

**ZBA Meeting Minutes January 7, 2009** – Smith/Townline Auto, Mattbob

Members Present: Robert Cadle, Chase Duffy, Jay Prager, Cynthia Maxwell, Alison Manugian

The Chairman convened the Smith hearing by reading the legal notice.

Mr. Smith said that he has driven by the car lot over the past four to five years and noticed the ups and downs of the prior car sales operation. He said that he buys cars from Townsend Ford and would like to sell these cars there.

Mrs. Duffy asked whether he would operate his business in the same manner as the prior operation and Mr. Smith said that he would.

Mr. Prager noted that there are a lot of restrictions in place from the previously granted permit.

Discussion ensued regarding how long the past operation has been closed. Mr. Smith said that it has been about one year, noting that he would lease from Yvonne Demaso, as the prior operation had done in the past.

Chairman Cadle asked for clarification regarding whether the applicant was asking for any new parking area or structures and Mr. Smith said that he was not changing anything.

Mrs. Duffy went over the existing conditions from the past permit with the applicant.

Discussion ensued regarding how long to limit the permit for a first time seller.

Chairman Cadle asked about the applicant's car selling experience. Mr. Smith said that he has bought and sold cars since 1992; that he has never before had a used car lot, but has always wanted to. He said that this basically fell into his lap and seems to make sense.

Chairman Cadle also asked about the kind of cars he would be selling and noted concern regarding the repair business. Mr. Smith said that he will

wash cars but not repair them. He stressed that someone else will do that on another site.

Condition #10 - the site shall not be used for the repair and/or maintenance of vehicles (only sales).

Of note: the applicant will need to get a Class II license from the BOS.

The Board moved to grant a special permit to Mr. Smith to operate a used car lot as outlined in case decision #18-04 and also to include a Condition #10, that there shall be no maintenance and/or repairs. The permit is valid for two years from the effective date. The motion was seconded and passed unanimously.

A Mattbob hearing was scheduled for tonight at 7:30 pm. The applicant did not appear, nor was a request for a continuation made. Additionally, the applicant owes approximately \$3000.00 for a financial review pursuant to the request for comprehensive permit modification. The Chairman suggested that a letter be sent to Mattbob noting the displeasure of the Board related to the lack of consideration shown by the applicant both to the hearing process and the financial commitment made pursuant to the modification request.

The meeting adjourned at 8:30 pm.