

Bernard Bergeron
H77-17

J. Francis McAdam
H77-18

George S. Niles, Jr.
H77-19

Time: 7:30 p.m.
Place: Municipal Building
Present: John P. Gintautas, Chairman
Helen Smith
Harold Bowen
Helen Wersosky
Albert McFadden (Alternate for Anthony Hartnett)
Anita Munroe, Clerk
Date: September 22, 1977

The Zoning Board of Adjustment met to hear three requests for variance. The first hearing was a request for a variance by Bernard Bergeron, 11 Robinwood Dr. Mr. Bergeron wishes to build an inground pool within 5 feet of the rear lot line. The pool would be 14 x 30 and up to 8 feet deep. It is necessary to build closer to the lot line because the property is on two levels. A wall separates the levels. The higher level is to the rear and would support the pool. Mr. Tetreau, the abutter to the rear was not present but Mr. Bergeron assured the Board he had his approval. The property is mostly fenced in and would be completely so for the pool.

Mr. Joseph Santamaria of Custom Pools said that removal of the wall to accommodate the pool would cause drainage problems to the home which is on the lower ground than the proposed pool area. Mrs. Shirley Renner of Robinwood Ave. favored the granting of the variance. There was no opposition and the Board granted the variance having resolved that a hardship does exist due to the topography of the area, that the Zoning Ordinance would not be violated and that abutting properties would not be adversely affected.

The second hearing was a petition for variance from J. Francis McAdam. Mr. Greg Koutrelakos of G.K. Realty represented Mr. McAdam. The facts presented were as follows: The property is located at 14 Pierce St. and is presently used as a rooming house. The property needs much work done on it and Mr. McAdam is no longer capable of managing the property. It has been on the market for 2 years. It has

not been sold because the neighborhood is depressed and too close to the commercial area and railroad tracks. Costs to rehabilitate to a single residence or apartments is too costly. A prospective buyer is available if a variance can be obtained to convert the building into two offices of a professional nature and one apartment. A dental office would occupy the street floor. The sheds would be demolished to provide parking for patients and the building repaired and painted. Mr. Koutrelakos stated that the hardship in the use was evident and that the spirit and intent of the ordinance would not be violated, and that abutting properties would not diminish in value but that the rehabilitation of the property would enhance the area and result in an increase of revenue to the city. The Zoning Board of Adjustment granted the variance. The Board resolved that due to the conditions of the area as described by Mr. Koutrelakos, a hardship did exist and that rehabilitating the property would not violate the spirit and intent of the ordinance, and that the value of abutting properties would not be adversely affected.

The third request for a variance was presented by Dennis Hallisey, Esq, who represented Mr. & Mrs. George S. Niles, Jr. The facts as he presented them were that Mr. Niles wishes to establish a pottery business with a salesroom and kiln building on the property. He described the boundaries of the 30 acre property. Mr. & Mrs. Niles are qualified potters and wish to pursue a career of pottery. There would be no great increase in traffic because no more than five customers per day are anticipated. The business would be a family affair with no employees to be hired. The kiln building to the rear of the barn would be a cement block structure with a corrugated roof. The gas kiln would be one of 30 cu. ft. capacity. Classes would be held if the demand was there. Grade school classes would be welcome to observe operations. The Niles' did give classes at one time. A brief history of the property prior to the building of the Spaulding highway was outlined. The Rioux sisters who live across the street supported the Niles' petition. Elizabeth Niles who owns the property with her sister Mrs. Eaton wished to see the children working and living at home. There was no opposition at the hearing.

The Board denied the variance. It was resolved that no hardship in the use of the land was shown and that the spirit and intent of the Zoning Ordinance would be violated if a commercial operation was established in Low Density Residence (R-1) area.

The meeting adjourned at 9:00 p.m.