

APPROVED
Zoning Board of Adjustment
Meeting Minutes
June 9, 2015

Members: Gretchen Wittenborg, Bob Handy, Jack Ernst, Carmen Yon, alternate, seated for Cathy Davis, Sue Wood, alternate seated for Steve Filipi

Others Present: Susan Silverman, selectmen's representative

CTO: 7:00 PM.

Vice Chairman Wittenborg chaired the meeting in Filipi's absence. She seated alternates Carmen Yon for Cathy Davis and Sue Wood for Steve Filipi. Wittenborg gave a brief overview of the process the ZBA uses in a public hearing and invited Mr. Kenison to join the Board at the table to present his case.

7:00 PM Public hearing: Donna Kenison appeal for a variance to construct a shed within the front setback on property located at 98 Rhododendron Road, Map 11, Lot 20, Rural and Historic Districts.

Wittenborg asked Mr. Kenison to explain the double set of lines on the layout. He explained that the second set of lines were dimension lines not lot lines. Wittenborg questioned his status since the application was in Donna Kenison's name and she wasn't present. He said he was the property owner and the title is in her name.

Mr. Kenison said he wanted to build a shed for his property maintenance equipment, like the lawn mower, so his car can go in the garage. He said there is no other spot on the property that meets the required setback.

He said the proposed shed is 10X20 feet and he will get it at Blueberry Hill on Route 12N.

Ernst clarified that a staked area he saw when he drove by the property was the planned shed site. Yon noted that there appeared to be a swale along the lot line, as well as a pond. Mr. Kenison confirmed the swale is a seasonal brook and there is a fire pond. He said the proposed location is about 60 feet from the brook. Yon said if the shed was placed in the proposed spot it would be in the Wetlands Protection Overlay District and would need a special exception or a conditional use permit.

Mr. Kenison was asked how he measured the setback. He said he'd measured from the edge of the road, which he had measured as 31 feet wide. He added that the lot itself is only .74 sf so there is not a lot of leeway for an additional structure. He said he would be willing to consider changing the dimensions of the proposed shed.

Yon noted that if the shed was 10X10, then it could be located in the WPOD per ordinance Article IV, 127.16.1 D.6.(e). Yon added that the proposed site seems to be about 20 feet from the fire pond. Mr. Kenison said he couldn't measure it but guessed it was about a 35X40 foot oval pond. Yon encouraged Mr. Kenison to meet with the Conservation Commission to review the plan and do a site walk.

APPROVED
Zoning Board of Adjustment
Meeting Minutes
June 9, 2015

Ernst asked why the shed couldn't go behind the house. Mr. Kenison described that area as being "all wooded in the back." Ernst said if relocated it would eliminate the wetlands issue. Wittenborg noted that on such a small property, the location of each structure is an issue.

Yon felt the application did not have enough information. Yon moved, Ernst seconded and the Board voted to recommend that the applicant go to the Conservation Commission for a site walk to locate the wetlands on the property and assess the dimensions to provide input.

Wittenborg noted that the ZBA would like to go on that site walk too. She asked that Board members make themselves available to sit on the case when it reconvenes after the site walk.

Handy asked Mr. Kenison if he would consider the possibility of changing the location to keep it away from the WPOD and setback issues, adding that the rear and side setbacks are only 20 feet. Yon suggested tucking it in behind the garage. Mr. Kenison said there is a steep slope at that location. Ernst suggested asking the Conservation Commission where the wetlands end along the back of the property.

Susan Silverman asked about a foundation. Mr. Kenison said it will be on skids.

Ernst moved, Handy seconded and the Board voted to continue this hearing until after the Conservation Commission review.

Wittenborg moved, Yon seconded and the Board approved the 03/24/15 minutes as written.

Ernst moved, Wittenborg seconded and the Board voted to adjourn the meeting at 7:30 PM.