

ACTIONS OF THE ZONING BOARD OF APPEALS
DATE: APRIL 26, 2023

MEMBERS PRESENT:

In Person: James R. Stevenson, Chair
Robert Haley, Vice Chair
Edward Slegeski
Sandra DeCampos
Electronically: Keshet Spadaccini, Secretary

ALTERNATES PRESENT:

In Person: Kevin Hood
Harun Ahmed
Electronically: Linda Harris

STAFF PRESENT:

In Person: Megan Pilla, Principal Development Planner
Electronically: James Davis, Zoning Enforcement Officer
Nancy Martel, Recording Secretary

The following actions were taken by the ZBA at its meeting of April 26, 2023:

JESSE FERNANDEZ – application #ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

MOTION: Mr. Haley moved to deny the special exception without prejudice. Ms. DeCampos seconded the motion and all members voted in favor.

The reason for the denial without prejudice is that staff concerns have not yet been satisfied. The applicant can return next month if the issues are worked out.

JAMES GRADY – application #VAR-0048-2023 – Request a variance from Art. II, Sec. 1.03.04(c) to allow a garage approximately 7 feet from the side property line (8 feet required) at 16 North Elm Street, Residence B zone.

MOTION: Mr. Slegeski moved to approve the variance. Ms. DeCampos seconded the motion and all members voted in favor.

The hardship is that the garage has existed since the house was built, and the change to the house is permitted by right.

MANCHESTER PUBLIC SCHOOLS – application #VAR-0047-2023 – Request variances from Art. IV, Sec. 13.06.01 and 13.09 for the height of signage and for use of an electronic

message board in a residential zone at 134 Middle Turnpike East, Residence A and Residence B zones.

Variance of Art. IV, Sec. 13.09 for Use of Electronic Message Board:

MOTION: Ms. DeCampos moved to approve the variance with the conditions 1) that the sign dims at sunset, turns off at 10:00 p.m., and turns back on at 6:00 a.m. and 2) that staff are satisfied with the revised site plan. Mr. Haley seconded the motion. Mr. Stevenson, Mr. Haley, and Ms. DeCampos voted in favor. Ms. Spadaccini and Mr. Slegeski voted against the motion. The motion did not pass.

Variance of Art. IV, Sec. 13.06.01 for Height of Signage:

MOTION: Mr. Haley moved to approve the variance. Ms. DeCampos seconded the motion. Mr. Stevenson, Mr. Haley, and Ms. DeCampos voted in favor. Ms. Spadaccini and Mr. Slegeski voted against the motion. The motion did not pass.

DETERMINATION ON ACCEPTANCE OF APPLICATION VAR-0049-2023

- **ORFORD VILLAGE HOUSING DEVELOPMENT CORPORATION** – application #VAR-0049-2023 – Request a use variance from Art. II, Sec. 4.01 to construct 4 senior multi-family units at 190 North Elm Street, Residence A zone.

The Board voted unanimously to accept application VAR-0049-2023.

APPROVAL OF MARCH 29, 2023 MINUTES: PUBLIC HEARING AND BUSINESS MEETING

MOTION: Mr. Slegeski moved to approve the minutes as written. Ms. DeCampos seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

ORFORD VILLAGE HOUSING DEVELOPMENT CORPORATION – application #VAR-0049-2023 – Request a use variance from Art. II, Sec. 4.01 to construct 4 senior multi-family units at 190 North Elm Street, Residence A zone.