

## **Zoning Board of Adjustment**

**August 1, 2017**

### **Memorial Building**

**7:00 pm**

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

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

**Others Present:** Whit Smith, David Housmann, Janet Housmann, and Jim Carter

Minutes of July 11<sup>th</sup>- Correction first paragraph under Perroto hearing change four cars to *two*. Number 1 under finding of the facts change wild life corridor to *Wetland buffer*. Motion made by Justin to approve minutes with corrections, second by Peter and all in favor, unanimously approved.

The board discusses date for the September Zoning meeting as she will be out of town as well as Peter Abair. The board decided to move the September ZBA meeting to September 12, 2017@7 pm.

Housmann Variance- Property located on Messer Hill Road- Susan opened the hearing and verified that all notices were sent timely. Sue Abair verified.

Pete makes a motion to accept application as complete, second by Rick and all in favor.

Janet and David Housmann approach the board and explain that they have property on Messer Hill Road and would like to build a retirement home there, to live year round. Roughly 2000 square feet. They explain they driveway share with their neighbor. The applicants state that their property is challenged and feel there is only one place to build the house. They presented the board with photos and maps of the property. They also would like to build a garage. The house will have a walkout basement. They are asking for 14' of dimensional relief. Jim Carter is an abutter and he was present and told the board he has no objections to what the Housmanns want to do. There will be a mudroom between the house and garage. Peter asked about decks. Janet states there will be one over walkout basement. Susan closes the hearing at 7:25 and the board goes into deliberation.

Bryan feels the biggest reason for the applicants wanting the house in the location they have picked is for the view, and he's struggling with finding the hardship. From what the board is looking at if the building is moved 15' there would be no reason for a Variance. Bryan makes a motion to do a site visit, and it was seconded by Susan and all in favor.

Justin makes a motion to continue the hearing until Wednesday morning August 2, 2017 at 7:00 at the location of the property. Second by Bryan and all in favor. Hearing continued.....

Wilkinshaw Hearing for Special exception- 92 Lamson Lane- Bryan makes a motion to accept application as complete second by Justin.

Lindsay Wilkinshaw approaches the board and explains she has owned property for ten years and would like to make this her full time residence. The property is approximately 1.39 acres. She would like to construct a 30'x36' home with 40'x30' garage. Peter asked about the utility wires and she stated they were going back to the pole and then rest would be underground. Currently there is a shed and gazebo on the property. They are not encroaching on any Wetlands. Whit has been to the property and states that all the property lines are very well marked. The board reviewed the maps given. Susan closed the hearing at 8:00 pm and reviewed the finding of the facts.

**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 this was different from any other of the surrounding properties therefore would not be detrimental. There were no objections by any abutters*
- b. The proposed use will not be injurious, noxious, or offensive, and thus detrimental to the neighborhood because: *The board felt this is a family home*
- 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 the applicants were adhering to all DES shoreline permits as well as a state approved septic. No commercial use, occupied by one family.*
- 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 residential home, No special operations are being done, no objections by any abutters.*
- 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 building a home and garage would not be objectionable and cause any noise, fumes, odors, vibrations, etc.....*

Susan makes a motion to approve the Special Exception to construct a garage no closer than ten feet to the abutting property line (Map 23, Lot 545-380), where a setback would be required. Second by Justin all in favor and unanimously approved.

Meeting adjourned at 8:45

Submitted by,  
Susan Abair