

SALISBURY ZONING BOARD OF APPEALS

SPECIAL MEETING

OCTOBER 19, 2021 – 5:00 PM (VIA ZOOM)

Call to Order. Present: Jeff Lloyd, Steve Victory, Stacie Weiner, Eugenie Warner (Alternate) and M. E. Freeman (Alternate). Absent: Roxanne Belter, Michael Alderman and David Maffucci (Alternate).

Seating of Members & Alternates. Eugenie Warner was seated for Michael Alderman and M. E. Freeman was seated for Roxanne Belter.

**Public Hearing** -- Opened at 5:04 pm.

#2021-0152 / Marketplace of Salisbury (LaBonne's) / 22 Academy Street / Building Coverage Variance / Map 54 / Lot 25 / DOR: 09/14/2021

Rob LaBonne gave the reasons why they are asking for a variance for additional building coverage. The relocation of the cooler will allow for direct access into the building and the small covered space for unloading will keep the employees safer and out of the elements. He indicated that the hardships are the safety and insurance issues, as well as the expenses involved. E. Warner pointed out that this variance request meets their needs and requirements, but should not be granted just because others have more coverage than is allowed. M.E. Freeman indicated that every application is considered on its merits; this one is not out of place or unusual. S. Weiner indicated that this amount of building coverage is similar to others in the Marketplace. M. E. Freeman suggested that this additional coverage is small, within character and there is good and sufficient cause for it. Mr. LaBonne noted that besides the economic hardships now, adding this additional covered space would be a benefit by lessening the time to unload trailers and having less impact on the parking lot, another safety issue.

**A Motion to Close the Public Hearing** was made by S. Weiner, seconded by M.E. Freeman and unanimously **Approved**. The Public Hearing was closed at 5:17pm.

Commission Discussion:

S. Weiner and M. E. Freeman had no issues. E. Warner pointed out a slight difference in the percentage of coverage stated on the plan (29.4 %) and the amount requested (up to 30%); she suggested rounding up the amount to 30%. S. Victory had no issues, but indicated that economic hardship could not be considered; the health and safety issues should be the reason to approve. J. Lloyd pointed out that variances have been granted for changing conditions.

**A Motion to Approve #2021-0152 for a Coverage Variance Increase up to 30% Maximum Building Coverage, due to the hardships created by health and safety issues**, was made by S. Weiner, seconded by M. E. Freeman and unanimously **Approved**.

**Adjournment. So Moved** by S. Weiner, seconded by S. Victory and unanimously **Approved**.