

**Zoning Board of Adjustment**

**November 1, 2016**

**Memorial Building**

**7:00 pm**

*These minutes are to be considered draft minutes only until approved by the board at their next meeting.*

**Member present:** Susan Chiarella, Peter Abair, Bryan O' Day, Justin Hastings and Rick Corbett

**Others present:** Beth and Romolo Luttazi, Tamara Butcher, Whit Smith, and George McCusker

**Approval of October minutes-** Bryan made a motion to accept minutes as written second by Rick and all in favor and unanimously approved.

**Rules of Procedure-**

The Board discussed striking section 4 Letter H under decisions (page 11 of 17) also changing section F under decisions (page 10 of 17 ) to read as follows: last sentence: the notice of decision shall include the reasons of denial and such notice will be sent to applicant by certified mail.

Section 8 under public hearing striking the word will and replace with the word may.

This is the third and final meeting to have this changed. Justin made a motion to accept changes to Rules of Procedure, second by Bryan and all in favor and unanimously approved.

**Luttazi Hearing-** Susan opened the hearing on 7:10.

Applicants had submitted both a special exception application and a Variance application. Board reviews both applications and felt that the only needed a special exception application.

There was a motion by Justin to accept the special exception application, second by Rick and all in favor and unanimously approved.

The Luttazi's approach the board and explain they want to build a two car garage for storage on the high side of the driveway. 24 x 32. They explain they do not reside here full time. They have had the property in the family since the 1970's. The board looked at the maps and /or drawings of the property and the proposed building. They do have a shoreline permit application to the state.

Susan closes the hearing and the board goes into deliberation.

The board went thru the finding of the facts on the application:

**Facts supporting this request:**

a. The proposed use would not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the character or appearance of the neighborhood because: *The board does not feel a two car garage would be detrimental to the character of the neighborhood and may increase property value.*

b. The proposed use will not be injurious, noxious, or offensive, and thus detrimental to the neighborhood because: *The board felt a two car garage is being used for mainly storage of beach toys, etc.....*

c. The proposed use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, or similar adverse causes or conditions because: *The board felt it would provide safe storage for accessories as well as storing vehicles when not being used.*

d. The location and size of the proposed use, the nature and intensity of the operations involved, the size of the site in relation to the proposed use and location of the site with respect to the existing or future street giving access to it shall be such that it will be in harmony with the orderly development of the District because: *the board felt that it is a private road, and building a two car garage remains in harmony with the neighborhood.*

e. The operations in connection with the proposed use will not be more objectionable to nearby properties by reason of noise, fumes, odor, or vibration than would be the operation of any permitted uses in the District which are not subject to Special Exception procedures because: *The board stated for a two car garage being used for mainly storage would not be objectionable and cause any noise, fumes, odors, vibrations, etc.....*

Bryan makes a motion to grant special exception, second by Justin all in favor and unanimously approved.

Special Exception granted to construct a detached garage (24'X21') no closer than 10' to the side-line of property located at Map 23, Lot 543-356.

**Misc. Business-** Susan talked about changing language on ZBA applications to make it easier for applicants.

Meeting adjourned @8:35 pm

Submitted by,

Susan Abair