

The following members attended the public meeting:

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

1. Chairperson Prouty opened the meeting at 6:30 PM

2. Case # 1845 – Coyote Realty

Chairperson Prouty opened this public hearing at 6:30 by reading the legal notice and introducing the members of the board. Sitting on this case were Doreen Prouty, James Marmo, and Gary Suffriti. Chairperson Prouty explained the procedures of the meeting.

Petitioner, James Lefebvre-Coyote Realty, 17 Moses Street West Springfield, MA is requesting a special permit for a drive through bank at 1340 Springfield Street.

Mr. Lefebvre explained that the existing building is functionally obsolete. He would like to tear down the existing building and build a new building with a drive through window.

Chairperson Prouty reads Section 180-44 Paragraph I.

Member Suffriti would like to see an older plan for a comparison.

Mr. Lefebvre explains there will be only one entrance.

Chairperson Prouty asked if there will be any delineation between the liquor store and the new building. Mr. Lefebvre advised there will not.

Member Suffriti expressed that he may want a delineation.

Member Marmo is concerned with the traffic flow. Mr. Lefebvre stated that the safety officer wanted one curb cut. He also stated that the new plan has some minor changes on it which has gone through engineering. The petitioner also states that all four sides of the building will be ornate and accessible to the public.

The Board states that they would like to see the Planning Board comments.

Alternate Member Mercadante states that according to the plan, the parking is regulated under Business B and the parking should be more than 50 ft. from building. The petitioner clarifies that the building is in Business A.

Chairperson Prouty states that the Board cannot make a decision until Planning and Conservation is heard from. She also asked for the distance from the liquor store to the new building. Member Suffriti measures the plan and states it is 38-40 feet at the closest point.

Chairperson Prouty opened the hearing to the public.

Andrianna Avela, 11 Vadnais St. East Longmeadow, MA spoke in favor. She feels the plan is better than what was there. The existing building is ugly. The new building is much better.

She asked why the Board does not see any positives and why the Board is so concerned with the appearance, although she does agree with the safety aspect. Member Suffriti explains that he is trying to be objective and is more concerned about traffic flow and safety.

No one spoke against.

Member Suffriti asked if snow removal is on or off site. Petitioner states on site.

Motion to continue to Monday 4/13 @ 6:30 PM. Vote: Unanimous.

3. Case # 1844- Lisee

Chairperson Prouty opened this public hearing at 7:00 by reading the legal notice and introducing the members of the board. Sitting on this case were Doreen Prouty, James Marmo, and Gary Suffriti. Chairperson Prouty explained the procedures of the meeting.

Arthur Lisee, 46 Jessica Place is seeking a Variance. He states that he lives on a cul-de-sac, in a colonial house. Moved into the house after it was built in March 2003. He originally wanted a porch on the front of the house and could not afford at that time. He is in a position now to have it done. When applying for the building permit, he was advised that he needed a Variance. He explains that he is planning to use all Trex material, he wants to increase the value and make the house look better. He stated that Nick Urbinati told him the town owns the first 15 feet, but because of the radius of the circle it is actually 11 feet. They overshot the radius by 4 feet when the house was built. Only a small portion of the house is non-conforming.

Ron Hewitt, 375 Walnut Street Ext. initially staked the house out. The slope is so severe behind the house, they could not place the house back any further.

Normally by law, the Board cannot grant a variance, although because of topography it may be allowed.

Chairperson Prouty reads the conditions of hardship for a variance from Section 10 of the Zoning by laws. She states that all three conditions must be met and since the house was already built, there is no hardship at this time that would allow such a variance.

The petitioner states that he is losing dirt to the retention pond and showing more concrete each year. He purchased this house while under construction and was not aware that a porch would not be allowed. The builder misled the petitioner, and legally the petitioner should have been made aware that a porch could not be built.

No one spoke for or against. Chairperson Prouty closed the public hearing going directly into a public meeting and called for a vote.

Prouty-No

Marmo- No

Suffriti- No

Vote unanimous based on Chapter 40A Section 10.

4. **Case # 1843 – Todd Sullivan**

Chairperson Prouty re-opened this public hearing at 7:15. Sitting on this case were Doreen Prouty, James Marmo, and Michael Mercadante.

Chairperson Prouty reminded those present that a plot plan is still needed as well as a third letter of support from a direct abutter as stated at the last public meeting.

Mr. Sullivan states that there is no impact on surrounding properties. He provided assessment values. Chairperson Prouty explains this is not relevant. Chairperson Prouty accepts a letter of support from Mr. Stoneburg, 526 Cooper Street dated 3/23/09. He is a direct abutter and has no objections.

Chairperson Prouty states that there are three letters of support from direct abutters as required under Section 180-23.

Full size plan provided to Board by Mr. Sullivan. Setback requirements are 30 feet. A surveyor has not certified the plans.

Meeting opened to the public.

Frank Morassi, 15 Tracy Drive, opposes variance. He asked if the abutter letter from the Springfield Water and Sewer Commission has a city of Springfield seal. Chairperson Prouty states she will call City of Springfield to verify letter.

Lorraine Loomer, 475 Cooper Street asks how Springfield Water & Sewer Comm. can be considered an abutter when there is no residence. Chairperson Prouty explains they own the property and have the same rights per the law. She opposes the variance request.

Edward Loomer, 475 Cooper Street asked if Mr. Stoneburg, the owner of the property or his son signed the abutter letter of support. Prouty states the owner signed.

Ken Cizek , 33 Tracy Drive states that a requirement is that it must conform to the character of the surrounding area. Member Suffriti explains that is relative to commercial properties, not residential.

Frank Morassi, 15 Tracy Drive states that Mr. Sullivan is an absentee landlord. He was also given 4 weeks to provide blueprints and has not done so.

Chairperson Prouty explains that a decision cannot be made tonight because The Spfld. Water and Sewer Commission must be called.

Member Mercadante feels the requested material has still not been received and feels the petitioner is dragging his feet.

Plans have been altered and the petitioner has still not presented valid information.

Chairperson Prouty and Member Suffriti feel he should be given a fair chance.

Mr. Sullivan has the burden of proof.

Chairperson Prouty suggests a site visit Friday at 9AM.

Meeting continued to April 13th after the 6:30 meeting concludes.

5. **Minutes of March 9, 2009** –Motion to accept by Chairperson Prouty, seconded by Member Mercadante. Vote was unanimous.
6. **Chairperson Prouty made the motion to adjourn at 8:00 PM seconded by Marmo. All were in favor.**