

MANSFIELD ZONING BOARD OF APPEALS – REGULAR MEETING
MINUTES
JANUARY 10, 2007

Chairman Pellegrine called the meeting to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building.

Present: Members – Fraenkel, Katz, Pellegrine, Singer-Bansal

Alternates – Accorsi, Gotch

Absent: Member – Wright

Alternate – Clauson

BENJAMIN CHOVNICK – 7:00 PM

To hear comments on the application of Benjamin Chovnick, 213 Stafford Rd, for a Special Exception of Art IX, Sec C.2.b., for a 30'x 40' showroom addition to existing non-conforming structure.

Mr. Chovnick is proposing to build an addition onto the front of existing house for use as a showroom to display new and used motorcycles. The location that was chosen is the only option on the property, considering that the back property has no sight lines from the road as well as setback problems concerning wetlands. The proposed addition is no closer to the road than the existing structure. The house on the property is currently being used as storage, office space and for kitchen and bathroom facilities. There are no apartments in the house, as originally planned, due to prohibitive renovation costs. The house is not structurally capable of being altered to create a showroom.

The large garage is used as a repair facility for motor vehicles; the smaller garage is used as a retail showroom for motorcycle parts and accessories. They currently have a license to sell used vehicles and the new addition is to, hopefully, entice a franchise to allow them to sell new motorcycles. The building will be handicapped accessible on the

ground floor, as required, and the parking will be in compliance with Planning & Zoning.

A Neighborhood Opinion Sheet was submitted, showing no objections. Letters were sent to abutters and certified receipts were submitted.

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APPROVAL OF MINUTES FROM NOVEMBER 8 & NOVEMBER 29, 2006

Fraenkel moved, seconded by Katz to approve the minutes of November 8, 2006 and November 29, 2006 as presented.

All in favor.

SHAUN SMITH – 7:30 PM

To hear comments on the application of Shaun Smith, 149 Thornbush Rd, for a Special Exception of Art IX, Sec D.3.a, to build a covered, wrap-around porch on an existing non-conforming residence.

Mr. Smith submitted pictures of the house and plans for proposed, wrap-around porch. Porch will be put on 12" sonotubes with piers and 4" x 6" posts supporting entire structure. It will be designed for water to pass through it rather than go around it, in the event of high floodwaters. Perk tests have been done and the Building Department has approved the plans.

A Neighborhood Opinion Sheet was submitted, showing no objections. One abutter, the Estate of Alva P. Loiselle, was not contacted.

Singer-Bansal mentioned that Mr. Curt Hirsch, Zoning Agent, had put a note on the "Notice to Issue ZBA Application" that the Board should pay special attention to Sec. 3.a.3, which references Art. X, Sec E and to also review approval criteria in E.4 a. and b. Singer-Bansal did not feel that she knew whether the criteria had been met or not. Mr. Smith went over the details of the plan and explained how he felt he met the requirements of the regulations.

Fraenkel requested that the applicant receive approval from the Building Department, stating that the above- mentioned criteria have been met. The hearing was continued until January 24, 2007 to give the applicant opportunity to obtain a letter from the Building Department and also time to notify the abutter that was not contacted, the Estate of Alva P. Loiselle.

Business Meeting:

Gotch was asked to act as voting member for the Smith hearing and Accorsi for the Chovnick hearing.

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Chovnick Application

Fraenkel made a motion to approve the application of Benjamin Chovnick, 213 Stafford Rd, for a Special Exception of Art IX, Sec C.2.b., for a 30'x 40' showroom addition to existing, non-conforming structure, as shown on submitted plan. Motion was seconded by Singer-Bansal.

Fraenkel stated that she felt this addition would do no harm to the neighborhood and that if it would enhance the business opportunities, she was all for it. Katz felt that it would not harm the neighborhood and that it would be good for business. Singer-Bansal and Accorsi agreed.

Pellegrine stated that she felt there is already a lot on the property and that she had concerns regarding traffic.

In favor: Accorsi, Fraenkel, Katz, Singer-Bansal

Opposed: Pellegrine

Reasons for approval:

- Addition would be in harmony with neighborhood
- Would enhance business opportunities

ADJOURNMENT

Meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Shirley Katz,
Acting Secretary