



Belchertown Zoning Board of Appeals

Mark Hebert, Chairman
Brian Gibbons, Vice Chair

Jennifer Sharrow



Meeting Minutes

July 19, 2017

Upon the application from Pasquale Lappone, (G&H Development Owner) requesting a variance from minimum side yard setback from 20' required to 10'. §145-68 Article V Dimensional Regulations: §145-16 Regulations established. Location 75 North Washington Street Map 249 Parcel 93.01 zoned Ag-B. A public hearing was held on July 19, 2017 @ 6:35 PM in Lawrence Memorial Hall pursuant to notice thereof published in the Belchertown Sentinel and mailed to all persons interested.

M. Hebert opened the meeting at 6:35 PM and read into record the application and the following comments from the Planning Board; the Board is not opposed to what the applicant wants to do, but according to a strict reading of the zoning by-law, the applicant needs to provide more information to demonstrate the hardships required by §145-68 B (1). There were no other comments or letters for or against the proposed application. M. Hebert asked the applicant is there was any additional information they would like the Board to hear. Mike Henry, G&H Development explained to the Board that Mr. Lappone is buying the house from him, but was interested in having a larger garage.

B. Gibbons motioned to open the public portion of the hearing. J. Sharrow seconded. All in Favor. Mr. Lappone addressed the Board and said he would like to move to Belchertown and retire in the community. The one drawback from purchasing the home is that there is no storage space for his business supplies. He would like to have 22' garage instead of a 12' so he is able to fit a vehicle and still have room for storage. Mr. Lappone does not want to put up a shed next to the garage for esthetic reasons and it would be difficult to retrieve things like a snow blower from a shed in the rear yard. J. Sharrow said in reference to Belchertown's zoning by-laws, §145-68 B (1) (a) regarding the land and the topography of the lot Mr. Lappone can fit that criteria due to the wetlands and the lot being narrow. But she is not convinced that he is able to make a case for §145-68 B (1) (b) that there will be substantial hardship financial or otherwise.

Rob Wojtczak abutter at 67 North Washington addressed the Board and does not believe a variance should be granted. Mr. Wojtczak owns the lot next door. This variance will not fit into the neighborhood and it would devalue his home. He feels that if a different style home was built the garage would not be an issue and if prospective buyer needs more garage space he should look for a different house. B. Gibbons asked about the rain runoff, plan shows that it runs right into the next door property. Mr. Henry said there would be proper drainage.

B. Gibbons motioned to close the public portion of the hearing. Jennifer Sharrow seconded. All in Favor. Board discussed amongst themselves and agrees that the applicant does not meet the criteria for granting variance. He came to purchase the house knowing that the garage/storage was not adequate for his needs and now wants a variance from zoning by-laws. Mr. Lappone asked the Board for a continuance so that he may look into meeting the requirements for §145-68 B (1). B. Gibbons motioned to allow a continuance for variance hearing to Mr. Lappone. This hearing will be rescheduled in August 2017. J. Sharrow seconded. All in Favor.

August 16, 2017

Mr. Lappone emailed the Board he is withdrawing his application for variance. B. Gibbons motioned to accept Mr. Lappone's withdrawal for variance from side yard set-back on 75 North Washington Street. J. Sharrow seconded. All in Favor

B. Gibbons motioned to adjourn. J. Sharrow seconded. All in Favor.



Mark Hebert



Brian Gibbons



Jennifer Sharrow