

**BOARD OF ZONING APPEALS
RECORD OF MINUTES AND PROCEEDINGS
July 21, 2010**

The Board of Zoning Appeals of the Town of Weymouth held a public hearing on Wednesday, July 21, 2010, at 7 pm at McCulloch Building, 182 Green Street, Room 12, Weymouth, MA for the purpose of passing on the applications of certain persons whose petitions were properly before the Board. Notice of public hearing had been given by mail to the parties in interest of the subject locus and by publication in the Weymouth News.

Present: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski
 Martin Joyce
 Kemal Denizkurt, Alternate.
 George Berg, Alternate

The Chairman called the hearing to order and explained the procedures that would be followed to the people present. A MOTION was made to open the public hearing and waive the reading of the legal advertisement, and was seconded and UNANIMOUSLY VOTED.

A motion was made to take item **BZA CASE #3090- 1340 Washington Street** out of order. The motion was seconded and UNANIMOUSLY VOTED.

BZA CASE #3090 - Public Hearing (cont.), 1340 Washington Street

Application of Ryder Development for property at 1340 Washington Street, also shown on the Weymouth Town Atlas Sheet 35, Block 408, Lot 3, located in an R-3 zoning district seeking a special permit and/or variance under Chapter 120-40 to remove the single family dwelling and construct a multi-family dwelling.

Members sitting: Richard McLeod, Chairman
 Chuck Golden
 Francis Kenneally
 George Berg
 Martin Joyce
Staff Present: James Clarke, Planning Director

Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Conservation:	This project has been approved and issued an Order of Conditions under DEP file #81-1068
Fire:	Letter dated July 14, 2010.
Health :	No objection
Police:	Issues addressed
DPW:	See Memo dated May 19,2010 to James Clarke, Planning Director from Bob O'Connor, Public Works Director
Water comments:	
Sewer comments:	
Highway/C&M/DPW Director	
Engineering	
Schools	
Tax	Real estate taxes are unpaid

Attorney Gregory Galvin appeared before the Board with developer Ken Ryder. The issues discussed include adequate access (the driveway runs behind a business property), road paving between Washington Street and Queen Ann Court, striping, signage on Washington Street between Previte's and the Eagles Hall identifying the address. The lot pre-exists zoning requirements for frontage and uplands. This is a request to construct the multi-family use as allowed on a nonconforming lot. Rod Fuqua coordinated a site visit with the Fire Department on July 14, 2010. The intent is to maintain the gravel road access to Queen Ann Court. The Conservation Commission has issued an Order of Conditions which may need to be amended. There were questions from the Board members regarding the number of parking spaces, the proximity of a fire hydrant to the building, preservation of the bordering wetlands, and adequacy of fire lane area based on the Fire Department letter.

Mr. Clarke suggested that the paving end at the start of the parking spaces, to reduce the impervious area.

A MOTION to close the public hearing was made by Edward Foley and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

A MOTION was made by Edward Foley to approve the application with a number of conditions, which includes the content of the July 14, 2010 letter from J. Meyers and with one change: paving to just past the parking lot, and was seconded by Martin Joyce.

FINDINGS

The Board found that the SPECIAL PERMIT would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a SPECIAL PERMIT to remove the single family dwelling and construct a multi-family dwelling with the following condition:

1. Parking and striping as per the 7/14/10 letter from the Fire Department modified to pave only to the parking spaces.

BZA CASE #3095 - Public Hearing, 29 Woodside Path

Application of William New for property located at 29 Woodside Path, also shown on the Weymouth Town Atlas as Sheet 34, Block 434, Lot 27, located in R-1 zoning district, seeking to subdivide lot into 2 single family lots.

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski
 George Berg, Alt.

Jim Clarke requested this item be postponed so that a zoning issue can be researched. A Motion was made by Edward Foley to continue the public hearing to the August 11, 2010 meeting was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

BZA CASE #3096 - Public Hearing, Norma Road

Application of Kenneth Ryder for property located on Norma Road, also shown on the Weymouth Town Atlas as Sheet 24, Block 318, Lot 104, located in R-1 zoning district, seeking a variance from the minimum upland lot area due to the Planning Board rules and regulations of a minimum radius turn-around on the street and the locus of the wetlands substantially limits the applicant's buildable area.

