

The following members attended the public meeting:

Doreen Prouty - Chairperson
James Marmo – Vice Chairperson
Joseph Conte – Clerk
Gary Suffriti- Alternate
Richard Maggi- Alternate
Jennifer Bonfiglio - Secretary

Chairperson Prouty opened the meeting at 6:30PM.

1. **Case # 1859: Cirillo:**

Chairperson Prouty opened this public hearing by reading the legal notice and introducing the members of the board. Sitting on this case were Doreen Prouty, Joseph Conte and Gary Suffriti. Chairperson Prouty explained the procedures of the meeting.

Petitioner, Tony Cirillo, states he was asked to show lighting on his site plan and is requesting to amend his previous plan.

Chairperson Prouty states that the old plan provided does not show current parking. Mr. Cirillo feels that only the lights are in question. Chairperson Prouty states that the Special Permit covers the entire site. Mr. Cirillo states that the light on the building was existing on property prior to S.P. being taken out. Chairperson Prouty explains that the existing light shines on the neighbor's property. Mr. Cirillo states that he shielded the light. Member Suffriti states the shield is apparent. He asks the petitioner if the shield can be extended. Mr. Cirillo does not believe the shield can be larger. The Board agrees that light is necessary but would like to do a site visit at night to see if improvements can be made.

Chairperson Prouty opened to the public. No one spoke in favor.

Ray Yamer, spoke on behalf of his mother in law Helen Krupczak, 1730 Main Street. He stated that the light is on till 11PM 7 days a week. He would appreciate any consideration given to the neighbors.

Joyce Yamer also spoke on behalf of her mother Helen Krupczak, 1730 Main Street and states that the previous owner had a business and there was never a problem. This business plays music loudly every day. Helen's house is 2 lots away from the business. Speakers are not outside but Mr. Cirillo places his speakers in the window facing the neighbors. Police have been called. She states they are not opposed to music, but the volume is the real issue. Chairperson Prouty states that music is allowed. It is up to the police to enforce the volume.

Joyce Yamer suggests lighting be lowered so that it does not shine on their house.

Chairperson Prouty states that ZBA cannot enforce that.

Lueen Jodoin, 1736 Main Street lives next door. Her contention is with the noise ordinance. She believes it is ineffective. The Town will not purchase a decibel reader so they are unable to enforce the ordinance. Member Conte believes the Health Department oversees the Sound ordinance. Lueen Jodoin states that she provided pictures previously that showed the pole and halogen light was not there. She also states that the shield that was installed is plastic, is ineffective and only redirects the light to her patio. She also would like the light lowered. She has a 6 ft. fence and patio and still has light shining on her house, patio and windows.

Member Conte explains that this is all a result of living in a business zone. Mr. Cirillo feels that it will not matter where the light is, the neighbors will still complain.

Attorney Gary Liquori added that a contempt hearing in housing court was ordered in favor of the Cirillos. The noise from the Cirillos is mild compared to the amusement park and traffic. He also feels that the lighting issue can be addressed.

Chairperson Prouty schedules a site visit for Monday 3/1 at 7PM at 1744 Main Street.

Continued public hearing until Monday 3/8/10 at 6:30 PM.

2. Motion to accept minutes of January 25, 2010 by Chairperson Prouty, seconded by member Marmo. Vote: unanimous.
3. Elections: Motion by Member Conte to leave officers as they are. Second by Member Marmo. Vote: Unanimous.
4. Motion to adjourn at 8:00 PM by Chairperson Prouty, seconded by Member Marmo. All were in favor.