

June 17, 2010

Present: Todd Catlin, Katharine Leab, Polly Roberts, Randolph Snook

Alternates: Peter Bowman, Roderick Wyant III, Todd Peterson

Staff: Pamela L. Osborne, Mike Ajello

Guests: Curt Smith, Dorota Habib, Michele Rummel, Elliot Johnson

Vice-Chair Polly Roberts called the meeting to order at 7:30pm.

PUBLIC HEARING Continued

Seated: Polly Roberts, Katharine Leab, Randy Snook, and Alts. Roderick Wyant III, Peter Bowman
Ms. Roberts and Ms. Leab listened to the digital recording.

ZBA- 0867 – Request of Rumsey Hall School, 200 Romford Road, for a Variance, Zoning Regulation(s) 11.5.1.c (lot coverage), for pedestrian walkways, salt pad and 4 storage sheds.

Curt Smith and Dorota Habib were present to represent the application. Mr. Smith submitted three new maps entitled Improvement Location Survey Showing Lot Coverage, Supplement #1 Proposed vs. As-Built Lines Improvement Location Survey Showing Lot Coverage, Supplement #2 Comparison by Colored Hatching Improvement Location Survey Showing Lot Coverage. Mr. Smith began with map Supplement #2 Colored Hatching explaining coverage areas not included in the 2-7-08 approved site plan and coverage areas included in the 2-7-08 approved site plan but not constructed, lot coverage figures show an overage of 17,779sf. The four proposed storage sheds were located on the map, near dormitory No. 2, showing increase in lot coverage of 188sf, 135sf, 188sf, and 141sf. Ms. Habib stated that the proposed storage sheds are a convenience to keep clutter from the basements of the dormitories and will be used by dormitory parents. She went on to say that the dormitory basements are used for residents' storage, recreation and offices. The pedestrian walkways and salt pad are already constructed. Fifteen certified mail notices were sent out to property owners, fourteen were returned (Stephanie Fenwick's notice was returned "unclaimed"). Ms. Roberts asked for questions or comments from the public. Mr. Snook reprimanded Ms. Habib that applicants must adhere to what is approved, the commission frowns on after-the-fact applications. Ms. Habib apologized and agrees; noting that this is the first instance the school has had with lot coverage issues. Mr. Smith defended his work on the project, stating that the contractor staked the area and made changes without his knowledge. Ms. Roberts asked for further questions or comments.

Motion:

to close ZBA- 0867 – Request of Rumsey Hall School, 200 Romford Road, for a Variance, Zoning Regulation(s) 11.5.1.c (lot coverage), for pedestrian walkways, salt pad and 4 storage sheds
by Mr. Snook, seconded by Mr. Wyant, by 5-0 vote.

MEETING

Mr. Snook stated that in totality these are significant changes, but individually they are minor. He would reluctantly approve the application. Mr. Wyant agreed the changes are minor; his concern is with access for emergency vehicles with the added walkways. Ms. Leab stated that what has been built is wrong, yet safer. She felt that there is no hardship for the addition of the sheds. Mr. Bowman agrees that there is no hardship concerning the proposed sheds, and went on to say that walkways should have been part of the initial submission for approval and it's not right for a contractor to ignore what has been approved. Ms. Roberts calculated that the proposed sheds add 652sf in coverage, members can vote to remove them from the plan, they do not presently exist and there is no true hardship. Members agreed to strike the

proposed storage sheds from the application.

Motion:

to approve ZBA- 0867 – Request of Rumsey Hall School, 200 Romford Road, for a Variance, Zoning Regulation(s) 11.5.1.c (lot coverage), for pedestrian walkways and salt pad, by 5-0 vote.

PUBLIC HEARING

Seated: Polly Roberts, Katharine Leab, Randy Snook, and Alts. Todd Peterson, Peter Bowman

ZBA-0868 – Request of 141 West Shore Road, LLC, 141 West Shore Road, for a Variance, Zoning Regulation(s) 12.1.1 (Wetlands & Watercourse setbacks), for disabled access ramp.

Michelle Rummel from Peter Talbot Architects was present to represent this application. Five out of eight notices were returned (Seligman/Harris, Kleinberg & Kleinberg/Queckenboss have not returned). Ms. Rummel read the letter of request into the record. Mr. Ajello stated that the Inland/Wetlands Commission will act on this application at their next meeting. Ms. Rummel noted that constructing the curved ramp is less intrusive to the wetlands than a traditional style ramp and other renovations to be done will be within the existing footprint of the structure. Mr. Bowmen agreed that impact will be minimal and the location is good. He verified that the lot coverage calculations included the ramp coverage. Ms. Roberts asked for questions or comments from the public and further thoughts or questions from members.