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Conservation:	See attached memo to Rod Fuqua, Principal Planner from Mary Ellen Schloss, Conservation Administrator, dated July 19, 2010.
Fire:	Fire Department review complete. Submit all plans for fire alarm review. Hydrants and street ok.
Health :	No information in files that land is not suitable for proposed project.
Police:	How much of an impact will the smaller cul-de-sac have on trucks such as snow plows, fire trucks and trash trucks? If it will have a significant impact, I would be opposed.
DPW:	
Water comments:	Water main will need to be extended down Norma Ave. from Apple Tree Lane and looped through to Healy Road to prevent another dead end main.
Sewer comments:	No comments
Highway/C&M/DPW Director	No comments
Engineering	No comments
Schools	
Tax	

Attorney Gregory Galvin and developer Ken Ryder appeared before the board. They are seeking a variance; subdivision plan approved was previously by the Planning Board. In the layout, the first parcel has adequate upland, but the second does not. The proposed lot has approximately 11,000 square feet of upland area. The land was purchased in 2006 and abuts Braintree recreational land. Granting the variance would not nullify the intent of the bylaw, nor affect the zoning district. The approval from Planning Board requires a full cul-de-sac layout and will require 160' of road for one single family house on Norma Ave. Healy Road portion has already been developed. The land, which was filled in the 1960's has been flagged three different times. The minimum requirement for upland area of 18,750 for a buildable lot by the Planning Board constitutes a hardship.

There was a discussion with the board, including the memo from the Conservation Commission, the reflagging of the property which changed the layouts and then created a deficiency in the amount of upland available. Mr. Clarke passed out the previous plan and discussed the history of the changes in lot configuration. He suggested that now that only one lot is being accessed off Norma Road the Planning Board might reduce the cul-de-sac which would create more upland area. He asked the Board to continue the hearing and allow staff to discuss this option.

DECISION OF THE BOARD

A MOTION was made by Edward Foley to continue this hearing to the September 8, 2010 meeting and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

Submitted: Exhibit A, Plan dated 1/12/06, revised 11/28/06

Exhibit B, Plan dated 5/16/06, by Scott Arnold

BZA CASE #3087 - Public Hearing, (cont.) 115 Pilgrim Road

Application of Barry Drew for property located at 115 Pilgrim Road, also shown on the Weymouth Town Atlas as Sheet 4, Block 26, Lot 10, located in R-1 zoning district, seeking a special permit and/or variance under Chapter 120-51 & Table 1 to construct and expand a deck to a single family house within the side yard setback

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Building:	See attached referral from the Building Dept.
Conservation:	Conservation Commission has approved this project through a Determination of Applicability, voted at the April 28, 2010 meeting. Erosion controls required.
Fire:	
Health :	No objection
Police:	No police issues.
DPW:	
Water comments:	No comments
Sewer comments:	No comments
Highway/C&M/DPW Director	No comments
Engineering	Although an attorney should be consulted to confirm this, Engineering does not believe the letter that appears to be from the affected abutter whose land the deck has encroached upon constitutes a legal right for the deck to be there. Barring removal of the encroachment, Engineering believes a signed notarized and recorded easement is required to avoid future problems for the current owners as well as future owners.
Schools	Present no special concerns.
Tax	Taxes and utilities current.

The applicant stated that he would work to remove the portion of the deck encroaching on the abutter's property.

This hearing is to review the cleanup of the property prior to a decision on the application. The applicant has been working on clearing the debris from the site. This was reviewed at the Conservation Commission's April 28, 2010 meeting and there were no issues although it was suggested that the applicant consult an attorney and get a notarized, recorded easement for the encroachment. No permit was pulled for the deck built and encroaching by 4" on the neighboring property. A member suggested that the deck be removed before the board votes on approval for sideline requirement.

A MOTION was made Edward Foley to continue the public hearing to the September 8, 2010 meeting and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

BZA CASE #3098 - 102 Charles Street

Application of Anna Lisa and Sean Carey for property located at 102 Charles Street, also shown on the Weymouth Town Atlas as Sheet 22, Block 296, Lot 23, located in R-1 zoning district, seeking a special permit under Chapter 120-40 to build a second story addition on a nonconforming footprint.

