

ZONING COMMISSION MEETING

TUESDAY, OCTOBER 9, 2012

TOWN HALL 7:00 P.M.

Present: Chairman Peter Brazaitis, Anne Marie Buonocore, Nancy LaGanga, Todd Ouellette and Land Use Coordinator Polly Redmond
Absent: Don Truskauskas, Glenn Bradley, Robert Lavoie and Kevin Ferrarotti

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Brazaitis called the meeting to order at 7:00 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 9/24/12

The item is tabled until the next meeting due to lack of a voting quorum.

3. JOSEPH MARTINS – APPLICATION FOR 30' X 24' GARAGE, 199 BIRGE PARK ROAD.

Mr. & Mrs. Martins are present. Plans by Berkshire Engineering, titled Property Survey, dated 5/16/12, revised 9/25/12 for proposed garage. TAHD and IWWC approvals have been received. T. Ouellette **motioned** to approve the application, seconded by N. LaGanga. Motion passed unanimously.

N. LaGanga **motioned** to add to the agenda: **Greg & Janet Mele/Birge Park Commons, LLC - Change of Use, 178-182 Birge Park Road.** A. Buonocore seconded the motion and it passed unanimously.

Mr. & Mrs. Mele, Birge Park Commons, LLC, are present and submit plans by Borghesi Engineering Co., Inc. Sheet A1, dated 10-5-12, shows a drawing of the proposed renovated building facade where Eastside Electric will occupy the 5000 square foot office space to the north. The building includes the existing Birge Park Luncheonette, containing 720 square feet, and an existing unoccupied rental space (formerly a dance studio) on the south side of the building, containing 1296 square feet. Sheet A2, dated 10-8-12, shows the building's north side elevations and Sheet A3, dated 10-8-12, shows the details of the proposed floor plan for the 5000 square foot contracting office space to be used by Eastside Electric. Mr. Mele states he has met with William Baldwin, Fire Marshal, and has incorporated suggestions made by him into the plans. A sign-off by the Fire Marshal is expected. Mr. Mele notes that a fire alarm system will be installed within the building though not required by the Fire Marshal. The sidewalk in front shall be removed and replaced with separate sidewalks in front of each unit that will comply with ADA regulations. There will be no changes to the parking lot. TAHD approval is pending and a copy of the application made to them is on file. N. LaGanga questions whether each unit will have their own separate heating with Mr. Mele stating there will be heating upgrades to the end units. Chairman Brazaitis questions the signage with Mr. Mele stating he has contracted with Giordano Signs & Graphics and will keep within the existing sign dimensions of 32 square feet. Mr. Mele notes that there is another existing sign in front of the apartment house to the north. With no further discussion, T. Ouellette **motioned** to approve the Change of Use pending TAHD approval. N. LaGanga seconded the motion and it passed unanimously. Mr. Mele informs the commission that an A2 is being generated and will be provided to the Land Use office when complete.

4. DISCUSSION – TOWN CENTER/BUSINESS ZONE.

Commissioners were forwarded an email from CCM regarding municipal town centers that have mixed business zoning. Commissioners request the item be placed on each agenda for possible discussion.

5. COMPLAINTS/ENFORCEMENT ACTIONS.

None.

6. ANY OTHER BUSINESS.

None.

7. **CORRESPONDENCE.**

Client Update – Case Law Development from Atty. Steven Byrne is received regarding a Federal District Court dismissing a law suit brought against commission members as individuals for actions they took as members of a P&Z commission.

Letter dated 10/1/12 from Atty. Steve Byrne is received giving an update in the matter of Lucas v HZC. Matter is now closed.

8. **INVOICES.**

N. LaGanga **motioned** to approve the invoice of ZEO Karen Nelson in the amount of \$420.00 (12 hours), seconded by A. Buonocore. Motion passed unanimously.

T. Ouellette **motioned** to approve the invoice of Atty. Steve Byrne dated 10/1/12 in the amount of \$465.00, seconded by A. Buonocore. Motion passed unanimously.

9. **ADJOURN.**

N. LaGanga **motioned** to adjourn the meeting at 7:43 p.m., seconded by T. Ouellette. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

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TOWN CLERK