

# DRAFT UNAPPROVED

Note: Please find the following **DRAFT** minutes of the Zoning Board of Adjustment. These **DRAFT** minutes are subject to being amended, extended and approved by the Zoning Board of Adjustment during it's next meeting.

Zoning Board of Adjustment  
Craig Daniels, Chairman  
September 14, 2010  
7 p.m.

PRESENT: Craig Daniels-Chairman, Terry Finsterbush, Celie Aufiero, Bob Cavalieri, David Dow, Jim Taylor-Community Development Director.

GUESTS: Mike Davidson, Richard Holmquist

CALL TO ORDER: Chairman Daniels called the meeting to order at 7:02.

MINUTES: Minutes of August 10, 2010: Celie Aufiero moved to approve; Terry Finsterbusch seconded. All voted in favor. David Dow abstained.

UNFINISHED BUSINESS: Jeror Plan update: Mr. Taylor updated the Board that the work has been done with the exception of the final plantings which the State will need to review when complete. A temporary Certificate of Occupancy has been issued.

PUBLIC HEARINGS:

I. Michael Davidson will request a Special Exception as provided for under Article IV, Section 401.4V of the Enfield Zoning Ordinance. They wish to construct a first floor apartment in their commercial building (Tax Map 31, Lot 28) located at 10 Blacksmith Alley in the Community Business (CB) District.

Mike Davidson presented his plan to convert the first floor of the gambrel building to residential. He wishes the economic climate was better and has invested money to a commercial use, but the space has been vacant for three years. He stated that he has used it for commercial and has leased it several times for several businesses like Brownies, day care, engine shop, and a school. Might look for an artisan that would use an open concept of living and studio. Chairman Daniels is concerned that the residential use would be permanent. Barrows project was different with relative in crisis. He is not as happy with residential multi-family as he is with commercial. Mike

Davidson stated that he has marketed the space every couple of months for three years. He has used Bruce Waters who has rented many other properties but no luck with this one. He hopes creative economy artist will rent and do a mixed use. Chairman Daniels suggested lowering rent. Mr. Davidson stated that he has had no offers.

Richard Holmquist stated that he is not in favor of more rentals due to parking issues. He has many people parking in his lot without permission. David Dow stated that he would like to see commercial but is sympathetic to vacant rentals and thinks Mr. Davidson should be able to get some sort of return.

Chairman Daniels closed the hearing to the public.

Bob Cavalieri asked if a time limit might be appropriate. Celie Aufiero is concerned that this conversion will make it difficult to get it back to commercial. David Dow stated that most property owners prefer to be commercial. There was further discussion regarding residential vs. commercial and time limits, taxes and tenants.

The Board went through the four criteria:

Is the property appropriate for the use? 3 Yes 2 No  
No adverse effect to property values exists? 5 Yes  
Appropriate and adequate facilities provided? 5 Yes  
Will conform to regulations in the district? 5 Yes

Chairman Daniels observed that the four criteria have been met by a majority of the Board.

More discussion revolved around the time limit issue and enforcement of a non-renewal of the approval. Could the Board require a tenant that had a business in addition to the residence? Bob Cavalieri asked Mike Davidson if there is a way that the time limit could be addressed. Mike Davidson stated that as a businessman he prefers commercial tenants. He would be happy with a three-year time limit for the residential use.

David Dow moved to approve the plan as presented with the condition that the unit will be one bedroom or one bedroom with commercial/studio use for the period of three years starting October 1, 2010 and will revert back to commercial use after the 3 years or at the landowner request. The landowner shall continue to make a good faith effort to seek commercial tenants. Terry Finsterbusch seconded. All voted in favor.

Next Meeting:

Tuesday, October 12, 2010

Communications: EVA invited the Board for a tour of Historic District.

Adjourn:

Motion to adjourn at 8:15 pm from Chairman Daniels with a second from David Dow, all voted in favor.