

ZONING BOARD OF APPEALS

SEPTEMBER 19, 2022 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairman Scott DeMane, Kellie Porter, Elizabeth Jent, P.J Whitbeck, Christine Hubbell
Kyle Burdo, Housing Code Inspector
James Welch, Housing Code Inspector

Absent: Meghan Weeden
Justin Stearns

Also present: Julia Miller
Thomas Murnane, representing Weber International
Pamela Joseph, Weber International
Mike Hamilton, Weber International
William Ferris

Mr. DeMane called the meeting to order at 7:04 PM. The following items were on the agenda.

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
2331	JULIA MILLER 66 BAILEY AVENUE	CLASS B AREA VARIANCE REQUEST TO CONSTRUCT AN ADDITION TO DETACHED GARAGE INTO SIDE YARD SETBACK
2332	WEBER INTERNATIONAL PACKAGING, LLC 320 CORNELIA STREET	SPECIAL USE PERMIT REQUEST TO OPERATE A MANUFACTURING AND STORAGE FACILITY IN B2 ZONED DISTRICT
2333	WILLIAM FERRIS 17 DURKEE STREET	SPECIAL USE PERMIT REQUEST TO OPERATE A SPORTING, HUNTING, AND ELECTRONIC BICYCLE SHOP IN ADDITION TO AN EXISTING CAR DETAILING SHOP LOCATED IN COMMERCIAL ZONED DISTRICT

The agenda was heard in the following order:

- Appeal 2331
- Appeal 2332
- Appeal 2333

The **first** item heard is appeal #2331, Julia Miller, 66 Bailey Avenue, Class B area variance request to construct an addition to detached garage into side yard setback.

Discussion:

- Discussion of project and dimensions of addition.
- Discussion regarding addition to existing accessory structure being on or over property line in side yard.
- Applicant was unaware a building permit was required to construct this accessory structure addition.

Public Comment: *None*

MOTION:

By: E. Jent, seconded by: K. Porter

MOTION THAT THE BOARD CHAIR USE THE SHORT ENVIRONMENTAL ASSESSMENT FORM FOR APPEAL #2331, CHECK ITEMS 1-11 AND MARK NO OR SMALL IMPACT MAY OCCUR (LOT COVERAGE, OPEN SPACE AND SETBACKS) AND SIGN.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

MOTION:

By: E. Jent, seconded by: C. Hubbell

MOTION TO APPROVE APPEAL #2331, 66 BAILEY AVENUE, CLASS B AREA VARIANCE REQUEST TO CONSTRUCT A 6 FT 2 IN X 20 FT 10 IN ADDITION TO DETACHED GARAGE INTO SIDE YARD SETBACK.

ALL IN FAVOR: 2

OPPOSED: 3

(S. DeMane, K. Porter, C. Hubbell voted in the negative)

MOTION DENIED

The **second** item heard is appeal #2332, Special Use Permit request to operate a manufacturing and storage facility in B2 zoned district.

Discussion:

- Board and applicant review of application, proposed use, and site plan.
- Exterior improvements to be made to the building.
- No additions planned to be made to building, size of building will remain as existing.
- No parking planned in front of building. Front yard planned to remain clear of obstruction.
- Building to be used for storage and cap assembly work.
- No increased truck traffic.
- Security lighting to East and North side of building placed in a manner to not interfere with Route 3.

Public Comment: None

MOTION:

By: K. Porter, seconded by: E. Jent

IN REGARD TO APPEAL #2332, AFTER REVIEW OF THE FULL ENVIRONMENTAL ASSESSMENT FORM FOR THIS APPEAL WE HAVE MADE THE APPROPRIATE CHANGES AND FIND THAT THERE IS LITTLE TO NO ENVIRONMENTAL IMPACT WITH THIS PROJECT.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

MOTION:

By: K. Porter, seconded by: E. Jent

FOR APPEAL #2332, WEBER INTERNATIONAL PACKAGING INC, WE APPROVE THE SPECIAL USE PERMIT FOR THE REQUEST TO OPERATE A MANUFACTURING AND STORAGE FACILITY IN A B2 ZONED DISTRICT.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

The **third** item heard is appeal 2333, William Ferris, Special Use Permit request to operate a sporting, hunting, and electric bicycle shop in addition to an existing car detailing shop located in commercial zoned district.

Discussion:

- Board and applicant discussion of application.
- Applicant explains need to take business in different direction to maintain viability. Current use of auto detailing/stereo install/auto car starter installation is not as viable a business as years past.
- Proposed new use of hunting and fishing supply business would also include gun sales.
- Applicant is required to file with federal agency (ATF) to get firearm sales licensing.
- No site plan provided for proposed new business use. Applicant described current business space layout of approximately 1200 ft of showroom and the rest of building being office space and installation bays.
- K. Porter expresses concerns regarding firearm sales in a location with such close proximity to Department of Social Services, children’s park, and a public school. Hard to process due to very limited information presented (i.e. no site plan, where the guns will be in the building, if guns would be visible from windows, security plan, etc...).
- Applicant describes he cannot apply for firearm licensing until approval from City. Applicant shares as far as security, Department of Social Services have a full time Sherriff on duty and the Federal Building is across the street with full time federal Marshalls, federal probation, and federal court officers.
- Applicant describes firearm sales procedure. Background checks are required for all firearm sales.
- Discussion regarding of this type of business conforms with the character of the neighborhood.
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Public Comment: *None.*

MOTION:

By: E. Jent, seconded by: C. Hubbell

IN REGARD TO APPEAL #2333, AFTER REVIEW OF THE FULL ENVIRONMENTAL ASSESSMENT FORM WITH CHANGES MADE, WE FIND THAT LITTLE TO NO ENVIRONMENTAL IMPACT WILL OCCUR.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED

MOTION:

By: P.J. Whitbeck seconded by: E. Jent

MOTION TO APPROVE APPEAL #2333, WILLIAM FERRIS, 17 DURKEE STREET, SPECIAL USE PERMIT REQUEST TO OPERATE A SPORTING, HUNTING, AND ELECTRIC BICYCLE SHOP IN ADDITION TO AN EXISTING CAR DETAILING SHOP LOCATED IN COMMERCIAL ZONED DISTRICT

ALL IN FAVOR: 3

OPPOSED: 2

(S. DeMane and K. Porter voted in the negative)

MOTION PASSED

MOTION:

By: P.J. Whitbeck, seconded by C. Hubbell

MOTION TO APPROVE AUGUST 15, 2022 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: K. Porter, seconded by E. Jent

Adjourned at 8:23 PM

For the purpose of this meeting, this meeting was audio and video recorded. This is a true and accurate copy and transcription of the discussion. For a more detailed discussion, please see the recording.

Lisa Beebie
Secretary
Zoning Board of Appeals