

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.

3-23-22

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	-	present
Jennifer Gilbert, 2 nd Alternate	-	present

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

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 at the meeting who was not here regarding the items on the agenda. There being no one Chair Sullivan noted there was no one for public participation.

3. Public Hearings (and possible deliberation and decision) on the following petitions:

Instructions for Participation:

Application/hearing materials can be inspected online at: cityofwestfield.org/applications
Comments will be accepted during the hearing by teleconference (see access information above). Public comment may also be submitted in advance, for receipt by 4pm on the hearing date, by mail to: Zoning Board of Appeals, 59 Court St. Westfield, MA 01085 or by email to: j.vinskey@cityofwestfield.org

- (Continuation) Tariq & Rizwana Mahmood to amend a 1976 variance and for a special permit/site plan per 4-10.3(3) & 6-10 to expand a retail store at 397 Little River Rd., zoned Res. A/Rural Res.

Chair Sullivan stated the applicant has requested another extension, they are still waiting for their site plan to be completed. He further noted he would continue the meeting to receive comments from the abutters. Chair Sullivan asked members Webster and Gilbert if they would be available for the next meeting.

Chair Sullivan asked if there was anyone who would like to speak in favor or opposition?

Chair Sullivan asked if we received any additional E Mails since the last meeting. Planner Vinskey received one new E Mail. Chair Sullivan stated the E Mails received will be read into the record when the petitioner is available to respond to the questions at the Board's hearing scheduled for May 4th.

Donna Carmel – 399 Little River Road
Still in opposition to the project, lives next door to the Country store.

Chair Sullivan noted the petitioner has requested a continuance to May 4th. Planner Vinskey stated there has been an extension of the zoom meetings they can be held up to July, he further asked if the Board wanted to continue with Zoom or meet in person. After discussion the Board preferred to meet in person rather than zoom, the next meeting scheduled for May 4th will be held in City Hall room 315, at 7:15 p.m.

Chair Sullivan MOTIONED, seconded by Member Webster to continue to May 4, 2022 and to meet in City Hall, Room 315 at 7:15 p.m.

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

Chair Sullivan stated this would be an informal presentation of what the petitioners want to do. He asked the presenters to give their name and address. He further noted if applications are accepted they will be scheduled for public hearings on May 4, 2022.

Mary Roussi – 18 Tekoa Terrace

Ms. Roussi explained to the Board she would like to construct a garage, a detached 18 x 20 garage. Her request is to have a 12' rear setback and the west side be 12'. She further noted they have done a lot of landscaping and doesn't want the garage to interfere with the work they have done in their yard.

Chair Sullivan stated the Board attaches conditions to their decisions that states what is built has to be in compliance with the plans as submitted. Ms. Rousse replied yes it would be in conformance to the plans submitted. Chair Sullivan further asked the applicant to stake out the location of the garage so members could do a drive by of the property to get an idea where it will be located. There being no further comment, Chair Sullivan MOTIONED, seconded by Member Bitzas to accept the application and schedule the public hearing for May 4, 2022 at City Hall.

By Roll call vote:

Chair Sullivan - yes

Member Bitzas - yes
Member Webster - yes
Member Gilbert - yes

Chad Sico – 151 Sacket Road

Prior to discussion Member Webster stated she has a conflict with this application. Chair Sullivan asked other members if they would be eligible to participate in this application. Members Bitzas and Gilbert as well as Chair Sullivan were eligible to participate.

Mr. Sico informed the Board he would like an addition to his house. Currently the east side of the house is already non-conforming, he will not be moving closer to line but extending back. Above the existing living room he would like to add a bedroom, above the garage he would like to add a home office, room above top on the first floor shed and patio area. Mr. Sico stated the addition moves forward too but not closer than house. Chair Sullivan MOTIONED, seconded by Member Bitzas to accept and schedule for May 4, 2022, City Hall, Room 315 @ 7:15 p.m.

Thomas Vuelta – 77 Orange Street

Mr. Vuelta informed the Board he would like to put a car port in his driveway more for the convenience of it during the winter with the snow.

Chair Sullivan asked about the dimensions? It would be 12 x 20, the reasoning he wants a car port there is he's been in the house since 1994, now that he is getting older he would like it for the convenience of having not have to shovel the snow. Mr. Vuelta noted it would be close to his neighbor, but they said they have no problem with it.

Mr. Vuelta asked if it is approved can he extend it a couple feet beyond the house or does it have to be equal? Chair Sullivan stated the Board conditions the approvals that it conform to the plans as submitted, if the dimensions are changed a new plan would be need to be completed. Planner Vinsky stated the front set back should be able to align with the abutting house, the front set back is by right, he could align with the porch next door.

Planner Vinsky suggested Mr. Vuelta submit something to the Board so they would know the specific dimensions as well as the setbacks, a rough sketch of what it would look like.

Chair Sullivan MOTIONED, seconded by Member Webster to accept the application and schedule for May 4, 2022, City Hall, Room 315 @ 7:15.p.m.

5. Review and approval of previous meeting minutes.

Chair Sullivan and Member Webster felt the minutes were fine. Chair Sullivan MOTIONED, seconded by Member Webster to approve the previous meeting minutes. Member Bitzas abstained.

6. Annual Election of Chair

Member Webster nominated Chair Sullivan to remain as Chair. Chair Sullivan accepted the nomination. All in favor.

Planner Vinskey stated he would be putting discussion of the Mullen's Rule on the next agenda, he gave a brief review of the Mullen Rule to the members. He further reminded Board members to be sworn in if they were reappointed.

Member Bitzas MOTIONED to adjourn at 7:45.

APPROVED