

Zoning Board of Adjustment

Meeting Minutes

January 25, 2017

6:00 PM

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Chairman Mai called the meeting to order at 6:00 PM

Members Present: Richard Mallion, Frank Mai – Chairman, Gerry Pons and Joyce McGee – Secretary.

Members Absent: Thomas Jackson and John Severance

Public Present: John Campbell and Frank Dodge.

Minutes: A motion was made by Gerry Pons to accept the September 26, 2016 minutes as written, seconded by Richard Mallion. All in favor, motion carries.

Public Hearing(s):

Variance:

#2017-001: Owner/Applicant – Thomas & AnnMarie Tower- who is/are requesting a variance to construct an addition (family room) on to existing garage, said structure will be closer than the allowed 25' setbacks (Site Design Standards - #29: Setbacks of the CDG), 24 Memory Lane, Tax Map 242 Lot 005.

Frank Dodge was present representing the Tower's. Mr. Dodge stated that the setback would be 0'. He had only looked at the garage site for the addition that was being requested, which was a 16' 6" x 15' family room.

Chairman Mai asked about the height of the building and if it would exceed the 25' height restriction on the lake. Mr. Dodge stated, "No". Is any water going to the building? Mr. Dodge stated, "Not at this time as the septic is only designed for the house".

Gerry Pons has issues with the existing garage as the prior owners never got a permit or received a variance to build closer to the property line, "it's in direct violation of the ordinance". Mr. Pons asked about the proposed structure and is it going to be two stories. Mr. Dodge state, "No, the family room will be 2nd floor with the ground level being open with stair access to the 2nd floor. Mr. Pons thought this might impede the view of the lake for abutters. He wondered if there was anyway to lower it to ground level. Mr. Dodge said he could check with the Tower's if this was something the Board requested.

Mr. Richard Mallion has no real problems.

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Chairman Mai stated that it seems that everyone around the lake tries to use every little piece, crowding the properties and taking away the value and curb appeal of other properties.

Abutter John Campbell was present. Mr. Campbell has owned his property since 1986 and this is important to him. Mr. Campbell did not feel he was notified of any changes to the property that was being discussed. Secretary McGee did show him a certified card that was signed for this hearing. His concern of not being notified was with the existing garage. His lot is in proximity to the lake so when the garage went up it took away the view as it was a larger structure than what was there. He is not in favor of the attachment nor is he if it's lowered to ground level, it will take away the small view he has.

Mr. Pons asked about an under ground tank, Mr. Dodge stated it's not near area.

Mr. Campbell said he wants to get along with everyone and not cause problems. Chairman Mai said that this is the reason why we send notification to abutters, to tell us why or why not they are opposed.

Mr. Pons wondered if there was anyway to come off the screened porch side, Mr. Dodge stated he only looked at the garage area and no other location. Mr. Pons wondered if there was stairs to the upper part of the existing garage, Mr. Dodge said, "No, and that the area over the garage was not big enough for what the Tower's wanted". Mr. Pons, the fact that the prior owner put a garage up without approval does not help the matter. Is there anyway to add onto the house? Mr. Dodge, "not sure".

Mr. Pons and Mr. Mallion have a problem with the request now with the story told.

Secretary McGee wanted to make sure Mr. Dodge was aware of DES Shoreline Protection and that anything being proposed needs to comply.

Chairman Mai went through the Application for a Variance stating each fact supporting of granting a variance per the applicant. (See Worksheet from Board)

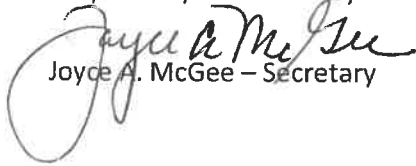
A motion was made by Richard Mallion to deny the application as it would diminish the view of an abutter, could affect surrounding property value because the neighborhood appears more crowded, compounds an existing problem with the garage and no other locations were looked at on said property, seconded by Gerry Pons. All those in favor of denying the application, Gerry Pons – Yes, Richard Mallion – Yes and Frank Mai – Yes, motion carries to deny.

Secretary McGee advised Mr. Dodge that a Notice of Decision will be mailed to the applicant.

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**A motion was made by Gerry Pons to adjourn the meeting at 6:40 PM, seconded by Richard Mallion.
All in favor, motion carries.**

Respectfully submitted by:


Joyce A. McGee – Secretary


Frank Mai - Chairman