

Minutes of the Zoning Board 10/2/14

The meeting was called to order at 7:30 by Chairman Dan O'Shea.

Members present: Bob Lieber and Jay Currie. Nancy Dalley and Al Socha are absent. Also present : Dan Ellis (for Town Attorney Don Armstrong), Mary Anne and Robert McCloskey, Robert Thompson Sr. and Cynthia Moreland

The first order of business is the Public Hearing on the application by Mary Anne and Robert McCloskey for an area variance on a proposed 24' x 32' garage they plan to build. As there are some questions concerning proximity to road and property lines they applied for a front and side variance to resolve those issues. Dan asked Rob to explain the situation to the board and guests. Rob said they hoped to put up a garage within 6' of neighbor Jerry Miller's property line. They plan to set it back approximately 20' from the road, in keeping with the other neighbor's garages. He stated the dimensions would be 24' wide (parallel to the road) and 32' long.

There was some question as to whether or not the set back distance was sufficient to meet utility easement criteria. It was mentioned that a neighbor, Ken Brock, checked with National Grid and was told that the utility co. considers 10' or more as a sufficient distance. Cynthia Moreland asked for a clarification on the width of the McCloskey lot and was told it is 52.8' wide. Jay Currie asked if the Code Enforcer Rick Fritz had brought up any concerns involving adjustments for setbacks from County highways and Mary Anne responded there was no mention of this. Dan noted the application had been sent to County Planning Board and it was returned with no objections, leaving the final decision to the Zoning Board. Bob Lieber asked if the setback from a neighbor's property line to the North would be 6'. McCloskey said that was correct and the neighbor agreed to this plan. Cynthia Moreland inquired as to plans for pavement changes and was told there were none.

The Public Meeting ended at 7:37 and Dan asked how the board wanted to proceed. Bob made a proposal that the variance be granted. The board then filled out the Impact Assessment (Part 2) of the Environmental Assessment form, reviewing the criteria and finding no impacts. Dan asked for a motion to complete the environmental impact form with a negative declaration. **Motion** made by Jay Currie, seconded by Bob Lieber, all in favor, the motion carried.

Dan then directed the board to address the benefit to the applicant if the variance is granted, addressing the following factors and finding: 1) Whereas; the applicant has agreed to a 35' setback from the center of the road, and 2) Whereas; The applicant has agreed to a minimum of 6' setback from the north lot line, and 3) Whereas; the proposed garage will meet the south lot line setback requirements, and 4) Whereas; the proposed garage will not cause an undesirable change in the character of the neighborhood, and 5) Whereas; the applicant cannot practically meet the side requirement without this variance, and 6) Whereas; the proposed lot line setback is not significant, and 7) Whereas; the proposed variance will not have an adverse effect or impact on the conditions of the neighborhood and, 8) Whereas: the condition was not self created. Therefore it is **Resolved** that an area variance is granted on **Motion** of Bob Lieber, seconded by Jay Currie, all in favor, the motion carried.

As there is no New Business the board reviewed the minutes from 9/4.

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Motion to approve made by Jay Currie, seconded by Bob Lieber, all in favor, the motion carried. **Motion** to adjourn made by Dan O'Shea, seconded by Bob Lieber, all in favor, the motion to adjourn carried. The meeting ended at 8:00.

DRAFT

Respectfully Submitted ,

Deborah Putman, Secretary