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski
Staff Present; James Clarke, Planning Director
Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

The property owners were present. They are requesting a special permit to add a second story addition on the rear of the existing structure within the existing footprint. The house was built in 1868, and the owners intend to keep the same lines and architectural style. The house is on a corner and requires front yard setback of 18' on two sides.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Conservation:	Does not require filing with Conservation Commission.
Fire:	Street and hydrant ok. Submit all alarm plans to the Fire Department for review.
Health :	No objection.
Police:	No police issues.

DPW:

Water comments:

1. Water service is 3/4" Cu; may want to upgrade to 1" Cu during construction.

Sewer comments:

1. Water and sewer mitigation
2. Replace 5" AC sewer service with 6" PVC

Highway/C&M/DPW

Director

No comments

Engineering

No comments

Schools

Tax

Taxes and water current

A MOTION was made by Edward Foley to close the public hearing and seconded by Francis Kenneally, and was UNANIMOUSLY VOTED.

A MOTION was made by Edward Foley to APPROVE the request for a SPECIAL PERMIT and/or VARIANCE to build a second story addition on a nonconforming footprint and was seconded by Francis Kenneally. Robert Galewski questioned the plot plan which staff indicated was submitted with the application. The Board finds that, in its judgment, all of the following conditions are met:

1. The application's location was suitable for the use
2. The use involved will not be detrimental to the established or future character of the neighborhood.
3. There will be no nuisance or serious hazard to vehicles or pedestrians
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use and that the public convenience and welfare will be substantially served.

FINDINGS

The Board found that the SPECIAL PERMIT would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a SPECIAL PERMIT to build a second story addition on a nonconforming footprint.

BZA CASE #3094 – Public Hearing, 63 Lane Avenue

Application of Ellen and John Burke for property located at 63 Lane Avenue, also shown on the Weymouth Town Atlas as Sheet 34, Block 380, Lot 26, located in R-1 zoning district, seeking a special permit and/or variance under Chapter 120-40, 120-51 & Table 1 to allow a porch extension of a front addition part of which lies within a setback area. Also a variance through the rear line of the building for any potential future expansion needs.

Members sitting: Richard McLeod, Chairman
Edward Foley, Vice-Chairman
Chuck Golden
Francis Kenneally
Robert Galewski
Staff Present: James Clarke, Planning Director
Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

John Burke presented his request to replace an existing deck with a 6' x 12' covered porch. He noted that the lot is a corner lot and had a previous variance for a smaller mudroom 15' from St. Margaret Street. The extension would be no closer to the street. He also noted that frontage was taken for Lane Avenue reconstruction which impacted his options for the addition.

Jim Clarke went over the staff comments. He stated that the application was routed to various Town Departments, with the following issues or concerns:

Conservation:	Does not require filing with the Conservation Commission
Fire:	
Health :	No objection.
Police:	No police issues.
DPW:	
Water comments:	No comments
Sewer comments:	No comments
Highway/C&M/DPW Director	No comments
Engineering	No comments
Schools	
Tax	\$2,277.33 owed for taxes for 2010. (4) 2010 water bills outstanding totaling \$907.08

Mr. Galewski noted that a plot plan will be required.

A MOTION was made by Edward Foley to close the public hearing and seconded by Francis Kenneally, and was UNANIMOUSLY VOTED.

There was a brief discussion. 600 feet of land was taken by the Redevelopment Authority by eminent domain. The Board also agreed that any future addition would require a new application.

A MOTION was made by Edward Foley to APPROVE the application for the special permit for the 6' x 12' porch with the requirement for a plot plan. The Board finds that, in its judgment, all of the following conditions are met:

1. The application's location was suitable for the use.
2. The use involved will not be detrimental to the established or future character of the neighborhood.
3. There will be no nuisance or serious hazard to vehicles or pedestrians
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use and that the public convenience and welfare will be substantially served.

FINDINGS

The Board found that the SPECIAL PERMIT, would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a SPECIAL PEERMIT for the proposed addition with the following condition:

1. A plot plan of the new addition shall be submitted.

BZA CASE # 3040 A – Public Hearing, 379 Middle Street

Application of Joseph Melchione for property located at 379 Middle Street, also shown on the Weymouth Town Atlas as Sheet 26, Block 289, Lot 16, located in R-1 zoning district, seeking a special permit and/or variance under Chapter 120-56. Applicant is re-applying for same variance previously granted May 20, 2009.

