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WESTPORT ZONING
BOARD OF APPEALS

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
WEDNESDAY
MAY 2, 2018**

RECEIVED

SEP 25 2019

WESTPORT ZONING
BOARD OF APPEALS

Members present: Roger Menard, Chairman
Gerald Coutinho, Vice Chairman
Peter M. Borden
Constance Gee
Barbara Pontolillo

Chairman Menard called the Zoning Board of Appeals meeting to order at 7:00 p.m. in the Westport Town Hall, 816 Main Road, Westport, MA with the reciting of the Pledge of Allegiance.

Pledge of Allegiance

Chairman's Announcement - Under Massachusetts General Laws Chapter 30A, Section 20(f), meeting being recorded.

Members Present: Roger Menard, Peter Borden, Gerald Coutinho, Constance Gee and Barbara Pontolillo

Members Absent: None

Also Present: Ralph Souza, Zoning Enforcement Officer

Chairman Menard opened the hearing at 7:03 p.m. with the reading of the Public Hearing Notice regarding the petition of Compton Clambake, LLC, Applicant, and Oliveira Industries, LLC, Owner, for a finding to allow the serving of beer and wine on the property located at 140 Charlotte White Road Extension, shown on Assessor's Map 53, Lot 2C. He noted that if anyone wished to speak on this petition, to state their name and address for the record.

Sara Oliveira presented the request for the applicant and owner, including their intentions for seeking the finding to allow the serving of beer and wine. She informed the Board that they are approved for seating for 31 persons inside the building, which is where they intend to serve, and where their customers will consume, the beer and wine. She also indicated that there are 6 picnic tables outside, with seating for 8 persons at each. They also intend to use the current interior dining area for private

demonstration tastings for the catering portion of their business, but these would not be held at the same time as serving other public patrons.

One abutter expressed a concern about excessive number of vehicles parking on the nearby roadways.

One abutter expressed a concern about having a "bar" in the neighborhood.

Motion was made by Mr. Borden to close the hearing. Ms. Gee seconded the motion and the Board voted unanimously in favor.

The Board discussed the information presented at the hearing.

Ms. Gee made a motion that the Board find that the serving of beer and wine would not be substantially more detrimental to the neighborhood than the existing use, but only with and subject to, the following conditions:

1. Beer and wine only served and consumed inside existing dining area in the building and only with meals or with tasting demonstrations for catering business potential clients.
2. Hours for serving of beer and wine not to exceed 12:00 p.m. to 9:00 p.m., seven days a week.
3. No business operations of any kind on premises between 11:00 p.m. and 5:00 a.m.
4. No music or entertainment (other than background music inside of building) at any time.
5. No beer and/or wine signage or advertising visible from outside of building.
6. Total business signage viewable from exterior not to exceed 20 square feet, with no neon or moving image signage (e.g., banners, changing images or lettering, scrolling, etc.)
7. Lighting shall be down-facing to avoid shining onto, or lighting, neighbors' properties.
8. Hours of service or product deliveries limited to between 8:00 a.m. and 6:00 p.m.

9. Approval by appropriate Town official(s) of an engineer-approved parking plan, which must include provision for (a) stated limit of interior seating; (b) existing outside seating (i.e., 6 picnic tables, each seating up to 8 people); (c) spaces for employees; and (d) at least two catering business service vehicles.

Ms. Pontolillo seconded the motion and the Board voted unanimously in favor.

The applicant and owner were advised of the 20-day appeal period.

The hearing in this matter concluded at 8:25 p.m.

Chairman Menard opened the hearing at 8:30 p.m. with the reading of the Public Hearing Notice regarding the petition of Chetan B. Patel, Trustee of SMP Realty Trust, for an Administrative Appeal, request for relief from the Zoning Enforcement Officer's decision regarding signage related to the existing non-conforming use. The property is located at 526 Sanford Rd and is shown on Assessor's Map 23A, Lots 314-316.

Also Present: Ralph Souza, Zoning Enforcement Officer.

Chairman Menard read a request from the petitioner to continue the hearing to a later date. Mr. Coutinho made a motion to continue the meeting to Wednesday, May 16 2018. Mr. Menard seconded the motion and the Board voted unanimously in favor of continuing the hearing to May 16 2018.

Other Miscellaneous Matters

None.

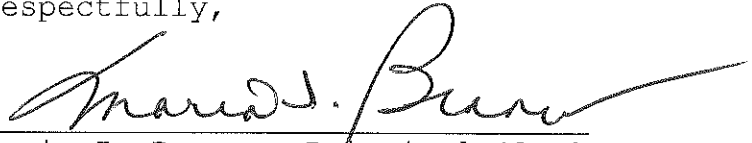
Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting

None.

A motion made to adjourn the meeting and the Board voted unanimously in favor.


Adjournment.

Respectfully,



Maria I. Branco, Principal Clerk
to the Zoning Board of Appeals

APPROVED:



Roger Menard, Chairman