

Zoning Board of Adjustment  
Meeting Minutes  
June 10, 2019  
4:30 PM  
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Chairman Frank Mai called the meeting to order at 4:32 PM.

**Members Present:** Frank Mai – Chairman, Richard Mallion, Thomas Jackson, Barbara Hanson and Joyce McGee – Secretary.

**Members Absent:** Gerry Pons

**Public Present:** Brian Hepner, Dawn Bryan, Malcolm Washburn, Joshua Whitcomb, Tenley and Mike Bouton.

Chairman Mai read the following:

**Public Hearing(s):**

**Variance:**

**#2019-001: Owner/Applicant – Hepner, Brian/Bryan, Dawn – 24 Varney Road, Tax Map 231 Lot 029:** who is/are requesting a variance to construct a 24'x16' shed, said structure will be closer than the allowed 25' setbacks (Article XIII – Absolute Criteria for all Development: Site Design Standards – 6.29: Setbacks) of the Development Code.

Brian Hepner and Dawn Bryan were present. Chairman Mai read each of the five (5) criteria for a variance from the application submitted (see file). The applicant would like to build the shed within 5'-8' on one side and 0'-3' on the other end but both setbacks only affects one abutter. No abutters were present.

Mr. Hepner stated that the area around the proposed location is steep making this the only area of the land useable to construct the shed. Thomas Jackson wondered about the setback distances, could the shed be angled differently. No, due to the topographic conditions only location, Mr. Hepner advised that the adjacent lot has a camper on it which is several hundred feet away. Frank Mai stated that the shed will only infringe on the one lot, the abutters (Klimkewicz) had sent an e-mail advising that they had no concerns with the setbacks proposed. Richard Mallion agreed that the terrain in the area was steep.

Barbara Hanson had no concerns as the only abutter affected by the setbacks was not opposed. Richard Mallion had no problems with the proposed location.

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**A motion was made by Barbara Hanson to approve the application as complete, seconded by Richard Mallion. All in favor, motion carries. APPROVED**

**A motion was made by Barbara Hanson to approve the variance to construct a 24'x16' shed, 0'-3' and 5'-8' to the abutting property line, seconded by Frank Mai. All in favor, motion carries. APPROVED.**

**#2019-002: Owner/Applicant – Towle (Washburn), Nancy – 38 Prospect Street, Tax Map 102 Lot 100:** who is/are requesting a variance to construct a 21'x24' garage and a property line retaining wall, said structure and wall will be closer than the allowed 25' setbacks (Article XIII – Absolute Criteria for all Development: Site Design Standards – 6.29: Setbacks) of the Development Code.

Malcolm Washburn and Joshua Whitcomb were present. Chairman Mai read each of the five (5) criteria for a variance from the application submitted (see file). Chairman Mai advised that the In-Town lot is 58' wide.

**A motion was made by Thomas Jackson to accept the application as complete, seconded by Barbara Hanson. All in favor, motion carries. APPROVED**

Everyone agreed that based on the lot size it's very hard to meet the setbacks. All structures along Prospect Street have the same issue. Both Richard Mallion and Frank Mai had concerns with the land in the back being wet. Mr. Washburn presented a letter from Horizons Engineering, which Chairman Mai read (see file). In summary as long as no impact to the stream is planned, no permit is required. Abutter Tenley Bouton agreed that it is wet but had no concerns. Mr. Washburn advised that the garage was going to be 35' from back property line where the stream is. No other abutters were present.

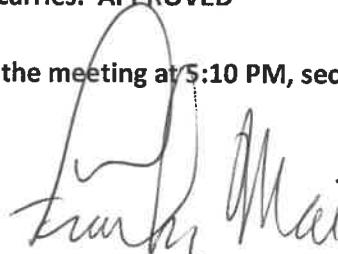
**A motion was made by Thomas Jackson to approve the variance to construct a 21'x24' garage closure than the 25' setback, seconded by Richard Mallion. All in favor, motion carries. APPROVED**

**Minutes:** A motion was made by Richard Mallion to approve the October 23, 2018 minutes as written, seconded by Thomas Jackson. All in favor, motion carries. APPROVED

**A motion was made by Thomas Jackson to adjourn the meeting at 5:10 PM, seconded by Richard Mallion. All in favor, meeting adjourned.**

Respectfully submitted by:

  
Joyce A. McGee – Secretary

  
Frank Mai - Chairman