

May 9, 2013

Present: Polly Roberts, Todd Catlin, Kathy Leab, Rod Wyant

Alternates: Chip Wildman, Todd Peterson, Joan Kaplan

Absent: Peter Bowman

Staff: Shelley White

Also Present: Mr. Brown, Architect, Mrs. Metz, Mr. Munson, Builder

Ms. Roberts, Chair, called the meeting to order at 7:30 pm.

Seated: Polly Roberts, Todd Catlin, Kathy Leab, Rod Wyant, Joan Kaplan, Alt.

PUBLIC HEARING

ZBA-0943– Request of Metz, 104 River Road, for Variance, Zoning Regulation Section(s) 11.6 (Frnt Yard Setback), 12.1 (Shepaug River Setback), 12.14 (Pool Equip. Setback), 17.4b (Non Conforming Structures) to construct new covered entry and ramp, relocate and reconstruct existing shed, replace existing septic system, install pool fence, pool equipment and underground propane tank.

Mr. Brown, Architect from Peter Talbot Architects, Mrs. Metz, property owner, and Mr. Munson, builder, were present to discuss and present the proposed plans for this application. The Commissioners looked at the site plan titled “Metz –Additions & Renovations to the Residence,” sheet SP-100, by Peter Talbot AIA Architects, dated 4-18-13. Mr. Brown stated that they are proposing a new covered front entry and disabled access ramp to the existing house, which would increase the existing non-conforming front yard setback by 5’ 3”.

Mr. Brown noted that they are proposing to repair and replace the existing non-conforming septic system and relocate and reconstruct the existing non-conforming shed that sits within the side yard setback and is located 119’ 7” from the river. Mr. Munson said that they are proposing to put in new septic fields and a new tank. The new location of the shed would be 185’ 6” from the river, which is a decrease in the non-conformity.

Mr. Brown discussed the proposed location of the buried 1,000-gallon propane tank that would be approximately 185’ away from the river. He stated that they would like to avoid disturbing existing vegetation and feels that this is the best location for the tank.

Mr. Brown stated that the proposed pool fence would be located 167’ from the river at its closest location and the pool equipment would be installed inside the newly located shed. He noted that this would decrease the dB level to 50dB or less at the nearest property line.

There was a brief discussion regarding the pool surround and the proposed buried utilities. Mr. Brown stated that there are plans to install air conditioners and a generator but none of these would be within any setbacks.

Mr. Brown stated that the existing house is non-conforming and they are trying to provide handicap access through the front entry and feels that the ramp at the front entry is the best solution. He

noted that the 200-foot setback from the river leaves a very minimal allowable building space on the property. Mr. Brown indicated that the repair to the septic is necessary to bring it up to code. He agreed that the propane tank could be moved slightly if the Commission is uncomfortable with the proposed location. He stated that the goal was to locate it so not to destroy existing vegetation, that it was not visible from the road and yet had access to be filled from the fuel truck. Mr. Brown noted that they are proposing to locate the shed so that it is less non-conforming, would provide housing for the pool equipment and would decrease any noise pollution from the equipment as well.

It was noted that there would be a minimal amount of contouring at the edge of the driveway in order to build the garage. Mr. Brown stated that there is an existing retaining wall that would be extended in this area.

Mr. Brown confirmed that the existing roofline would not be changing except for a slight widening of the porch area above the proposed access ramp.

The Commission discussed the proposed location of the propane tank. Mr. Munson stated that it is his understanding that the tank must be located more than 15 feet away from any spark or electrical field and 12 feet away from windows.

There was a brief discussion regarding the difference between a repair and a replacement of an existing septic system.

Mr. Catlin asked why the shed could not be conforming. Ms. Roberts stated that she is not bothered by the proposed location and that the shed would be less non-conforming and a huge improvement.

There were no further questions or comments.

Motion:

to close the Public Hearing for ZBA-0943 – Request of Metz, 104 River Road, for Variance, Zoning Regulation Section(s) 11.6 (Frnt Yard Setback), 12.1 (Shepaug River Setback), 12.14 (Pool Equip. Setback), 17.4b (Non Conforming Structures) to construct new covered entry and ramp, relocate and reconstruct existing shed, replace existing septic system, install pool fence, pool equipment and underground propane tank,
by Ms. Roberts, seconded by Mr. Wyant, passed by 5-0 vote.

MEETING

Ms. Leab feels that this is a very difficult lot and the proposed solutions are good. She stated that she feels the proposed plans are reasonable and a great improvement. Mr. Catlin agrees with Ms. Leab and feels that there is a very small build-able area on the lot because of the setbacks and feels that there is legitimate hardship with this application. Mr. Wyant agrees with the other commissioners he feels that everything has been located properly on this lot that has so many restrictions. Ms. Kaplan agrees with the other Commissioners. Ms. Roberts feels that there is a hardship for the entrance ramp is obvious and she does not have any problems with the proposed location of the pool fence or shed and appreciates that they would be much less non-conforming. She stated that the pool equipment within the shed should ameliorate any sound issues.

Motion:

to approve ZBA-0941 – Request of Metz, 104 River Road, for Variance, Zoning Regulation Section(s) 11.6 (Frnt Yard Setback), 12.1 (Shepaug River Setback), 12.14 (Pool Equip. Setback), 17.4b (Non Conforming Structures) to construct new covered entry and ramp, relocate and reconstruct existing shed, replace existing septic system, install pool fence, pool equipment and underground propane tank per site plan titled “Metz –Additions & Renovations to the Residence,” sheet SP-100, by Peter Talbot AIA Architects, dated 4-18-13 and supporting documents in the file, passed by 5-0 vote.

OTHER BUSINESS

Consideration of the Minutes:

The Commission considered the Minutes of the March 21, 2013 regular Meeting of the Zoning Board of Appeals.

Motion:

to approve the Zoning Board of Appeals Regular Meeting Minutes of March 21, 2013 as submitted by Mr. Wyant, seconded by Ms. Roberts, passed by 5-0 vote.

Adjournment:

Motion:

to adjourn at 8:05 pm,
by Ms. Roberts, seconded by Mr. Catlin, passed by 5-0 vote.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,
Shelley White, Land Use Clerk