# ZONING BOARD OF ADJUSTMENT
# WORK SESSION
*(AGENDA)*

Wednesday, March 24, 2010 @ 8:00pm
***to be held @ Senior Citizens' Center***

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operation located in District #2 (Residential); the application was received May 20, 2008 and scheduled for the June 25, 2008 Work Session; due to documentation not being received prior to the deadline, the application was postponed to the July 23, 2008 Work Session and again, to the August 27, 2008 Work Session; the application was perfected, and pending the Board's receipt of requested items and public noticing requirements, scheduled for the September 17, 2008 Hearing; the applicant postponed to the October 15, 2008 Hearing, December 17, 2008 Hearing and, again, to the January 21, 2009 Hearing; the applicant's request to get direction on how to proceed, via the outcome of the 63 John Street application (Case #Z-2008-21), was granted by the Board; due to the slow progression being made with regards to the 63 John Street application <*said application has since been dismissed without prejudice by the Board and re-filed by the applicant*>, the applicant requested to be scheduled, pending receipt of public *re-noticing* requirements, for the June 17, 2009 Hearing; due to both the Board's heavy caseload and scheduling conflicts with the applicant's planner, the applicant requested a postponement to the September 16, 2009 Hearing; the applicant's planner completed his direct testimony and the Board granted an appearance at the November 2, 2009 (Special) Hearing; initial and additional testimony from the applicant and his planner, respectively, was heard; the applicant was receptive to the Board's suggestion of bifurcating his application to include Site Plan Approval, pending it's granting of a Use Variance; the application was adjourned, pending the Board's receipt of requested items, to the December 16, 2009 Hearing; the applicant began redirect examination and the application was adjourned, pending the Board's receipt of requested items, to the January 20, 2010 Hearing; all testimony was completed and the case was closed to the public for comments and questions, however, summations and a Board vote were postponed to the February 17, 2010 Hearing; the application was approved by the Board; the Board memorialized the Resolution for said Use Variance at the March 17, 2010 Hearing; NOTE: said approval is contingent upon the applicant's prior acceptance of bifurcation and, therefore, an addendum to the application seeking Site Plan Review must be filed, perfected and approved by the Board so to avoid nullification of acquired Use Variance; the applicant filed an addendum for Site Plan (Minor) Review as part of his application, requiring *re-perfection* and, therefore, the case was referred back to the Subcommittee for completeness review at the ***March 24, 2010 Work Session***.

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*noticing* requirements, for the June 17, 2009 Hearing; due to both the Board's heavy caseload and scheduling conflicts with the applicant's planner, the applicant requested a postponement to the September 16, 2009 Hearing; due to the Board's heavy caseload, it granted the applicant an appearance at the November 2, 2009 (Special) Hearing, at which time, it was postponed to the December 16, 2009 Hearing and, again, to the January 20, 2010 Hearing; due to a scheduling conflict with the applicant, the case was postponed to the March 17, 2010 Hearing; the applicant opted to forgo bifurcation and filed an addendum for Site Plan (Minor) Review as part of his application, requiring *re-perfection* and, therefore, the case was referred back to the Subcommittee for completeness review at the ***March 24, 2010 Work Session***.

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