

# March 17, 2004

**Present:** Edmund White, Katharine Leab, Randolph Snook, Polly Roberts

**Alternates:** Mark Averill, Georgia Middlebrook

**Guest:** Dave & Sheryl Boccuzzi, Christopher & Laura Gatto, Nick Solley, Press

The Chairman, Edmund White called the meeting to order at 7:30pm and read the legal notice for tonight's meeting.

## PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Randolph Snook, Polly Roberts, himself and alternate Mark Averill.

**ZBA-0401 Request of Dave Boccuzzi, 9 Walker Brook Road S, for a variance from Zoning Regulations 11.6.1.c (front yard setback), 17.4.a (increasing the nonconformity of a nonconforming structure), to extend main roof to create a 4'x12' front porch.** Dave and Sheryl Boccuzzi were present to represent this application. Mr. Boccuzzi began by stating that he is in the process of replacing the roof shingles on his house and would like to extend the front porch overhang to cover the front door. There is an existing overhang/roof/stoop which is 3'x4'. The new porch would tie into the existing roof line and just extend the existing roof. There is an existing trap rock walkway to the front door. Mr. Snook asked about construction material. Mr. Boccuzzi answered that he would use pressure treated wood with a mahogany finish. The house was originally built in 1954. The addition would be 84sq ft. and would blend with the flow of the roof line. This is the main entrance to the house. Ms. Leab asked about lot coverage. Lot coverage calculations have been made and submitted, there appears to be no lot coverage issue. Mr. White asked for further questions and comments from the public. The walkway will be flush with the house. Mr. White asked if there was the possibility of this becoming a room? Mr. Boccuzzi stated that it would be an open porch, a landing with one step to the ground.

**MOTION: to close ZBA-0401 request of Dave Boccuzzi, 9 Walker Brook Road S, for a variance from Zoning Regulations 11.6.1.c (front yard setback), 17.4.a (increasing the nonconformity of a nonconforming structure), to extend main roof to create a 4' x 12' front porch, was made by Ms. Roberts, seconded by Mr. Snook, by a 5-0 vote.**

## MEETING

Ms. Roberts is in favor of granting this variance, it is a modest request. Mr. Snook and Ms. Leab agree with Ms. Roberts. Mr. Averill drove by the property and has no problem with the request. Mr. White addressed the practicality of having a covered entrance way.

**MOTION: to approve ZBA-0401 request of Dave Boccuzzi, 9 Walker Brook Road S, for a variance from Zoning Regulations 11.6.1.c (front yard setback), 17.4.a (increasing the nonconformity of a nonconforming structure), to extend main roof to create a 4' x 12' front porch by a 5-0 vote.**

## PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Randolph Snook, himself and alternates Mark Averill and Georgia Middlebrook.

## PUBLIC HEARING

**ZBA-0402 Request of Christopher & Laura Gatto, 155 Woodbury Road, for a variance from Zoning Regulations 11.6.1.c (front and side setbacks) and 17.4.a (increasing the nonconformity of a nonconforming structure), to raise the pitch of an existing roof and addition of cupola.** Laura and Christopher Gatto were present to represent this application. Ms. Gatto read the letter of request for the roof dated January 29th and the letter of request for the cupola dated February 26th into the record. Mr. and Mrs. Gatto oriented members with the property location and site plan. Mr. Gatto stated that they had originally planned a car port but have nixed that idea. They will park in an area on the South Street side of the house. The roof to be raised in on the back side of the house and the cupola is to be added to the barn. Mr. Gatto stated that they are remodeling the house to make it their permanent home, there is limited space. The house was listed as having (4) bedrooms, which turned out to be closets, they are decreasing the bedrooms to (3). At present there is a rubber membrane on the roof which is pulling off the house. Mr. White read an undated letter received on February 19th from Doug Smith. Mr. Smith had no objection to the roof work but was concerned with the impact on the septic he shares with the Gatto's and other site work. Mr. Gatto stated that he has received all necessary permits to do the work and has spoken with the town sanitarian about the septic system. The house was built in 1910 and the Gatto's want to keep the natural settings surrounding the house. Members asked if the roof will be visible from the road. Ms. Gatto answered that from South Street there is a fence and trees which act as natural buffers. The property is a 1.237 acre parcel most of which is unusable because of wetlands and grade. The barn with the new cupola installed will be 23' 2 1/2 " in the front and 31' 10 1/2 " in the back. The cupola is prefabricated and measures 48" x 48". The cupola has been scaled to the building. The barns purpose is for artist work. Ms. Leab asked about lighting from the cupola. The bottom of the cupola is open to the interior and will be a source for indirect lighting. Mr. White asked for questions and comments from the public. Nick Solley was present as an adjacent land owner. Mr. Solley voiced his concern about the driveway near the side yard septic, building of retaining walls and location for a reserve septic. Ms. Gatto stated that they have done deep hole and perk tests across the stream and have spoken to the town sanitarian, they have gotten all approval. Ms. Gatto also stated that they have problems with the neighbor on the South Street side the issue being with the shared septic. Mr. Gatto admitted to wanting to do a dye test on the septic system but not getting the OK from the neighbor, he went on to state that everything they have done is within the regulations. They are not changing the bedroom, actually decreasing the bedrooms, no new plumbing. Mr. White added that we are dealing with the building the applicants are not going outside the existing footprint. Mr. Solley had no objections as long as perks were done. There is no lot coverage issue. Mr. White asked for additional questions or comments.

