section 10 which states

that a Variance may be granted if it does not substantially derogate from the intent and purpose of the ordinance. Member Marmo agreed that this request could not be granted. Chairperson Prouty read to the petitioners the requirements that must be met under M.G.L. Ch.40A, Section 10. She explained that in her opinion, these conditions have not been satisfied. The members suggested to the petitioner that he withdraw his petition instead of allowing the Board to vote which would result in a denial. The petitioner agreed and requested that this petition be withdrawn.

Chairperson Prouty called for a vote to allow the petitioner to withdraw without prejudice.

Marmo-yes

Prouty-yes

Suffriti-yes

Vote: Unanimous.

Chairperson Prouty explained to the petitioner that a withdrawal form would be sent to him to sign and return to the ZBA.

Public meeting closed at 7:20 PM.

6. Case 1830-Sander Family, LLC

Chairperson Prouty re-opened this public hearing at 7:22 PM stating that this petition has been continued for quite a few months. At the last hearing, Mr. Sander requested a continuance, which the Board granted. However, Mr. Sander did not contact the Board about tonight's hearing. It was agreed to continue for one more hearing to January 26th and that Mr. Sanders would be notified by a letter asking for his intentions.

7. Minutes of December 8, 2008 and December 17, 2008 – Marmo motions to accept seconded by Suffriti. Vote was unanimous.

8. A copy of the initial draft requesting an independent budget for the ZBA was handed out. Chairperson Prouty asked for the members to review this draft and to discuss it at the next ZBA meeting. All were in favor.

9. Other Business: Member Marmo stated that he found it difficult to read a recent application. He would like future applications to be neatly printed or typed. Alternate member Mercadante was wondering if this was stated on the application form. Chairperson Prouty stated that she would look into it and would discuss with Jennifer Bonfiglio what can be done about this. There was no other business.

Chairperson Suffriti made the motion to adjourn at 7:45 PM seconded by Marmo. All were in favor.