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Berg

Staff Present: James Clarke, Planning Director

Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Conservation:	
Fire:	
Health :	The site is currently being remediated in compliance with the Massachusetts Contingency Plan (MCP). The removal/stabilization of contaminated soil is being overseen by a Licensed Site Professional, Douglas Heeley. Remediation must be complete before the site can be utilized for residential use.
Police:	
DPW:	
Water comments:	
Sewer comments:	
Highway/C&M/DPW Director	
Engineering	
Schools	
Tax	

There was a brief discussion. A variance that was previously granted has expired. The board considered whether it should grant an extension of the original or a new variance. Clean up is ongoing, and is at about 80% completion and must be completed before any building can take place. The applicant expects to finish in early fall. George Berg noted that the change to the area by cleanup is amazing.

A MOTION to close the public hearing was made by Edward Foley and seconded by George Berg. A MOTION was made by Edward Foley to approve a new variance and was seconded by George Berg. UNANIMOUSLY VOTED.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a VARIANCE.

BZA CASE #3093 - Public Hearing, 54 Whitman Street

Application of Sprint Spectrum and its affiliate Clear Wireless for property located at 54 Whitman Street, also shown on the Weymouth Town Atlas as Sheet 22, Block 300, Lot 12, located in R-1 zoning district, seeking a modification to existing wireless communications facility on the telecommunications tower.

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski

Staff Present: James Clarke, Planning Director
Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Francis Kenneally. UNANIMOUSLY VOTED.

Jerry Bruno of Maxton Technology, Inc., Jorge Labayo of Clearline, Ricardo Sousa of Prince Lobel Glovsky & Tye, LLP appeared before the board representing the applicant. In anticipation of expanding its service to 4G network, Sprint and Clearwire requested a variance and special permit last July to add three additional dishes to the tower at the Sons of Italy site. A structural analysis of the pole failed and they are unable to use the existing structure to expand further. The intent is to use the existing site, build a new tower on the site, move all existing carriers to the new structure and then dismantle the existing tower. This will allow the carrier to fill in gaps in its coverage to the area. The Sons of Italy do not oppose the change, nor do the other carriers installed on the existing pole. The new pole will be 62', with a 2-3' diameter at the base, tapering to 2' at the top, and in a fenced area.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Building:	
Conservation:	Does not require filing with Conservation Commission
Fire:	
Health :	No information in files that the land is not suitable for this proposed project.
Police:	No police issues.
DPW:	No comments.
Water comments:	No comments.
Sewer comments:	No comments
Highway/C&M/DPW Director	No comments
Engineering	No comments
Schools	
Tax	Utilities current

A MOTION to close the public hearing was made by George Berg and seconded by Francis Kenneally. UNANIMOUSLY VOTED. A MOTION was made by Robert Galewski to approve the Variance and was seconded by Edward Foley. The Board finds that, in its judgment, all of the following conditions are met:

1. The application's location is suitable for the use.
2. The use involved will not be detrimental to the established or future character of the neighborhood.

3. There will be no nuisance or serious hazard to vehicles or pedestrians.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use and that the public convenience and welfare will be substantially served.

FINDINGS

The Board found that the VARIANCE, would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a new VARIANCE, for building a new tower to service their equipment and the carriers from the existing pole.

Submitted: Exhibit A, detail drawing of the monopole profile.

BZA CASE #3097 - Public Hearing, 30 Fairmount Avenue

Application of Deidre Aieta for property located at 30 Fairmount Avenue, also shown on the Weymouth Town Atlas as Sheet 22, Block 299, Lot 17, located in R-1 zoning district, seeking an extension or change of nonconforming use to change the living space for 4 units and for a variance to go to 3 stories in an R-1 zone

Members sitting: Richard McLeod, Chairman
 Edward Foley, Vice-Chairman
 Chuck Golden
 Francis Kenneally
 Robert Galewski

Staff Present: James Clarke, Planning Director

Recording Secretary: Mary Briggs

A Motion was made by Edward Foley to open the public hearing and waive the reading of the public notice and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

