

## Zoning Board of Appeals – Public Hearing

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*Tuesday August 31<sup>st</sup>, 2021 7:00 p.m.*

**Members Present:** Chair David Lavenburg, Jane Mantolesky, Steve Bennett, Mike Michon, Marissa Komack, Ellen Freyman.

**Members Absent:** Jerry Plumb, Jim Tourtelotte, Suzanne White.

**Applicants Present:** Michael Lareau, Ryan Coseo, Lauren Arbour.

The **ZBA Hearing** was called to order at 7:04 p.m. by Chair David Lavenburg, who reminded the public of the protocols for proper conduct at virtual meetings that are being conducted per Chapter 20 of the Acts of 2021, which allows for virtual hearings to continue. Ms. Ellen Freyman recused herself from voting on any matters as her swear-in ceremony for her new term remains pending.

### **Continuation, Petition #2021-9 – Variance for 577 Longmeadow St., Bay Path University:**

Agnoli Sign recently requested that their application be withdrawn. Chair Dave Lavenburg made a motion, and was seconded by Marisa Komack, to allow the withdrawal of the application submitted by Bay Path University. Roll call vote - Mr. Bennett: yes; Mr. Lavenburg: yes; Ms. Komack: yes; Mr. Michon: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0 and application is considered withdrawn.

### **Petition #2021-12 – Special Permit (Addition) for 26 Edgewood Ave., Ryan Coseo:**

The project consists of a 6' x 18' addition on the driveway side of the existing dwelling unit to accommodate a mudroom and bathroom.

#### **Comments from the public in favor of or against the petition:**

- None.

Steve Bennett made a motion, and was seconded by Mr. Lavenburg, that the board makes the following findings of property non-conformity effective based on Article VI of the Zoning Bylaws: (1) On lot size there are 10,448 sq. ft. instead of required 18,750 sq. ft.; (2) on frontage there are 65' instead of the required 125'; (3) on side yard setbacks, instead of the required 15', there are approximately 13' and 14' on the east and west sides, respectively; and (4) on structure setback there are 27' instead of 40'. Roll call vote - Mr. Bennett: yes; Mr. Lavenburg: yes; Ms. Komack: yes; Mr. Michon: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0.

Mr. Bennett made a second motion, and was seconded by Mr. Lavenburg, that the board make a finding based on said foregoing facts that the proposed project would further intensify the aforementioned non-conformities of the lot by increasing overall construction size thus reducing overall open space within it. Roll call vote - Mr. Bennett: yes; Mr. Lavenburg: yes; Ms. Komack: yes; Mr. Michon: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0.

Mr. Bennett made a third and final motion, and was seconded by Mr. Lavenburg, that the board make a finding that the proposed project won't be substantially more detrimental to the existing structure or neighborhood based on the project's scope generally conforming to the neighborhood, the lack of members of the public opposing said petition. Roll call vote - Mr. Bennett: yes; Mr. Lavenburg: yes; Ms. Komack: yes; Mr. Michon: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0. The applicant was reminded of the appeals process to follow after the written decision is issued.

### **Petition #2021-13 – Special Permit (Extension) for 78 Wimbledon Rd., Marc & Lauren Arbour:**

The project consists of a 14' x 24' extension of the garage to accommodate a third vehicle.

#### **Comments from the public in favor of or against the petition:**

- Michael Lareau (87 Bel Air Dr.) is a direct abutter and does not object to the project.

Jane Mantolesky made a motion, and was seconded by Mr. Lavenburg, that the board makes the following findings of property non-conformity effective based on Article VI of the Zoning Bylaws: (1) On lot size there are 15,000 sq. ft. instead of required 18,750 sq. ft.; (2) on frontage there are 100' instead of the required 125'; (3) on side yard setbacks there are just over 14' on the south side instead of 15'. Roll call vote - Mr. Bennett: yes; Mr. Lavenburg: yes; Ms. Komack: yes; Mr. Michon: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0.

Ms. Mantolesky made a second motion, and was seconded by Mr. Lavenburg, that the board make a finding based on said foregoing facts that the proposed project would further intensify the aforementioned non-conformities of the lot by increasing overall construction size thus reducing overall open space within it. Roll call vote - Mr. Lavenburg: yes; Ms. Mantolesky: yes; Mr. Bennet: yes; Ms. Komack: yes; Mr. Michon: yes. All in favor, motion passed 5-0.

Ms. Mantolesky made a third and final motion, and was seconded by Mr. Lavenburg, that the board make a finding that, based on the documents presented, the proposed project won't be substantially more detrimental to the existing structure or neighborhood based on the project's scope generally conforming to the neighborhood. Roll call vote - Mr. Lavenburg: yes; Ms. Mantolesky: yes; Mr. Bennet: yes; Ms. Komack: yes; Mr. Michon: yes. All in favor, motion passed 5-0. The applicant was reminded of the appeals process to follow after the written decision is issued.

**Meeting Minutes Review:**

1. June 1<sup>st</sup>, 2021 Public Hearing: Mr. Lavenburg made a motion, and was seconded by Ms. Komack, to approve the minutes as presented. Roll call vote - Mr. Lavenburg: yes; Mr. Michon: yes; Mr. Bennet: yes; Ms. Mantolesky: yes; Ms. Komack: yes.

The meeting was adjourned at 7:27 pm.

Respectfully submitted,

*Bianca Damiano*