

**TOWN OF PARMA
ZONING BOARD OF APPEALS
JANUARY 18, 2023**

Members Present: Dan Melville, Ann Williams, Spencer Wren, Jack Barton,
Alternate

Members Excused: Veronica Robillard, Stephen Shelley

Others Present: Mark Lenzi, Dave Ciufu

Public Present: Anna Fitch, Donald Fitch, David A. Waldareck, Tony Bellavia

The meeting was called to Order by Acting Chairperson Melville at 7:00 p.m. Acting Chairperson Melville explained the function and decision-making process of the Zoning Board of Appeals. This is a five-member board with four members presented. A quorum of three is required to pass a motion. Acting Chairperson Melville introduced members of the Board and side table.

MINUTES OF DECEMBER 21, 2022

1. Review Minutes from the December 21, 2022, Zoning Board Meeting

The ZBOA minutes of December 21, 2022, were reviewed. **Motion** was made by Jack Barton to **approve** the December 21, 2022, minutes as presented.

Seconded by Ann Williams

Motion carried to approved (4-0)

Ayes: Dan Melville, Ann Williams, Spencer Wren, Jack Barton

Excused: Veronica Robillard, Stephen Shelley

TABLED FROM THE DECEMBER 21, 2022 MEETING

1. DONALD FITCH, OWNER, 157 DEAN ROAD

The applicant is requesting a special permit from the Zoning Board of Appeals in accordance with Town Zoning, Article V, subsection 165-32 (D)(12) for a 782 Sq. Ft., accessory apartment. The special permit request is subject to the requirements of Town Zoning Article IX, subsection 165-76. The accessory apartment is proposed to meet the requirements of this section. This property is zoned Rural Residential.

David Waldareck, Architect for the project, said they are requesting a Special Use permit to allow a small apartment to be constructed for the applicant's mom to reside in. This will give the mom the ability to live close to the applicants while giving her privacy. The occupant's mother is Sharon Fitch.

There was discussion with the applicant and architect about the requirement in the code to convert the space back so this property would remain a single-family dwelling. There was some concern among the Board after reviewing the plans that this will not be easy to convert back as

there is a garage and garage wall between the main house and the apartment. Jack Barton is concerned that in the future this could be used as a duplex and he would like to see what provisions are being made to convert this back if necessary or a new plan. Mark Lenzi feels there are way to convert this back, including removing the kitchen, bathroom, and bedroom wall; he stated the code allows a freestanding dwelling which would allow this use with a special permit, and this is similar to that; both would require the space to be converted back to a non-dwelling unit. The architect said he was not aware of this condition but that the applicant will do what needs to be done to be in compliance. The code states that the applicant would need to submit plans to the Town showing the space converted back when the use is no longer needed.

Board Discussion: Mark Lenzi reported notifications were in order. This is a local matter and a Type II action; no further review required. There were no letters in the file.

Public Comment:

Tony Bellavia, 191 Dean Road, has no problem with the application and thinks it is a good idea to keep their mom close. He would have a concern if it can be used as a rental property at some point in the future.

Public Hearing: Closed

It was explained to the applicant that in order to gain approval they would need to be willing to remove the kitchen, bath, bedroom walls and that this Special Permit would need to be renewed every two years, which would include an inspection.

A motion was made by Ann Williams to **approve** the application of Donald Fitch, owner, of 157 Dean Road, for a special permit from the Zoning Board of Appeals in accordance with Town Zoning, Article V, subsection 165-32 (D)(12) for a 782 Sq. Ft., accessory apartment The Special Permit is subject to the requirements of Town Zoning Article IX, subsection 165-76 and the accessory apartment shall meet the requirements of this section. The occupant of the accessory apartment will be Sharon Fitch. This property is currently zoned Rural Residential. This Special Permit is renewable every two years from the issuance of the C of O.

Seconded by Jack Barton

Motion carried to approved (4-0)

Ayes: Dan Melville, Ann Williams, Spencer Wren, Jack Barton

Excused: Veronica Robillard, Stephen Shelley

ADJOURNMENT

There being no further business, a **Motion** was made by Ann Williams to adjourn the meeting at 7:48 p.m.

Seconded by Jack Barton

Motion carried to approved (4-0)

Ayes: Dan Melville, Ann Williams, Spencer Wren, Jack Barton

Excused: Veronica Robillard, Stephen Shelley

Town of Parma Zoning Board of Appeals
January 18, 2023

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Respectfully submitted,

Carrie Fracassi
Recording Secretary