

Members Present:

Doreen Prouty – Chair
Richard Maggi – Vice Chair
Gary Geiger – Clerk
Aldo Mancini - Alternate

Members Absent:

Vincenzo Ronghi - Alternate

Also Present:

Hope Goff

Chairperson Prouty opened the meeting at 6:30 PM.

1. PUBLIC HEARING – Variance – Antony Ashlaban – 0 Franklin Street – Case# 2000

Chairperson Prouty opened the public hearing by reading the legal notice, explaining the procedures of the hearing and introducing the members of the Board. Sitting on this case were Chairperson Doreen Prouty, Richard Maggi Vice Chair, and Gary Geiger Clerk.

Antony Ashlaban, 544 LaFleur Drive, Chicopee, MA, the petitioner, explained that he is proposing to construct a single family home at 0 Franklin Street. He feels it would improve the neighborhood. He went on to say that the lot has frontage but not the required square footage. He said the property is owned by the Coughlins and he has a Purchase & Sale Agreement with them pending the approval of a Variance.

Chairperson Prouty asked Mr. Ashlaban if he knows when the lot was created or defined. It appears this is not a deeded property but is part of the original deed before it was divided into pieces. She added that being zoned Agricultural, 120' of frontage and 20,000SF of area are required.

Member Geiger said he struggles with the amount of square footage. He said, in his opinion, a Variance should not be granted for such a small agricultural lot.

Member Maggi would like to see proof of ownership and when the property was subdivided.

Chairperson Prouty gave a history of the properties and the owners through the years

Chairperson Prouty explained the 3 requirements for the granting of a Variance then opened the hearing to the public. There were no comments.

Member Maggi feels that there is not enough information before the Board and wonders if it is a viable lot.

Chairperson Prouty explained to Mr. Ashlaban that there were 3 actions the Board could take. The first would be for Mr. Ashlaban to withdraw without prejudice, the second would be to close the case and the third would be for the Board to vote tonight which, if they vote to deny, Mr. Ashlaban cannot come before the Board for a Variance for 2 years.

Mr. Ashlaban encouraged the Board to vote. He said he will only purchase the property if the Variance is granted. He said investing anymore would not be worth it to him.

Chairperson Prouty closed the Public Hearing and the Board went directly into a meeting.

Chairperson Prouty asked the members which way they may be leaning if they were to vote. Member Geiger – No, Member Maggi – No, Chairperson Prouty – No

Chairperson Prouty explained that a Variance requires 3 separate determinations. The Board will vote on each condition separately as to whether it meets the criteria.

Condition #1 – Owing to circumstances relating to the soil conditions, shape or topography of such land. Geiger – No, Maggi – No, Prouty – No

Condition #2 – A literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise to the petitioner or appellant. Geiger – No, Maggi – No, Prouty – No

Condition #3 – The desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law. Geiger – No, Maggi – No, Prouty – No

Chairperson Prouty stated that by a unanimous vote of the Zoning Board of Appeals the request for a Variance for 0 Franklin Street is denied.

Chairperson Prouty explained the 20 day appeal process that begins the day the decision is stamped into the Town Clerk's office.

2. APPROVAL OF MINUTES

A vote was taken to approve the minutes of March 30, 2021 as written. Mancini – yes, Prouty – yes.

3. ANY OTHER MATTER THAT MAY LEGALLY COME BEFORE THE BOARD

No Comments

Motion was made by Member Maggi and seconded by Member Geiger to adjourn the meeting. Maggi - yes, Geiger – yes, Prouty-yes.

Meeting Adjourned at 7:04 pm.
Submitted by hpg

