

Minutes from Meeting of 6/12/02 – Hojnacki, Sprint, Gilson

Members Present: Shaun Sullivan, Robert Cadle, Mark Mulligan, Chase Duffy, Virginia Wood, (Hojnacki)

The Acting Chairman convened the Hojnacki hearing by reading the Legal Notice.

Mr. Hojnacki said that the proposed garage is 24x24, and noted that the topography and woods dictate where the garage will be located. He said that one side of the corner lot has 22.5 feet of frontage and a stone wall lines the boundary of the other side.

The Building Inspector submitted a letter in support of the project.

Abutters Carl Paul and Frank Castellucci, abutters, both supported the project.

Mr. Sullivan asked for clarification regarding the stone wall and where vehicles will be located in relation to the stone wall and the driveway configuration.

The applicant noted that the existing garage is located under the house.

Discussion ensued regarding how many trees will be removed and why the garage cannot be slid back away from the lot line.

The applicant described the topography, noting that the property slopes back and pointed out the existence of a shed. He said that he wants to limit the amount of black top, as well as the amount of excavating required. If the garage is moved back, substantially more excavating will be required and the stonewall would need to be removed. Of note: the incline is 35 to 40 feet, and three to four trees will need to be taken down. A large maple and the stonewall will be saved if the variance is granted.

Mrs. Duffy said that in light of the BI memo in support of the proposal, she feels that a variance can be granted. She said that the topography supports the grant, and noted that the site lines are acceptable.

Mr. Sullivan asked about the shed.

Discussion ensued regarding the number of buildings in question. Of note: the variance is for the garage and not the shed.

The Board closed the public hearing.

The Board moved to grant a variance of 27.5 feet because there will be less excavation required, as well as less blacktop, less pollution and will allow the stone wall to remain.

The motion was seconded and passed unanimously.

The Sprint hearing was reconvened and the applicant asked for a continuation to 7/10/02 at 8:00 pm. The applicant extended the time requirement to 8/31/02 and the Board moved, seconded and voted unanimously to continue the hearing.

The Chairman convened the Gilson hearing by reading the Legal Notice.

Aleta Manugian, agent for Gilson, said that she spoke to the Building Inspector and he thought that a special permit had been issued. She said that there has been no special permit issued because the original application was an appeal of a cease and desist. She said that the BI has had no complaints about the current activities and thus no issues have been raised.

Mrs. Duffy asked about the BOH.

Atty. Manugian said that her client has received nothing in writing from the BOH. Brigit Brailey said that everything is fine with the operation.

The Board said that a special permit could not be granted.

Atty. Manugian wanted the Board to agree that there was no issue here.

Mr. Cadle suggested that the application be withdrawn.

Atty. Manugian said that no weddings have taken place and stressed the small nature of the operation.

The Board said that the operation is more than just box lunches.

Atty. Manugian said that the BI is not bothered with the operation.

Discussion ensued regarding what kind of permit might be required. The site is on town water and sewer.

Further discussion ensued regarding the status of the common victulars license.

Atty. Manugian said that everything is well planned and regular, with all dinners being served by reservation only and a fixed menu. She said the operation is to promote the product: herbs.

Mr. Gilson said the restaurant averages one night per week and maybe two nights in the summer.

Atty. Manugian said that in order to succeed in agriculture, ways to earn are necessary to ensure future operations. She said that this operation comprises of box lunches two days per week and dinner one or two days.

The Board moved to dispose of the application after the presentation of the applicant that the point is moot.

The motion was seconded and passed unanimously.

Meeting adjourned at 9:45 pm.