

The following members attended the public meeting:

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

Chairperson Prouty opened the meeting at 6:30PM.

1. Case # 1856: Bonavita:

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 James Marmo. Chairperson Prouty explained the procedures of the meeting.

John Bonavita, 109 Liberty Street is requesting a special permit for an addition to a residential dwelling. Setback is currently 15' and 35' is needed. Chairperson Prouty explained that the house is legal but non conforming which is why a special permit is needed. The Board is satisfied.

Chairperson Prouty opened the hearing to the public.
Ivan Blais, 115 Liberty Street has been a neighbor since 1988 and supports this petition. And would like to see the addition allowed.
Rose Blais, 115 Liberty Street, also a neighbor spoke in favor.
George Parkis, 861 Main Street spoke in favor.
Cindy Ayre, Ayre Real Estate attests that the house is small this would be a nice addition.
No one spoke against.

Chairperson Prouty explained the twenty day appeal period. Motion to close public hearing and go directly into a meeting with no objections.

Motion to approve special permit by Chairperson Prouty with the following conditions:

1. The proposed addition shall be constructed according the plan signed by the members of this Board.
2. All zoning and building requirements are to be met.
3. The petitioner shall record with the Hampden County Registry of Deeds a "Notice of Special Permit" form, which shall be provided by this Board and proof of said filing must be submitted to this Board and to the Inspector of Buildings.
4. This Special Permit shall become null and void if construction does not commence within two (2) years from the date of this decision.

Vote: Prouty-yes, Conte-yes, and Marmo-yes. Unanimous.
Meeting closed at 6:40 PM.

2. Case # 1857: George Parkis:

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 James Marmo. Chairperson Prouty explained the procedures of the meeting.

George Parkis, 861 Main Street has lived in the house since 1974. He states that the house was built as a two family.

Cindy Ayre, Ayre Realty, added that the assessor card dated back to 1970 shows that the house had a small apartment. She also provided documentation from the electric company and gas company showing that there is a record of two meters going back to 1977.

Cindy also states that an electrical inspection in 1987 approved two meters.

Cindy Ayre adds that there are three abutting properties that are also two families and are also zoned RA2. Mr. Parkis stated that they are not requesting a change in use. He states that the property has always been a two family and he is not requesting to make any changes.

Member Conte states that the house should be completely divided to be considered a two family. Cindy Ayre states that is it, and references pictures that were included with the application. Member Conte adds that there should be two separate means of egress and ingress. He also states that the ZBA decides whether a residence is a two family, not the assessor.

Chairperson Prouty reads Section 180-23 of the zoning by laws that states:

Chairperson Prouty states that this section is not in the 1928 Zoning by laws, but is in the 1951 book. She cannot prove when it went into law, so she feels that since is in the 1951 book and this house was built prior to that, this section applies.

Member Mercadante spoke to the prior owner who verified that there was a second living unit also when he owned it.

Member Conte would like a drawing showing entrance and exits. He would also like Nick to visit the house and determine if there is any need to change anything to be an allowable two family. Chairperson Prouty also advised the petitioner that he will need secured the written consent and approval of at least three of the following property owners:

- (1) The owner of the lot on either side of the petitioner's property.
- (2) The owner of the lot adjacent in the rear of the petitioner's property.
- (3) The owner of the lot directly across the street therefrom.

Chairperson Prouty opened the hearing to the public.

Nancy Mariano, represents the buyer of the house, states that she supports this petition.

No one spoke against this petition.

Chairperson Prouty motioned to continue the hearing until Monday 12/28 at 6:30 PM. All in favor.

3. Motion to accept minutes of October 26, 2009 by Chairperson Prouty, seconded by member Suffriti. Vote: unanimous.

Motion to accept minutes of November 23, 2009 by Gary Suffriti, seconded by member Marmo. Vote: unanimous.

4. Motion to adjourn at 7:40 PM by Chairperson Prouty, seconded by Member Suffriti. All were in favor.