

City of Westfield

ZONING BOARD OF APPEALS

Martin Newman, Chair
Richard Sullivan III, Member
Gary Bacchiocchi, Member
Sofia Williams, Alternate

January 6, 2016

The meeting was called to order by Member Sullivan in the absence of Chair Newman @ 7:00 p.m. Room 315, Municipal Building, 59 Court Street, Westfield, MA.

- Members present
 Members absent

Staff

- | | |
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| <input type="checkbox"/> Martin Newman, Chair | <input checked="" type="checkbox"/> Jay Vinskey, Principal Planner |
| <input checked="" type="checkbox"/> Richard Sullivan III, Member | <input checked="" type="checkbox"/> Christine Fedora, Clerk |
| <input checked="" type="checkbox"/> Gary Bacchiocchi, Member | |
| <input checked="" type="checkbox"/> Sofia Williams, Alternate | |

- Call to order:* In the absence of Chair Newman, Member Sullivan called the meeting of the Zoning Board of Appeals to order at 7:00 P.M. in Room 315, Municipal Building, 59 Court Street. Westfield MA. Members introduced themselves.
- Annual election of officers:* In the absence of Chair Newman the Board voted to postpone this item agenda for their next meeting.
- Public Participation :* Member Sullivan asked if there was anyone in the room who would like to address the Board regarding items not currently on the agenda? None presented.
- Review and acceptance of new applications & scheduling of public hearings*

Member Sullivan explained the process of the meeting to the room. The Board will accept the applications at tonight's meeting; the hearings will be scheduled for January 27th.

Member Sullivan read the notice into the record for:

The petition of JOSEPH & VALERIES ZELEZ who seek variance relief from Sections 3-40.5(1) and 2-20 (lot access) to allow for construction of a house on a lot having less than the required, or no, frontage/width and for access other than across the frontage (via Butternut Rd.). Subject property is known as 56 City View Blvd. (Parcel 27R-22) and zoned Rural Residential.

Member Sullivan asked if there was anyone in the room who would like to speak in favor?

The petitioner, Joseph Zelez gave a brief summary of his application. He has lived here for 36 years and would like to build a small retirement home; he indicated the frontage off City View has a humungous wetland which would cause a disturbance of over 5,000 s.f., he also informed the Board Dave Fallis of the DEP toured the area and the wetland is a gigantic area that is why he would like to use Butternut. Planner

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Vinskey added the notice as written shows 2 options either less than the required frontage or no frontage. Mr. Zelez identified the location where he would want the house to be located. Board members proceeded to review the criteria for granting a variance so the petitioner would be aware of the standards that have to be met.

Member Bacchiocchi MOTIONED, seconded by Alternate Williams to accept the application and schedule for the Board's meeting of January 27, 2016. All in favor.

Member Sullivan read the notice into the record for:

The petition of LEE HELLIWELL who seeks a special permit per Section 3-40.4(2) to allow for a conversion of a single-family dwelling to a two-family. Subject property is 208 Tannery Road and zoned Rural Residential.

Member Sullivan asked if there was anyone in the room who would like to speak in favor?

The petitioner Lee Helliwell addressed the Board. Mr. Helliwell informed the Board he grew up on Tannery Road the land has 19.6 acres of land, the house is located in the middle of it, he would like to build an addition for his mom to live in with the living area off the garage adding the issue is the living area is off the garage, it's not connected by the hall way. Vinskey informed the members it is being called a 2 dwelling unit per the building inspector. Members asked the petitioner to bring plans into the next meeting for their review.

Member Bacchiocchi MOTIONED, seconded by Alternate Williams to accept the petition and schedule the public hearing for January 27, 2016. All in favor.

Member Sullivan read the notice into the record for:

The petition of CARLOS & MARIA QUILES who seek variance relief from Sections 3-40.5(1), 3-170.8(1), 4-20.1 and 2-20 (lot layout) to allow for division of a lot in two, having less than the required frontage/width and/or area and/or not conforming to lot layout requirements. Subject property is 276 Shaker Road and zoned Rural Residential and Water Resource Protection.

Member Sullivan asked if there was anyone in the room who would like to speak in favor?

Representing the petitioner was Attorney Mark Begley. Attorney Begley informed the Board the applicants are seeking a variance to build another house rather than revamping the current home. The parcel contains 3.5 acres with 250 feet frontage. Attorney Begley informed the Board the reason they are seeking this variance is to allow the petitioner to build a one story home on the property, the reasons being Mr. Quiles has been diagnosed with an inoperable brain tumor and they are trying to make arrangements for his future as he may at some point become blind. He also added if this weren't located in the Water Resource District this would be allowed as the Water Resource District has the 2 acre minimum.

Members asked if they would bring plans to the next meeting for the Board's review, the Board also noted they would like to have the area staked out as well. Vinskey also noted in addition a waiver would be required from the Planning Board.

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Member Bacchiocchi MOTIONED, seconded by Alternate Williams to accept and schedule for January 27, 2016. All in Favor.

Member Sullivan read the notice into the record for:

The petition of GUIDO MARCHESI who seek variance relief from Sections 3-60.5(1) and 4-20.1 and a dimensional special permit per Section 3-60.4(2) to allow for division of a lot in two, each to contain an existing dwelling but having less than the required frontage/width, area and side yard setbacks. Subject property known as 11 Allen Ave. and zoned Residence B.

Member Sullivan asked if there was anyone in the room who would like to speak in favor?

John Massic of R. Levesque Associations addressed the Board. Mr. Massic informed the Board 11 Allen Avenue has 100 feet frontage, 10,800 s.f. area with 2 single family homes, one of the homes was built about 1904, and the second home was built in 1988, he added they were unable to find out how or why? The variance being requested is to allow the subdivision of the property to 2 substandard lots. He proceeded to show charts which showed the lack of compliance with the zoning regulations. He felt it would be more desirable to have the homes on 2 separate lots.

Members inquired as to the specific relief they were seeking? The applicants would be seeking a reduction in the frontage, side setback, and area on each lot. Members inquired if both the houses were owned by the same individuals? Mr. Massic informed the Board it was his understanding they were owned by the same individuals and they are both inhabited. It was noted the reason it is being done now is they want to be able to sell as single family homes.

Member Bacchiocchi MOTIONED, seconded by Williams to accept the application and schedule for January 27, 2016. All in Favor. MOTION passes.

Approval of previous minutes. December 23, 2015

Member Williams MOTIONED to approve the December 23, 2015 minutes with corrections as noted. All in Favor. MOTION passes.

The Board voted to postpone the approval of the first set of December minutes.

Annual Election of officers.

The Board postponed this matter in the absence of the Chair.

Other Business/Future Agenda Items

No new business.

Vinsky informed the Board the above meetings will be posted for the January 27th meeting.

Member Bacchiocchi MOTIONED, seconded by Alternate Williams to adjourn at 7:45. All in favor.