

Zoning Board of Appeals – Public Hearing

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Tuesday October 19th, 2022 7:00 p.m.

Members Present: Chair David Lavenburg, Steve Bennett, Marissa Komack, Ellen Freyman, Suzanne White, Jane Mantolesky.

Members Absent: Mike Michon, Jim Tourtelotte, Jerry Plumb.

Others Present: Wayne Albrecht, Michelle Broughton, Travis Lynch.

The virtual **ZBA Hearing** was called to order at 7:03 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:

Mr. Albrecht, the contractor representing the property owners, described the project as a 16' x 18' room addition on the rear side

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 16,809 sq. ft. instead of the required 18,750 sq. ft.; (2) on frontage there are 122' instead of the required 140'; (3) on front yard setback there are 37' instead of the required 40'; (4) on side yard setbacks, the right side yard setback is 14.6' instead of the required 15'. Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: yes; Ms. Komack: yes; Ms. Freyman: yes. All in favor 5-0, motion passed.

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. Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: yes; Ms. Komack: yes; Ms. Freyman: yes. All in favor 5-0, motion passed.

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. Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: yes; Ms. Komack: yes; Ms. Freyman: yes. All in favor 5-0, motion passed.

Petition #2022-09 – Special Permit (Addition) for 32 Bark Haul Rd., Kevin & Michelle Broughton:

The property owners seek to demolish the existing front porch and stairs, which provide the main access to the home, and build a new deck in accordance with proper building codes.

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

- None.

Member Ellen Freyman 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 below the required 18,750 sq. ft.; (2) on front yard setbacks there are 20.58' instead of the required 40'. Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: yes; Ms. Komack: yes; Ms. Freyman: yes. All in favor 5-0, motion passed.

Ms. Ellen Freyman made a second motion and final motion, and was seconded by Mr. Lavenburg that the board make a finding based on the foregoing facts that the proposed deck extension would further intensify the non-conformities by minimally increasing structure size and further decreasing the open space within the lot and 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 . Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: yes; Ms. Komack: yes; Ms. Freyman: yes. All in favor 5-0, motion passed.

Meeting Minutes Review:

1. September 19th, 2022 Public Hearing: Dave Lavenburg made a motion, and was seconded by Ms. Freyman, to approve the minutes as presented. Roll call vote – Mr. Lavenburg: yes; Mr. Bennett: yes; Ms. Mantolesky: abstained; Ms. Komack: yes; Ms. Freyman: yes. Motion passed 4-0 with one abstention.

The meeting was adjourned at 7:39 pm.

Respectfully submitted,

Bianca Damiano