

ZONING BOARD OF ADJUSTMENT
January 16, 2018
FINAL MINUTES

1. Call to Order

The session was called to order by Chair Laura Davies at 7:00 pm.

2. Introductions

Members present, Laura Davies, Chair, Bob Prior, Vice Chair, Rick Thielbar, and Alternates Martha Pennell were also present. Staff present: Doug Eastman, Building Inspector/Code Enforcement Officer and Barbara McEvoy, Deputy Code Enforcement Officer. Members of the public were present as well.

3. New Business

The application of Anthony Callendrello, Manager of Vino e Vivo, LLC for a variance from Article 5, Section 5.6.6 to permit no off-street parking where eight (8) parking spaces are required for a proposed change of use from a consignment store to a wine bar. The subject property is located at 163 Water Street, Unit C-1, and is situated in the WC-Waterfront Commercial zoning district. Tax Map Parcel #72-17-1. Case #17-27.

Sharon Summers representing the applicant appeared before the Board. They are seeking a parking variance. T the current status is that the existing use requires three (3) spaces but none are provided. . There will be 3-5 employees. They are planning to be open 3-4 nights of week, working the way up to six nights a week. They would not exceed the 24 seats they are contemplating at this time. Ms. Davies asked about clarification on the current parking situation, and the layout of the parking was explained. It is not on site, and it is a grandfathered based on the previous use.

Ms. Summers went through the variance criteria.

Tony Callendrello appeared before the Board, he is planning to open a wine bar on Water Street. He explained the features of the property and stated that he would like to restore some of the historical aspects of the property. Mr. Callendrello showed an interior plan for the property to the Board.

Ms. Pennell asked about fire exits, and where deliveries would be handled. She also asked about handicap accessibility. Mr. Callendrello said a parking space directly out front is reserved for deliveries. There are also two means of egress currently. As for handicap accessibility he is working with the planning board, it does not have handicap accessibility and there is no plan for accessibility measures due to the economic hardship of it.

Ms. Pennell also asked about smells from the property due to cooking, and Mr. Callendrello needs to discuss this with the condo association since they own the walls, but he is looking into installing a hood on the stove area. Ms. Davies said that the hours are good for sharing parking spaces in the area.

Ms. Pennell mentioned that it was not a full Board this evening and wanted to make sure the applicant knew there were only four voting members. The applicant agreed to proceed with the hearing.

There were no public comments on this issue so the public session was closed.

Mr. Thielbar said they have gone through this on similar sites before and feels they should approve the request. Ms. Davies does not feel all locations are the same, but there is no on site parking for this location and there are public parking spaces nearby. She feels based on the scale and location that this is acceptable. Mr. Prior doesn't see a problem with this type of variance request.

MOTION: Mr. Thielbar moved to approve the variance request as described in the application, Mr. Prior seconded. The motion passed unanimously.

Other Business:

CKT Associates/Willey Creek Co., LL - ZBA Case #1485 – 183 Epping Road Request for one-year extension of variance approval.

Justin Pasay representing the applicant appeared before the Board to discuss the extension request. Mr. Pasay explained the history of the application to the Board. The nature of the development has not changed, but the company has changed. The tif portion of this project has required and will continue to require working with the town intensely on the utilities and the road.

Ms. Davies closed the public session.

MOTION: Mr. Prior moved to approve the application for extension from January 27, 2018 to January 27, 2019, Mr. Thielbar seconded. The motion passed unanimously.

Approval of Minutes:

December 19: The Board discussed amendments to be made.

MOTION: Mr. Prior moved to approve the minutes of the December 19, 2017 meeting as amended. Mr. Prior seconded. Ms. Davies abstained. The motion passed 3-0-1.

Adjournment

There being no other business before the Board this evening, Mr. Prior moved to adjourn at 7:45PM, seconded by Mr. Thielbar and the vote was unanimous. The session was adjourned by Ms. Davies.

Respectfully submitted,

Jennifer Dionne
Recording Secretary