

ZONING BOARD OF ADJUSTMENT

Meeting Minutes

Recorded by Janice Pack

April 25, 2018

Members Attending: Gil Morris, Jarvis Adams, George Rainier, Craig Pettigrew

Public Present: Shelly Hart, Donald Martin, Chelsea Blanchette, Arick Keophanaphay

Meeting opened at 7:00 PM

Gil called the meeting to order and explained that the Board will need 3 affirmative votes for the Variance to pass and that the applicants could decide to wait until the other 2 Board members were present. The applicants opted to proceed.

Public Hearing, ZBA Case 2018-04, for the property located at 41 East Road (Map V5, Lot 12) for a Variance to permit a reduced setback as specified in the Zoning Ordinance, Section III, Article G, to permit a shed too close to a property line for Applicant Chelsea Blanchette began.

The Applicant presented her case, saying that she had built the shed without knowing that she needed to get a permit. The structure is 12' tall, and over 200 square feet, so a building permit should've been pulled before building. Michael Borden told her that it is too close to the property line. There is a stone wall behind it, and there is also a fence. She's not sure which is the actual property line, but either way, it is too close. She thought it might be either 5' or 15' away, depending on which marked the line. The lot size is 1.25 acres.

There is an exception reducing setback requirements proportionately in lots of nonconforming size but it says in NO CASE will the setbacks be less than 20'. It is unclear exactly how far from the property line the structure is.

Jarvis said that he had received a phone call from an abutter who owns the land trust. He stated that he had permission to build a house on that land; he could not be here tonight however.

Craig said that no matter what the Board comes up with, if it is inside the 20' area, it cannot be there. It is up to the applicant to define the footage, and if it is less than 20' from the property line, it needs to be moved.

Jarvis made a motion that we could not grant this variance based on the information given by the Applicant because of the restrictions of the ordinance. Craig seconded it. There was no discussion. All were in favor; motion passed (4-0).

At 7:26 PM the Public Hearing for Case 2018-04 was closed.

The Recording Clerk will send the letter of Denial.

Other Business

Gil read a letter from the new owners of Allrose Farm who are looking to have the Special Events Facility Ordinance tweaked to allow them to hold more larger weddings, and they wanted to know how to proceed. The Board members read the ordinance and discussed an appropriate response. It was decided that the new Owners would need to go to the Planning Board. The ZBA does not have any guidelines to make changes to the Ordinance. The Ordinance was voted on at a previous Town Meeting, and to make changes to it, they would need to work with the Planning Board.

Craig motioned to adjourn the meeting, and Jarvis seconded. All were in favor, and the **meeting adjourned at 7:40 PM.**