

ZONING BOARD OF ADJUSTMENT

Meeting Minutes

Recorded by Janice Pack

October 8, 2019

Members Attending: Gil Morris, George Rainier, Jarvis Adams, Sheldon Pennoyer, Steve Atherton, Craig Pettigrew

Meeting opened at 7:00 PM

Gil called the meeting to order and explained the way this process would go. Steve will be a non-voting member tonight.

Public Hearing, ZBA Case 2019-07, for the property at 8 Depot Road, Lot V3, Greenfield Covenant Church asking for a Variance from Article A.1c Section III of the Zoning Ordinance to permit a side and rear setback of 16' and 11' respectively.

Gil read the application for the Variance, and the facts supporting it.

Philip Martus said they had met with the Planning Board last night and they gave them a conditional approval. He also noted that 5 years ago they had been granted the variance but had decided not to build. He showed the plans for the proposed addition. The existing doors will stay, and open the area for overflow. They do make their space available for other town events. The second page showed the addition coming out; an outside view. The 3rd page was dimensional information showing location of the foundational wall. Jarvis asked if it was going to be slab on grade; they said yes. The 4th page was a view of the existing space. Sheldon asked if the gable was reflected twice; the answer was yes. The Board referred to the page that provided the view of the setbacks asked for. Sheldon said the 16' was actually less nonconforming than what was there now. It was confirmed that the existing house is currently on the leach field but they will tie it in to the town septic.

Michael Sparling said that they meet all of the requirements for parking and ADA.

Craig stated it was a small space and asked if it was adequate for their use. Philip said it was.

There were no other comments from the applicant or the public.

Gil closed the public portion of the meeting. Sheldon asked if they had discussed parking at the Planning Board meeting; George said they had. Sheldon said what we're really looking at is the issue around the 11' setback. Essentially, we need to decide if there is a hardship around that. The length of the new hall could be turned 90 degrees, which would allow future growth and then eliminate the need for the 11' setback. On the other hand, maybe there is a hardship in parking or something else he's not seeing. Craig questioned what was the back and what was the side. Craig noted there was a 6' setback now.

Jarvis asked what the setback regulations were. Gil said in the Center Village District the setbacks were to be 30' in the front and 20' in the sides and rear. Sheldon asked if we define sides and back in our ordinance; George said we don't define that. Jarvis said that we don't want to set a precedent for them; Sheldon agreed but said we might not have to issue a variance. Sheldon read several definitions looking

for the definition of a lot, which we apparently don't have. Craig and Jarvis determined by definition what the back lot was and the fact that their setback is already nonconforming (6').

Sheldon moved to find that no variance is required because the existing building sits 6' off the rear lot line and the proposed addition is 11' and 16' as presented by the applicant. This would be no more nonconforming than the existing setbacks.

The Board has determined that the rear lot lines are the property borders that are determined by a line drawn from the frontage to the rear lot line. The Board reviewed the Greenfield Zoning Ordinance and found no clear definition of rear and side lot lines. That said, the Board determined that the lot lines in question would both be rear lot lines. Jarvis seconded the motion. All were in favor; motion passed 5-0-0.

This concluded the public hearing.

The Board discussed how the forms are on the website, and will suggest some changes for Aaron Patt to consider that will make things easier. The forms should be fillable. Sheldon noted that Hancock's ordinance is very easy to search online.

Gil read the terms of the board members and their expiration dates. The Board reviewed the Year to Date Budget which looks good. **George moved to keep the budget flat next year. Sheldon seconded. All were in favor; motion passed.**

The order form for the new Planning and Zoning Books was reviewed. **Steve moved to buy 8 books at \$10 apiece. George seconded. All were in favor; motion passed.** The Board reviewed an invoice received from the Ledger-Transcript for noticing, and this was approved.

The Board reviewed the minutes from their last meeting held on August 22, 2019. Line 43: Change Class VI to V and vice versa. Line 49 should be "believes". **George moved to approve the minutes as amended, and Sheldon seconded. All were in favor; motion passed.**

Having no further business to discuss, **Steve motioned to adjourn the meeting, and Sheldon seconded. All were in favor, motion passed, and the meeting adjourned at 8:02 PM.**