

## ZONING BOARD OF ADJUSTMENT

August 13, 20013

## MEMORIAL BUILDING

7:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

**Board Members Present:** Susan Chiarella(chairperson), Bryan O' Day, B Manning, and alternates, Karen Cook and Cynthia Hayes.

**Others Present:** Peter Abair, Mark Brunelle, John Trachy, George McCusker, Herb Marks, Perry Hodges, and Billy Huntoon

Susan called the meeting to order at 7:00 p.m.

Susan wanted it to be noted that the nomination of John Trachy as alternate was not done in accordance with our Rules of Procedure and directed that the vote be set aside and table the third alternate decision until there is a full board present.

**Review of July Minutes:** corrections: under O'Day Hearing third line—"Bryan states that his special exception is not for a non-conforming structure." Bryan states it IS, therefore new sentence would read, *Bryan states that his special exception is for a non-conforming structure.* Last line under O' Day hearing: floor that tapers to the center and there is no drainage ditch. It should read there is no *floor drains*. B made a motion to accept minutes as corrected, Second by Susan and unanimously approved.

**Brunelle Hearing:** Susan explains to Mark Brunelle that the Zoning Board is down two full members and that she will be appointing Cynthia Hayes and Karen Cook to fill in. She asks if there are any issues or conflicts of interests. Mark approaches the board with plans and explains that he wants to use the existing footprint to tear down existing structure and put up a new log home. However, he seeks relief for the new structure and relief for the new Septic as they both are within the wetland buffer. Mark explains that anything within the 50' buffer is not being touched. He explains that the New Septic system will be as shown on plan and is a clean solution system. He also states that a new well will be going in. The board reviewed plans. B asked if there will be a deck on the house. There is a shed on the property that will be removed. Susan asks the board for their opinion on how they should hear the case, Spec Exception vs. Variances. B feels that he would need two variances. The board would like Mark to get a letter from Peter Schauer and have him stamp the map/plans that he approached the board with. Cynthia inquires on how the current deed is written because there is a foot path on the property. Mark explains that a rite of way was usually granted from abutter to abutter. Susan asks if the board feels that a site walk would be helpful. The board unanimously agreed.

Susan asks for public comments. Perry Hodges, an abutter and a representative from the Baptist Pond Trust and Lake Association addresses the board. She explains that there is a Rite of way and it is not a foot path. She wants to make that a little more clearly. She voiced her concerns on the location of the Septic tank and feels that the leach field might infringe on the Right of way. Perry had a map to show exactly where the said rite of way is located. Years ago that rite of way was given as an access for hiking purposes and logging. Cynthia asks if Board does go to property if Mark can have everything marked out

according to what is shown on the plan. Perry states that she can easily show where rite of way is. Mark did not have a copy of the deed with him but he explains that in the deed that the rite of way is clearly defined. Mark also explains that the EDA-Septic system is in the best place that is could possibly be according to soils, etc.... B feels that the board should know what the deed says before they make any decisions. Perry just wanted the board to take into consideration that she would like the Rite of way to be maintained and to make sure there is minimal impact. Perry also inquires on height of the house. Mark explains that the new structure will be raised 2-21/2 feet. John Trachy wanted to add that according to the figures that they would be increasing the size 70%. Susan states that the Zoning Board is there to try to do the best they can to offer relief. B feels that there is some give and take and that he feels there is a good thing being done. They are moving the house back and a better Septic System is being installed. Mark states that 8,412 sq. ft. is being impacted with the new project and they are allowed 23,648 sq. ft. Susan sets a date for the site walk. It will be Monday, August 19, 2013 @5:30. She asked Mark if he could have a stamped plan, letter, and current deed and to have new structure, and tank staked out.

**Hansen Hearing:** Susan recused herself and announced Bryan would take over. Clayton Platt was representing Mike Hanson. Bryan explained to Clayton that there are only four board members in which two are alternates and that he does have the option to continue. Clayton opted to continue the hearing.

**Misc Business:** Cynthia Hayes had an issue with the way the public notice for the Hansen Hearing was written. She feels there wasn't enough information for the public as well as the time was not stated. There was some discussion and Susan Abair stated she would re-notice.

Bryan made a motion to adjourn meeting second by B. Meeting adjourned at 8:30 P.M.

Submitted by,

Susan Abair