

City of Westfield

ZONING BOARD OF APPEALS

Richard Sullivan III, Chair
Sofia Bitzas, Member
Christine Webster, 1st Alternate
Jennifer Gilbert, 2nd Alternate

This meeting was conducted via remote teleconference. Members of the public who wished to listen to the meeting were advised to do so by tuning into Channel 15 or Channel 12 or online at westfieldtv.org or online at Youtube.com - Westfield Community Programming Channel. The public could also participate by internet or phone, per instructions on the posted meeting agenda. In-person attendance was not possible

02-02-2022

1. *Call to order:* Chairman Sullivan called the meeting of the Zoning Board of Appeals to order at 7:15.

By Roll Call Vote:

Richard Sullivan, III Chair	-	present
Sofia Bitzas, Member	-	present
Christine Webster, 1 st Alternate	-	absent
Jennifer Gilbert, 2 nd Alternate	-	present

Staff in attendance: Jay Vinskey, Principal Planner – absent
Christine Fedora, Clerk – present

Chair Sullivan asked members to introduce themselves.

2. Public Participation (on any matter not subject to a public hearing)
Chair Sullivan asked if there was anyone who would like to speak during the public participation portion of the meeting regarding items not on the agenda. None.

Motion made and seconded to alter the agenda.

4. Review and acceptance of new applications & scheduling of public hearings.

Attorney Sypek addressed the Board for his client Tariq & Rizwana Mahmoom. Attorney Sypek gave a brief synopsis of his clients proposal. The Mahmoom's own property at 397 Little River Road, they have been there for 44 years. A variance was granted in 1976 for the convenience store, The store has had a recent fire. Prior to the fire they served ice cream. His client would like to build a 1800 s.f. addition 74 x 24 to allow for ice cream and deli sales to be sold on the property, the parking spaces will be remarked. Chair Sullivan asked if the addition would be larger than the original footprint? . Attorney Sypek replied it would probably be larger than the original footprint. A brief discussion as to whether this would be extending a non-conforming use. It was noted Planner Vinskey had mentioned site plan approval may be considered.

Member Bitzas MOTIONED, to accept the application. Further discussion as to what would be necessary for filing. After discussion the Board decided to schedule for February 23, 2022. Further research to be done as to whether site plan or variance would be required.

- (Continuation) Samuel Shokov appealing denial of a zoning permit for house construction at Bayberry Ln./parcels 46R-59 & 60, zoned Rural Res.

Bayberry Lane

The Board discussed at their last meeting. The applicant had filed an appeal on the decision from the Building denying his building permit. Following the Board's previous hearing research was done regarding the application, the building inspector has issued a building permit. The petitioner has requested to withdraw his application.

Chair Sullivan opened the discussion up to the public. There being no public participation and no one speaking in favor or opposed, Chair Sullivan MOTIONED, seconded by Member Bitzas to accept the withdrawal of the appeal.

All in favor.

- Heidi & Jeffrey Fountain for a special permit per 4-10.3(3) to reconstruct/expand a garage with a nonconforming setback at 54 Mill St., zoned Res. A

Chair Sullivan asked the petitioner to present the proposal.

The applicant Heidi & Jeffrey Fountain explained their application. They currently have an existing garage 12 x 18, they would like to tear it down and put new footings and make it 18 x 26 to make it more conducive to today's vehicles and storage. Currently, the house is 5.44 feet away they are looking to bring it to 6 feet and move it closer to their house, the new garage will take up some footprint and will sit over a portion of the double wide driveway.

Chair Sullivan asked if the garage would be in conformity with the plans being submitted. The applicants stated yes it would be, the color would be different. Member Bitzas asked about the width and height. Ms. Fountain informed her the width would be 18 and depth would be 26, the general location would be the same, they will be going out 6 feet and bring it forward, the new garage will sit where the cars are parked now.

Members Gilbert and Bitzas felt this was good.

Chair Sullivan asked for in favor or opposed to the application.

There being no one heard. Chair Sullivan MOTIONED, seconded by Member Bitzas to close the hearing and open the discussion up for deliberations.

All in favor.

Chair Sullivan opened up the deliberation for 54 Mill Street. Chair Sullivan stated he has no problems the only condition he would like placed on the decision is that it be in general conformity with the plans as submitted and the northern side lot line be no less than 6 feet.

Anything else?

No comments from other board members.

Chair Sullivan MOTIONED, seconded by Member Bitzas to approve the Special Permit for 54 Mill Street.

Roll Call vote:

Chair Sullivan	-	yes
Member Bitzas	-	yes
Member Gilbert	-	yes

5. Review and approval of previous meeting minutes.

None available

6. Annual Election of Chair

Chair Sullivan felt the Board should wait until Member Webster is present to elect officers. The Board agreed.

7. Other Business/Future Agenda Items

The Board discussed the scheduling of meetings. After discussion the Board felt they would hold meetings as applications dictate.

The Board's next meeting to be held on February 23, 2022.

Chair Sullivan MOTIONED to adjourn at 7:30.