

ZONING BOARD OF APPEALS
July 3, 2017 Meeting Minutes

Board Members Present: Shane O'Connor, Daniel Flanagan, Douglas Glazier, and Ronald King

Town Staff Present: none

The meeting was called to order at 7:10 pm

Board roll call was taken.

MINUTES:

Chairman O'Connor referred to the December 5, 2016 meeting minutes and asked for any corrections or changes. There were none. Mr. King moved to approve the December 5, 2016 meeting minutes as published. Mr. Flanagan seconded the motion. All were in favor. The vote was 4 – 0, the motion was approved.

BILLS & CORRESPONDENCE:

None

OLD BUSINESS:

None

NEW BUSINESS:

a. DMV Applications

There were none.

b. Public Hearings

- 1. Public hearing on Application #FY17-18-01, Owner/Applicant: Julie M. Martini for a variance for the property located at 30 Greenwood Road to reduce the side yard to 9 feet, where 12 feet is required.**

Julie Martini of 30 Greenwood Road addressed the Board and explained that she had purchased the home in question in November of 2009. She went on to say that at that time the home had an enclosed carport that had termite damage. Mrs. Martini stated that her husband, Dennis, had taken that original carport down and put new posts up

for the one-car carport. She went on say that when they had purchased the home they knew that they needed to do a lot of work on the home and had been doing so over the years since they had purchased it.

Mrs. Martini stated that the new carport was the last big project remaining to be done on the home. She then explained that they wanted to extend the one-car carport in order to make it a two-car carport. She then noted that they already had an existing two-car wide driveway.

Mrs. Martini noted that the proposed carport would be within 9 feet of the property line.

Chairman O'Connor asked the Board members for any questions. Mr. Glazier asked if the applicant was going to keep the existing vertical posts and if the carport would only have a roof, it would not be enclosed. Mrs. Martini replied that it was going to be an open carport without sides and that they were going to remove the existing posts and four new posts would be installed. The discussion continued briefly and Mrs. Martini and her husband, Dennis, stated that the roof overhang would be 9 feet from the property line, the posts would be a little closer to the house than that. Mrs. Martini then noted that one of their neighbors a couple of houses up from their home had done the same thing a couple of years prior.

Chairman O'Connor commented that the applicant had already had a survey done of the property. Mr. Martini replied that that was correct. He went on to say that Gary LeClair had marked out the property lines for them. He then noted that their property line was on a slight angle, but that the closest that the proposed carport would be to the property line would be 9 feet.

Mr. Glazier asked if they were going to install a whole new overhang or if they were simply going to extend the existing overhang. Mrs. Martini replied that they were going to have an entire new overhang and roof installed.

Mr. Flanagan commented that the applicant's neighbor was also tight to the property line and, therefore, they probably had no complaints regarding the proposed carport. Mr. Glazier stated that he had spoken to the applicant's neighbor and that the neighbor did not seem to have a problem with the proposed carport.

Chairman O'Connor stated that with only four Board members present that evening, although they had a quorum, any vote would need to be unanimous. He went on to say the applicant could choose to proceed with the public hearing that evening or they could choose to postpone until the next meeting in hopes that a full quorum of five members would be present at which time a majority vote would decide the outcome of the hearing. Mrs. Martini stated that they would like to proceed that evening.

Chairman O'Connor asked the Board members for any further questions. They had none.

Chairman O'Connor asked for any public comments in favor of the application. There were none.

Chairman O'Connor asked for any public comments in opposition to the application. There were none.

Chairman O'Connor asked for a motion regarding Application #FY17-18-01. Mr. Glazier moved to approve Application #FY17-18-01, Owner/Applicant: Julie M. Martini for a variance for the property located at 30 Greenwood Road to reduce the side yard to 9 feet, where 12 feet is required. The granting of this variance is for the improvements proposed in this application only, permitting an exception to the requirements of the zoning regulations Section 403. The hardship upon which this decision is based is the fact that they wish to extend the carport to cover two vehicles instead of one providing more security for their vehicles especially during snow storms. Changes to this site plan may require a return to this Board. This is not a permit to build. Please see the Building and Land Use Office for permit requirements. All were in favor. The vote was 4 – 0, the motion was approved.

- 2. Public hearing on Application #FY17-18-02, Owner: Jeremy Mason, Applicant: Terrence Lennon / Lennon Construction for a variance for the property located at 8 Greenland Street to reduce the front yard setback to 33 feet, where 40 feet is required.**

Terrence Lennon of 11 Cannon Street addressed the Board on behalf of the owner. He explained that the owner of the home had a growing family and had contacted him for an estimate to expand their kitchen. They would be extending their kitchen 7 feet out the front of their home. He then noted that there would be no changes to the sides of the home. Mr. Lennon explained that they would be installing a 4 foot cross wall foundation with new vinyl siding and new windows. He then noted that by extending the kitchen out 7 feet they would only have 33 feet remaining to the property line.

Chairman O'Connor asked the Board members for any questions. Mr. Glazier commented that he had taken a look at the property in question. He then stated that he had not seen a reason on the application for why the kitchen needed to be expanded out the front of the home; was the current kitchen too restrictive. Mr. Lennon replied that the existing kitchen was small and that with two small children it was not working for the family. He went on to say that the kitchen was located in the front of home, therefore there was no option to expand the kitchen out the rear of the home. He also noted that there was an existing garage on the side of home.

Mr. King commented that the map that had been submitted with the application showed a property on the opposite side of the street from the home in question that had a house that jettied out similarly to what the applicant was proposing. Mr. Lennon noted that that had been done in 2004 and that it was almost the exact same thing that they were proposing. Mr. King then pointed out that the proposed expansion seemed in conformity with the neighborhood.

Mr. Flanagan asked the applicant what they were going to do with the tree that was in the front yard. Mr. Lennon replied that the tree would remain untouched; it was not in the way of the proposed addition. He then went on to say that they would be moving the current walkway and lamp post.

Chairman O'Connor asked the Board members for any further questions. There were none.

Chairman O'Connor asked for any public comments in favor of the application. There were none.

Chairman O'Connor asked for any public comments in opposition to the application. There were none.

Chairman O'Connor asked for a motion regarding Application #FY17-18-02. Mr. Glazier moved to approve Application #F17-18-02, Owner: Jeremy Mason, Applicant: Terrence Lennon / Lennon Construction for a variance for the property located at 8 Greenland Street to reduce the front yard setback to 33 feet, where 40 feet is required. The granting of this variance is for the improvement proposed in this application only, permitting an exception to the requirements of the zoning regulations Section 403. The hardship upon which this decision is based is that the existing kitchen, with two small children in the family, is too small in capacity for comfortable living. The proposed expansion will be in harmony with the area. Changes to this site plan may require a return to this Board. This is not a permit to build. Please see the Building and Land Use Office for permit requirements. Mr. Flanagan seconded the motion. Chairman O'Connor asked for any discussion. Mr. King noted that the comments made during the previous public hearing that evening regarding the quorum and number of members present was the same for this public hearing. The applicant then stated that he wanted to proceed that evening. Chairman O'Connor asked for any further discussion. Mr. Flanagan commented that in the future anyone coming before the Board needed a detailed hardship. Chairman O'Connor agreed and stated that they should point that out to applicants in the future. The discussion continued briefly. All were in favor. The vote was 4 – 0, the motion was approved.

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Mr. Glazier moved to adjourn the meeting. Mr. King seconded the motion. All were in favor. The vote was 4 – 0, the meeting was adjourned at 7:33 pm

Respectfully submitted,

Diane Ferrari
Recording Secretary

THIS IS A DRAFT

Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.