

City of Westfield

ZONING BOARD OF APPEALS

Richard Sullivan III, Chair
Sofia Bitzas, Member
Christine Webster, 1st Alternate
Jennifer Gilbert, 2nd Alternate

This meeting was conducted via remote teleconference. Members of the public who wished to listen to the meeting were advised to do so by tuning into Channel 15 or Channel 12 or online at westfieldtv.org or online at Youtube.com - Westfield Community Programming Channel. The public could also participate by internet or phone, per instructions on the posted meeting agenda. In-person attendance was not possible

01-05-2022

1. *Call to order:* Chairman Sullivan called the meeting of the Zoning Board of Appeals to order at 7:15.

By Roll Call Vote:

Richard Sullivan, III Chair	-	present
Sofia Bitzas, Member	-	absent
Christine Webster, 1 st Alternate	-	present
Jennifer Gilbert, 2 nd Alternate	-	present

Staff in attendance: Jay Vinskey, Principal Planner
Christine Fedora, Clerk

Chair Sullivan asked members to introduce themselves.

Chair Sullivan stated Member Bitzas has a conflict with one of the items on the agenda so she will not be attending.

2. Public Participation (on any matter not subject to a public hearing)

Chair Sullivan asked if there was anyone who would like to speak during the public participation portion of the meeting regarding items not on the agenda. None.

3. Public Hearings (and possible deliberation and decision) on the following petitions:

Instructions for Participation:

Application/hearing materials can be inspected online at: cityofwestfield.org/applications
Comments will be accepted during the hearing by teleconference (see access information above).

Public comment may also be submitted in advance, for receipt by 4pm on the hearing date, by mail to: Zoning Board of Appeals, 59 Court St. Westfield, MA 01085 or by email to: j.vinskey@cityofwestfield.org

Chair Sullivan reviewed the agenda.

The first item on the agenda.

- Bayberry Lane/parcels 46R - 59 & 60, zoned Rural Residence.
- A request for an extension on 25 Tiffany Circle
- A request for an extension on 85 Mechanic Street

- A new application to be accepted.

Chair Sullivan read the notice into the record for:

- Samuel Shokov appealing denial of a zoning permit for house construction at Bayberry Lane, parcels 46R-59 & 60, zoned Rural Res.

Chair Sullivan explained the process for the public hearing. The petitioner will present their proposal to the Board. The Board will ask the petitioners questions, following that it will be opened up to questions of fact/in favor/opposition to the project. If the Board is comfortable with the application they might close the hearing, deliberate amongst themselves. This portion of the meeting will be closed to the applicant and public.

Chair Sullivan asked the petitioner for the Bayberry Lane application to present the proposal to the Board.

Mr. Samuel Shokov explained to the Board it was his understanding his attorney resolved the issue with the building inspector and the grandfathering issue has been resolved.

Chair Sullivan suggested he withdraw the application without prejudice. Mr. Shokov agreed.

Planner Vinskey noted technically the denial for the building permit will still be in effect if its withdrawn.

Member Webster felt if the building permit was issued it would supersede the denial of the zoning permit, if this is the case they should wait until the permit is in hand and then withdraw, there is no need to hold a hearing if it is not needed. Planner Vinskey noted it was up to the Board to decide how they want to proceed.

The Board discussed and after reviewing the different options the Board felt it was best if they continued the hearing until they had an opportunity to hear back from the Building Inspector. Planner Vinskey to contact Carissa to get clarification regarding the status of the matter.

Chair Sullivan MOTIONED, duly seconded to continue the public hearing to February 2, 2022.

Chair Sullivan	-	yes
Member Webster	-	yes
Member Gilbert	-	yes

4. Request for extension of a dimensional special permit for 25 Tiffany Circle (granted 9/24/14)

Mr. Robert Goyette of 25 Tiffany Circle addressed the Board. Mr. Goyette asked the Board for an extension on his special permit. Mr. Goyette stated he had 2 children in college at the time, now he is able to do the addition. The building inspector said there was not enough work done within the time frame. Chair Sullivan had no problem extending the permit. The Board discussed the time frame and felt a year's extension would be within the time line. Planner

Vinskey added the time frame is to pull a building permit not to necessarily complete the work. All members were agreeable to extending the permit a year.

Chair Sullivan MOTIONED to approve the time extension for one year.

Chair Sullivan	-	yes
Member Webster	-	yes
Member Gilbert	-	yes

5. Request for extension of a special permit for residential reconstruction at 85 Mechanic St. (granted 2/18/20)

Alex Popov 85 Mechanic Street

The permit was granted in 2019. Planner Vinskey stated all special permits were extended 3 years because of Covid, older ones were extended for 2 years. Planner Vinskey thought it was still within the time frame.

No questions from Board members.

Chair Sullivan MOTIONED to extend administratively without holding a hearing for an additional year? The Board agreed to extend the permit a year from today.

Chair Sullivan	-	yes
Member Webster	-	yes
Member Gilbert	-	yes

6. Review and acceptance of new applications & scheduling of public hearings

New petitions

Special permit 54 Mill Street

Chair Sullivan stated is an informal meeting for the petitioner to give a brief review of their project. Chair Sullivan called on the petitioner to explain the application.

Heidi Fountain – 54 Mill Street

Ms. Fountain currently has a one car garage which does not have any electricity, it is located on an old pad cedar block, she is looking to rebuild it and move it 1.2 feet away from the side set back. Chair Sullivan noted that it has to be in conformity with the plan submitted. Ms. Fountain replied yes, she wants it to be consistent with the rest of the neighborhood. Chair Sullivan asked her to put stakes in the location.

Chair Sullivan MOTIONED, seconded by Member Webster to accept the application and schedule for February 2, 2022. Members discussed and preferred the meeting be held by Zoom.

Chair Sullivan	-	yes
Member Webster	-	yes
Member Gilbert	-	yes

7. Review and approval of previous meeting minutes

Chair Sullivan MOTIONED, seconded by Member Webster to approve the previous minutes.
All in favor.

8. Annual Election of Chair

The Board decided to wait until all members were present.

9. Other Business/Future Agenda Items

None

Chair Sullivan MOTIONED to adjourn at 7:40.

APPROVED