

Zoning Board of Appeals – Public Hearing

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Tuesday September 13th, 2022 7:00 p.m.

Members Present: Chair David Lavenburg, Steve Bennett, Jim Tourtelotte, Marissa Komack, Ellen Freyman.

Members Absent: Jerry Plumb, Jane Mantolesky, Mike Michon, Suzanne White.

Applicants Present: Elizabeth Kern, Kathleen Johnson, Travis Lynch.

The virtual **ZBA Hearing** was called to order at 7:02 p.m. by Chair David Lavenburg, pursuant to the July 16, 2022 Bill that extends certain Open Meeting Law requirements to allow for remote and hybrid public meetings.

Petition #2022-7 – Special Permit (Addition) for 91 Ridge Rd., Lori Chase:

Due to delays with the surveyor, the applicant was unable to submit a survey plan prior to the hearing, therefore Chair Dave Lavenburg made a motion, and was seconded by Steve Bennett, to continue the matter to October 19th to allow the applicant additional time to resolve the situation. All in favor, motion passed 5-0.

Petition #2022-08 – Special Permit (Addition) for 165 Brookwood Dr., Richard & Kathleen Johnson:

Applicant seeks to convert the existing one-car garage into a bedroom and build a new garage on the left side of the newly transformed space to accommodate a handicap van. The addition is to be a single-level space.

Comments from the public in favor of or against the petition:

- None.

Member Steve Bennett made a motion, and was seconded by Mr. Lavenburg that the board makes the following findings of property non-conformity effective based on Article VI of the Zoning Bylaws: (1) lot size is 15,614 sq. ft. instead of the required 18,750 sq. ft.; (2) on frontage there are 112' instead of the required 140'. All in favor, motion passed 5-0.

Mr. Bennett made a second motion, and was seconded by Mr. Lavenburg that the board make a finding based on the foregoing facts that the proposed garage extension would further intensify the non-conformities by increasing structure size and further decreasing the open space within the lot. All in favor, motion passed 5-0.

Mr. Bennett made a third and final motion, and was seconded by Mr. Lavenburg, that the board make a finding that the proposed project won't be substantially more detrimental to the existing structure or neighborhood based on the project's scope generally conforming to the neighborhood, the proposed addition being within the town's setback requirements and the lack of members of the public opposing said petition. All in favor, motion passed 5-0.

Meeting Minutes Review:

1. July 19th, 2022 Public Hearing: Dave Lavenburg made a motion, and was seconded by Mr. Bennett, to approve the minutes as presented. Motion passed 3-0 with two abstentions.

Member David Lavenburg excused himself and left the meeting at 7:13pm, member Ellen Freyman took over as Acting Chair.

Review of ZBA's "Instructions for Hearing" guidelines

The board reviewed the "Instructions for Hearing" guidelines proposed by the Building Department and endorsed the new condensed format and checklist, requesting that certain language be included to indicate the voting requirements as well as the importance of submitting a complete application.

The meeting was adjourned at 7:42 pm.

Respectfully submitted,

Bianca Damiano