

ZONING BOARD OF ADJUSTMENT

MINUTES

April 7, 2020

APPROVED: 6/2/20

AGENDA: 20SPX01: SPECIAL EXCEPTION: John Miller, 180 Castle Ln, #104-016
ELECTION OF OFFICERS
20VAR03: VARIANCE: Hiltz Excavating, #216-020
DISCUSS DRAFT APPLICANT INSTRUCTIONS, FORMS, ETC.

ATTENDING: Alan DeStefano (Chairman), Richard Laflamme (Vice-Chair), Melody Mansur, Larry Denton, Lorraine Bohmiller

ABSENT: Jackie Elliott (Alternate), Ashley Dolloff (Alternate)

OTHER ATTENDING: Christina Goodwin (Land Use Manager), John & Elizabeth Miller (Applicants)

Mr. DeStefano stated that as there has been an emergency order issued by the Governor that allows for meetings to be held electronically due to the pandemic. Members are attending via video and telephone conference and the meeting is open to the public via the Zoom platform and regular phone access. The meeting continued by roll-call vote and the meeting was opened at 6:00pm with a quorum.

MINUTES OF FEBRUARY 4, 2020: The minutes of February 4, 2020 were reviewed and amended. Mr. Laflamme motioned to approve the minutes as amended, Mr. Denton 2nd, the motion carried by roll-call vote 5-0.

20SPX01, SPECIAL EXCEPTION: John and Elizabeth Miller, MAP/LOT #104-016 Ms. Goodwin read the application, list of abutters notified, where the hearing was advertised, and stated that there was no communication received regarding this case.

L. Bohmiller made a MOTION, second by R. LaFlamme, to ACCEPT THE APPLICATION AS COMPLETE, the motion carried by roll call vote 5-0.

Mr. Miller was asked to explain his plan. He explained that, at present, they have a 22 x 22, 2-bedroom cottage that they would like to expand, keep 2-bedroom, but add a garage to one side and a larger bedroom and bath and a half to the other side. They wish to retire there with one-floor living.

Mr. Denton questioned the slope and Mr. Miller stated that part of the building is lower; it has a walk-out basement on that side, which they wish to keep. Ms. Bohmiller questioned the 2-level garage. Mr. Miller explained that, for now it is for storage above the garage, but in the future, they hope to put in a bedroom and bathroom. Mr. Denton asked if the Special Exception is for both the cottage and the garage. Mr. Miller stated that the buildings will be connected with an 8" pitch on the roof for snow removal, and the exception is for the increase in the existing ridgeline. Mr. DeStefano mentioned that if they put in the bedroom and bath over the garage,

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they will need a 3-bedroom septic system. Mr. Miller stated that this will be the second bedroom to be used by their sons when they visit. It will remain a 2-bedroom home.

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The Special Exception criteria was then addressed by Mr. Miller:

1. The proposed use is only allowed by Special Exception per Article 4, Section 12.C.1.a.
2. The specific sight is an appropriate location and of adequate size for the use - It is a ¼ acre lot and many in the neighborhood have 2-story buildings.
3. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located – The use and purpose is not changing.
4. There will be no nuisance or serious hazard to vehicles or pedestrians - No changes to the use are being done.
5. The use will not place excessive or undue burden on Town services and facilities - The building will remain as a 2-bedroom residence.
6. There would be no significant effect resulting from such use upon the public health, safety and general welfare of the neighborhood in which the use would be located - None exist, and the use is not changing.

Mr. Denton asked if the property is surrounded by woods. Mr. Miller answered that there are woods in back, that they have 2-story neighbors to each side and two (2) doors down. The 1-story homes in the area have the 8" pitch to their roofs.

Mr. DeStefano asked for public comment, either for or against and none was forthcoming. Mr. DeStefano then explained that the reason for the height limitation in the Lake District was to stop blocking the view for neighbors. He then closed the public portion of the hearing, asked the Board to deliberate, and called for a motion.

L. Denton made a MOTION, second by L. Bohmiller, to APPROVE THE SPECIAL EXCEPTION VIA ONE VOTE. The motion carried by roll-call vote 5-0.

R. LaFlamme made a MOTION, second by L. Denton, to APPROVE THE SPECIAL EXCEPTION. Further discussion was held - Mr. Denton felt that it was straight forward. Ms. Mansur felt that it is an improvement of the home and the area. Ms. Bohmiller agreed. The motion carried by roll-call vote 5-0.

Mr. DeStefano explained that there is a 30-day appeal period and asked Ms. Goodwin how we handle the signing of the Notice of Decision where we are not together. It was determined that this will be done electronically via Ms. Goodwin and the Chairman and would be sent out once done.

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Election of Officers

R. LaFlamme nominated Alan DeStefano as Chair and A. DeStefano nominated Richard LaFlamme as Vice Chair. No further nominations were forthcoming. The nominations were passed by roll-call vote 5-0.

COMMUNICATIONS:

None

UNFINISHED BUSINESS:

The checklist updates were discussed. Ms. Bohmiller stated that she feels we need to emphasize need of photos and elevations of what exists and what is proposed. Mr. DeStefano agreed and asked Ms. Goodwin to have Tyler Simonds, Land Use Planner, work on this. Ms. Goodwin will add it to the list Mr. Simonds is working on from their last meeting.

NEW BUSINESS:

Ms. Goodwin stated that we were supposed to have a Variance for Timber Lane. The abutters had been notified that the case would be heard at tonight's meeting. However, the applicant withdrew the case and it was left off the agenda in error. It is possible the owner may bring the case back later.

NEXT MEETING: The next meeting is scheduled for Tuesday, May 5, 2020, at 6:00pm and applicants have until April 17, 2020 to apply. Currently there are no applications.

With no other business before the Zoning Board, Mr. Denton made a motion, Ms. Bohmiller 2nd, to adjourn at 6:36 pm, the motion carried by roll-call vote 5-0.

Respectfully submitted,
Jan Laferriere
Administrative Assistant