

**ZONING BOARD OF APPEALS**  
**July 6, 2020 Meeting Minutes**

Board Members Present: Joseph DeLisle, Sr., Leyna Erickson, Douglas Glazier, Christopher Halpin and Alternate Mark Horan

Town Staff Present: Dan Malo, Enforcement Officer

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The meeting was called to order at 7:02 pm

Board roll call was taken.

**MINUTES:**

**Chairman Glazier referred to the June 1, 2020 meeting minutes and asked for any corrections or changes. There were none. Mr. Halpin moved to approve the June 1, 2020 meeting minutes as published. Mr. DeLisle seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

**BILLS & CORRESPONDENCE:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**a. DMV Applications**

None

**b. Public Hearings**

- 1. Public hearing on Application #FY20-21-01, Owner/Applicant: Les Hinckley for a variance for the property located at 218 Elm Street to extend an existing, non-conforming driveway to a proposed garage, where the driveway is 0 feet from a side property line where 12 feet are required in a Residential A Zone.**

Les Hinckley addressed the Board and stated that when he had spoken with Mark Doody in the Building Department about his proposed garage he was informed that he would need a variance for the proposed driveway to that garage. He went on to

say that he currently had a pre-existing, non-conforming driveway. He explained that on his application he had stated that his proposed extension would be 0 feet from the neighbor's property. Mr. Hinckley noted that Mr. Glazier had visited his property and after discussing his application it was agreed that the proposed driveway would not be zero feet from the property line, but would actually be a few feet off the property line. He then noted that Mr. Glazier had stated that he would be agreeable to the project if they were to keep the proposed driveway several feet off the property line.

Mr. Hinckley reiterated that the proposed extension of his driveway would not be zero feet from the property line, it would be several feet off the line. He went on to say that the proposed driveway extension would lead to the proposed building. He then noted that he had not pulled a permit for the proposed building yet; he had waited in order to try to get the variance for the proposed driveway first. He explained that there would be no way to access the proposed garage without the variance approval for the driveway extension because of the locations of the house on the property and the existing pool.

Mr. Glazier stated that when he had seen Mr. Hinckley's property he had suggested that the proposed driveway extension be 3 feet, rather than zero feet, from the property line. He then noted that Mr. Hinckley had agreed to his suggestion. Mr. Glazier explained that the end of the proposed driveway would be 3 feet from where they estimated that the property line was and that the start of the driveway would be 1 foot from that estimated property line. Mr. Hinckley concurred. Mr. Glazier noted that the proposed driveway would be at a slight angle.

Mr. Glazier asked the Board members for the any questions or comments. They had none.

Mr. Glazier asked for any public input either in favor of or in opposition to the application. There were none.

Mr. DeLisle asked if there could be any issues in the future since they did not know exactly where the property line was. Mr. Malo replied that the Building Department needed the variance to the regulations for the driveway only; the garage was not an issue.

Mr. Hinckley explained that he had gotten a plot plan from the Town that contained the lot's measurements which he then used in conjunction with his neighbor to place the property line stakes. He stated that he had not planned on doing anything further to verify the property line, but offered to do so if necessary. He then noted that they had been able to find one marker which they used to take their measurements from. Mr. Hinckley stated that he was confident that the property line markers were pretty accurate.

Mr. Glazier stated that he felt that Mr. Hinckley had done a sufficient job in locating the property line.

Mr. Glazier asked if any of the abutting property owners were present that evening to make comments.

Sean Claffey of 236 Elm Street addressed the Board and stated that he agreed with Mr. Hinckley on the location of the property markers and had no objections to his proposed driveway.

**Mr. Glazier asked for a motion on Application #FY20-21-01. Mr. Halpin moved to approve Application #FY20-21-01, Owner/Applicant: Les Hinckley for a variance for the property located at 218 Elm Street to extend an existing, non-conforming driveway to a proposed garage, where the driveway, at the end of its extension, is 3 feet from a side property line, where 12 feet are required in a Residential A Zone. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning requirements of side property.**
- 2. The hardship which this decision is made, is based upon the constraints of Mr. Hinckley's existing driveway being one-foot from the side property line and the proposed driveway extension will end with a 3 foot side property line, where 12 are required. This hardship is supported by Section 1301.B of the Zoning Regulations.**
- 3. Changes to the proposed plan may require a return to this Board.**
- 4. This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
- 5. That the granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Mr. Glazier asked for any discussion. There was none. Ms. Erickson seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

- 2. Public hearing on Application #FY20-21-02, Owner/Applicant: David Sheridan for a variance for the property located at 49 Circle Drive to expand a driveway to be 3 feet from a side property line where 12 feet are required in a Residential A Zone.**

David Sheridan addressed the Board and stated that he was proposing to widen his existing driveway to within 3 feet of the property line. He explained that there was currently a single-wide driveway on the property. He then noted that when he had first purchased the property he had originally parked vehicles off to the side of the

driveway, but that it had eventually just turned to mud. Mr. Sheridan stated that the existing driveway currently needed to be repaved, therefore he wanted to widen it at the same time as it was being repaved.