**MOTION: to close ZBA-0402 request of Christopher & Laura Gatto, 155 Woodbury Road, for a variance from Zoning Regulations 11.6.1.c (front and side setback) and 17.4.a (increasing the nonconformity of a nonconforming structure), to raise the pitch of an existing roof and addition of cupola, was made by Mr. Snook, seconded by Mr. Averill, by a 5-0 vote.**

## **MEETING**

Ms. Leab asked if a vote could be taken individually one for the raised roof and one for the cupola. Members agreed to do so.

Ms. Leab understands the need for the raised roof so people can stand up straight. There will be no difference from the road. She also finds no hardship in the need for a cupola. Mr. Snook feels the Gatto's covered all bases. Ms. Middlebrook has no problem with either addition. Mr. Averill also understands the need for the room, the house will look nice and he's OK with the cupola. Mr. White sees completely the need for more room but isn't sure about the cupola, it's right on the road. He thinks skylights could accomplish the same effect. He has an issue with the cupola but is glad the size was addressed with the company supplying the prefab cupola, it could have been larger. Ms. Middlebrook asked if Mr. White

thinks it is too small. Mr. White said no he's just bothered that it is there but understands that the indirect lighting adds a lot. Ms. Middlebrook added that cupolas were frequently added to barn structures in the late 1800's.

**MOTION: to approve ZBA-0402 request of Christopher & Laura Gatto, 155 Woodbury Road, for a variance from Zoning Regulations 11.6.1.c (front and side setback) and 17.4.a (increasing the nonconformity of a nonconforming structure), to raise the pitch of an existing roof, by a 5-0 vote.**

**MOTION: to approve ZBA-0402 request of Christopher & Laura Gatto, 155 Woodbury Road, for a variance from Zoning Regulations 11.6.1.c (front and side setback) and 17.4.a (increasing the nonconformity of a nonconforming structure), for addition of cupola, by a 4-1 vote.**

**Mr. White, Mr. Snook, Mr. Averill and Ms. Middlebrook voted to approve.**

**Ms. Leab voted to deny.**

**MOTION: to accept the minutes of the January 15, 2004 meeting as submitted**

**was made by Ms. Roberts, seconded by Mr. Snook, by a vote of 5-0.**

### **Other Business**

Copies of the summons for the suit against ZBA regarding ZBA-0322 Corbo Assoc. were given to members. Atty. Zizka is representing ZBA for this suit.

Members were given information on an upcoming workshop on March 30 titled Roles and Responsibilities of Land Use Commissioners.

There was discussion on Zoning Regulation 17. 5 and the final wording of this regulation.

Members coordinated for the March 23rd workshop.

**MOTION: to adjourn was made by Ms. Roberts at 8:50pm, all agreed.**

Submitted subject to approval,

Pamela L. Osborne, Secretary