Motion:

to close ZBA-0868 – Request of 141 West Shore Road, LLC, 141 West Shore Road, for a Variance, Zoning Regulation(s) 12.1.1 (Wetlands & Watercourse setbacks), for disabled access ramp by Ms. Roberts, seconded by Ms. Leab, by 5-0 vote.

MEETING

Ms. Leab felt the proposed was reasonable, essential for h/c access, sensibly done and the hardship obvious. Mr. Peterson agreed the ramp is reasonable to accommodate h/c access. Mr. Bowmen was fine with the proposal; it will blend nicely and solve the access problem. Mr. Snook agrees, it is a necessity. Ms. Roberts noted that the ramp will be on the backside, not visible from the road and lake. The applicant has done their best to keep it away from the wetlands.

Motion:

to approve ZBA-0868 – Request of 141 West Shore Road, LLC, 141 West Shore Road, for a Variance, Zoning Regulation(s) 12.1.1 (Wetlands & Watercourse setbacks), for disabled access ramp, by 5-0 vote.

Regular members Todd Catlin arrived at 8:30pm.

PUBLIC HEARING

Seated: Polly Roberts, Katharine Leab, Randy Snook, Todd Catlin, and Alt. Peter Bowman

ZBA-0869 – Request of Nauiokas/Harrison, 10 Loomarwick Road, for a Special Exception, Zoning Regulation(s) 17.5 (increasing non conformity), to rebuild patio on north side, construct new patio on west side of house, and construct pergola.

Elliot Johnson of West Mountain Builders was present to represent this application. Five of seven notices were returned (Kleinberg/Quakenboss & Bergin/Hayden have not returned). Mr. Johnson began by orienting members with the existing dwelling and patio. The dwelling is 10' off the back property line. The applicant proposes rebuilding the existing patio and adding a new patio with retaining wall, the pergola will sit on the new patio. He went on to state that the proposed new patio is oriented toward the center of the property away from property boundaries. Mr. Catlin questioned the proposed new patio/pergola as a structure. Mr. Ajello confirmed that a patio in this specific instance is in fact a structure. Mr. Ajello went on to explain the site as a land-locked lot, which has greater setbacks; it is a pre-existing old lot. There was discussion on the use of the petition for special exception. Mr. Bowman asked about septic location and was concerned with grade drop off. Mr. Johnson answered that the septic was beyond the proposed patio and they would bring grade up to the proposed patio. Members were concerned with the existing "tiny" house and amount of increased coverage for the proposed patio/pergola. Mr. Ajello referred to the property as a "family compound" the patio would be used by both the existing dwelling and adjacent cabin and would be of seasonal use. Elliot Johnson was asked to locate the septic on the survey, submit actual grade elevations for the proposed patio and renote Kleinberg. Mr. Catlin noted the obligation ZBA has to granting a Special Exception for Nonconforming Structures under Section 17.5. Mr. Johnson submitted photos of the existing property to the record.

Motion:

to continue ZBA-0869 – Request of Nauiokas/Harrison, 10 Loomarwick Road, for a Special Exception, Zoning Regulation(s) 17.5 (increasing non conformity), to rebuild patio on north side, construct new patio on west side of house, and construct pergola

by Mr. Snook, seconded by Mr. Catlin, by 5-0 vote. Motion:

to approve the minutes of the April 15, 2010 and May 13, 2010 regular meetings of the Washington Zoning Board of Appeals as submitted,

by Ms. Roberts, seconded by Mr. Snook, by 5-0 vote.

Other Business/Discretion of the Chair

Ms. Roberts reported that a decision was made in the Jacobson matter in favor of the ZBA, but the decision is being appealed.

Motion:

to elect Polly Roberts as Chairperson and Todd Catlin as Vice-Chairman of the Washington Zoning Board of Appeals, by Ms. Leab, seconded

by Mr. Snook, by 5-0 vote.

Ms. Roberts informed members that Peter Bowman will be moving up to regular member and an alternate member needs to be appointed; the Selectmen does this.

Ms. Roberts updated members on the Forese/Swanson application, which was denied by ZBA due to a document, which was not part of the application. The applicants will reapply and fees will be waived.

Members discussed 12.14.5, various members have offered language for a special exception, work will continue via email.

Todd Catlin expressed his concern with the granting of a special exception, specifically outside living vs. inside living, he feels the regulations were meant to be narrower.

Motion:

to adjourn at 9:35pm, by Ms. Roberts, seconded by Mr. Snook, by 5-0 vote.

Submitted Subject to approval,
Pamela L. Osborne, Acting Clerk