Mr. Sheridan stated that he had spoken with his neighbor and that they were okay with his proposed driveway expansion. He then noted that in addition to widening the current driveway he was proposing to extend it further along the side of the garage to the back of that garage.

Mr. Glazier noted that Mr. Sheridan owned an RV and that the extended driveway would be helpful in parking that RV. Mr. Sheridan stated that that was correct; it would be nice to be able to park the RV to the side of the garage instead of in front of it.

Mr. Sheridan stated that he was able to find the property pins for his property.

Mr. Glazier stated that when he visited the property he had visited the next door neighbor and had asked if she was okay with the proposed driveway being 3 feet from her property. He then noted that the neighbor was fine with the proposed driveway.

Mr. Glazier asked for any public input either in favor of or in opposition to the application. There was none.

**Mr. Glazier asked for a motion on Application #FY20-21-02. Mr. DeLisle moved to approve Application #FY20-21-02, Owner/Applicant: David Sheridan for a variance for the property located at 49 Circle Drive, to expand a driveway to be 3 feet from a side property line, where 12 feet is required in a Residential A Zone. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning requirements to side yards.**
- 2. The hardship upon which this decision is based is the need for a double driveway within 3 feet of the side property, thus permitting adequate spacing for the vehicles based at this household. This hardship is supported by Section 1301.B of the Zoning Regulations.**
- 3. Changes to the proposed plan may require a return to this Board.**
- 4. This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
- 5. That the granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Ms. Erickson seconded the motion. Mr. Glazier asked for any discussion. There was none. All were in favor. The vote was 5 – 0, the motion was approved.**

**3. Public hearing on Application #FY20-21-03, Owner/Applicant: Michael Couchon for a variance for the property located at 51 Acorn Drive to expand a driveway to be 4 feet from a side property line where 10 feet are required; and to increase the width of the driveway's maximum extent to 33 feet where 30 feet are required in a Residential B Zone.**

Michael Couchon addressed the Board and stated that he was looking to extend his driveway to the side of the garage. He noted that they currently had a two-car garage. He went on to say that the hardship was that his father-in-law was now living with them and had a vehicle and that his daughter was now 16 years old and also had a vehicle. In addition, he noted that his two sons were in the military and they also needed a place to park when they came home to visit.

Mr. Couchon stated that the plot plan that was given to him by the Assessor's Office showed that the side of the garage to the property line was 15 feet. He then pointed out that from his neighbor's fence to his garage was also 15 feet. He went on to say that his proposed driveway would end up being about 3 to 4 feet from the neighbor's property.

Mr. Couchon noted that he had submitted a letter from his neighbor as part of his application which stated that they had no issues with his proposed driveway.

Mr. Couchon explained that the driveway would be angled in to the existing driveway as it came towards the street so that they would not be widening the sidewalk cut.

Mr. Glazier asked the Board members for any questions or comments. They had none.

**Mr. Glazier asked for a motion on Application #FY20-21-03. Ms. Erickson moved to approve Application #FY20-21-03, Owner/Applicant: Michael Couchon for a variance for the property located at 51 Acorn Drive, to expand a driveway to be 4 feet from a side property line where 10 feet is required, and to increase the width of the driveway's maximum extent to 33 feet where 30 feet is required in a Residential A Zone. This motion is conditional upon the following:**

- 1. The granting of this variance is for the improvements proposed in this application only, permitting a certain exception to the Zoning requirements to side and front yards.**
- 2. The hardship upon which this decision is based is the need to add an additional paved area on the side of the house, extending to part way down the existing driveway, which will permit a parking area of vehicles based at this household. This hardship is supported by Section 1301.B of the Zoning Regulations.**
- 3. Changes to the proposed plan may require a return to this Board.**

4. **This is not a permit to construct or install. Please see the Building and Land Use Office for permit requirements.**
5. **That the granting of the variance is in harmony with the general purpose and intent of the Zoning Regulations and will not be detrimental to public health, safety, convenience, welfare and property values.**

**Mr. DeLisle seconded the motion. Mr. Glazier asked for any discussion. There was none. All were in favor. The vote was 5 – 0, the motion was approved.**

Mr. Glazier asked the Board for any other comments. They had none.

**Mr. Glazier asked for a motion to adjourn. Mr. DeLisle moved to adjourn the meeting. Ms. Erickson seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:41 pm**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**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.**