Pat Fisher, Architect, and Deidre Aieta appeared before the board, requesting an extension or change of nonconforming use and a variance to change the number of stories. The building is a multifamily use, which experienced a fire recently. In renovating, the applicant will continue the use as a 4-unit building, reconfiguring the layout. The last renovation which was ten years ago was completed by the applicant's father, and without a permit being pulled. There proposed layout will include one unit on the first floor, two on the second and one on the third. There will be eight parking spaces, dumpster, and sprinkler system. Jim Clarke noted that there used to be five units, but the building was not approved for more than four. There is no intent to change the height of the building. The plans are being reviewed by the fire department to determining whether there is adequate supply to the building for the proposed use. Discussion included the

type of fire protection: sprinkler system, audio/visual, or pull stations. The applicant does not intend to modify the architectural style of the home. The applicant noted that the Fire Department approved the water pressure today.

Jim Clarke noted that a copy of the plan was forwarded to other town agencies for review and comment and the following issues or concerns were noted:

Building:	
Conservation:	Does not require filing with the Conservation Commission.
Fire:	The existing water supply to this location may not be great enough to support the proposed sprinkler system (Weymouth Fire Dept. is investigating). Submit all plans to Fire Department for approval.
Health :	No objection as long as fire alarms, CO alarms exist and safety requirements are met. Rubbish disposal, emergency telephone number sign, screens, security, emergency lighting must conform to present day code.
Police:	Several parking issues: 1. Two fairly good size lots – one to each side of property. Lots need to have pavement markings due to maximize number of spots. 2. If dumpster going to be placed on site, where will it be located so truck can make pickup?
DPW:	
Water comments:	Water service will have to be upgraded to accommodate sprinkler system
Sewer comments:	No comments
Highway/C&M/DPW Director	No comments
Engineering	No comments
Schools	
Tax	Taxes and water current

A MOTION to close the public hearing was made by Edward Foley and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

A MOTION was made by Edward Foley to APPROVE the application for a Special Permit. . The Board finds that, in its judgment, the application has met the hardship criteria and all of the following conditions are met:

1. The application's location is suitable for the use.
2. The use involved will not be detrimental to the established or future character of the neighborhood.

3. There will be no nuisance or serious hazard to vehicles or pedestrians.
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use and that the public convenience and welfare will be substantially served.

FINDINGS

The Board found that the SPECIAL PERMIT/VARIANCE, would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance and with two conditions:

1. Parking spaces shall be clearly marked with striping.
2. The dumpster be enclosed, and no pickup allowed before 7 AM nor after 7PM.

DECISION OF THE BOARD

Due to the above findings, it was UNANIMOUSLY VOTED to APPROVE the request for a VARIANCE with the following conditions.

1. Parking spaces shall be clearly marked with striping.
2. The dumpster be enclosed, and no pickup allowed before 7 AM nor after 7PM.

MINUTES

A MOTION was made by Edward Foley to accept the minutes of the June 2, 2010 meeting and was seconded by Chuck Golden. UNANIMOUSLY VOTED.

OTHER BUSINESS

Application of Bristol Brothers subdivision on Jacobs Lane

Jim Clarke updated the board. The application was previously approved. The first page of the report outlines the ledge areas of the lot location and house location to minimize blasting. The second is the proposed changes; the third is the old plan with seven lots; the fourth is a comparison of minimum/maximum lot sizes. The total layout size will not change, but four lots will increase and one will decrease; lot 20 will be 19,954, lot 5 will be 16,177, lots 16 and 20 are not decreased and lots 20 and 21 will be combined. All lots meet the 120' setback.

A MOTION was made by Edward Foley to APPROVE the extension of the application. The Board finds that, in its judgment, the application has met the essence of the original decision and that the changes are in spirit and not of substance.

FINDINGS

The Board found that the extension of the SPECIAL PERMIT would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

OPEN MEETING LAW- New Regulations

Jim Clarke reviewed the new regulations from the Attorney General concerning the Open Meeting Law, and provided a handout to the members. Any supporting materials provided by the applicants must be marked and received as exhibit to be attached to the case.

ADJOURNMENT

A MOTION was made by Edward Foley to adjourn the meeting at 8:50 pm, and was seconded by Robert Galewski and VOTED UNANIMOUSLY.

Richard McLeod, Chairman

Date