

January 19, 2006

Present: Edmund White, Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts

Alternates: Todd Catlin

Guests: Mark Picton, Reese Owens, Leah Pullaro

Edmund White, Chairman 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, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0601 Request of Andrew & Cathy Carron, 58 Gunn Hill Road, a petition for special exception, a request for generator to be situated farther from the structure principally served than is specified under Section 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations. Mark Picton of Picton Brothers was present to represent this application. Mr. Picton explained that the applicants want to place the generator to the north of an existing shed which would locate the generator in the center of the property. It is 50' from wetlands and he feels it will have no more and likely less impact on neighbors. Mr. Picton went on to state that the proposed location increases the distance of the proposed generator from the property lines and is at a lower elevation than it would be if it were placed within 25' of the house. Mr. Picton feels that there will be less noise reflected off of the shed than there would be off of the house. The proposed generator is a F183 with residential muffler and will be installed 55' from the nearest corner of the existing house. Members had some discussion regarding the sound data sheet submitted and the difference in the two charts as far as sound pressure levels and sound power levels, Mr. Picton stated that the unit produced 73.5db at 7 meters. Mr. Sedito asked Mr. Picton if the applicants would be willing to install the smaller F173 - Quite Site II second stage which had a 67.9db at 7 meters and if they would enclose the unit with stockade fencing. Mr. Picton stated that the applicants will do whatever it takes. The unit is a 20kw propane powered generator. Mr. Picton gave measurements from the property lines the closes being 204'. Mr. White asked for further comments and questions from the public. Members were in agreement to require the applicants install the smaller F173 - Quite Site II Second Stage and enclose the generator with a stockade/solid fence at least 6' tall.

MOTION: to close ZBA-0601 Request of Andrew & Cathy Carron, 58 Gunn Hill Road, a petition for special exception, a request for generator to be situated farther from the structure principally served than is specified under Section 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations was made by Mr. Sedito, seconded by Ms. Leab, by a 5-0 vote.

MEETING

Ms. Leab is in favor of this special exception with the requirements that the applicant installs the smaller unit and encloses it with fencing. Mr. Snook agrees. Mr. Sedito felt the applicant is meeting the spirit of the regulations. Ms. Roberts and Mr. White had nothing to add.

MOTION: to approve ZBA-0601 Request of Andrew & Cathy Carron, 58 Gunn Hill Road, a petition for special exception, a request for generator to be situated farther from the structure principally served than is specified under Section 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations as per Topographic Map dated November, 2005 revised 12/2005 by Richard J. Adams

R.L.S. on file with the addition that the unit be the F173-Quiet Site II Second Stage unit described on the Cummings Power Generator sheet marked received 12/29/2005 and be enclosed with a stockade/solid 6' fence, by a 5-0 vote.

PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0602 Request of Spring Hill Farms LLC, 79 Whittlesey Road, for a variance from Zoning Regulation 12.1 (wetlands and watercourse setbacks), to relocate and enlarge an existing dwelling. Reese Owens of Halper Owens Architects was present to represent this application. Mr. Owens began by stating that certified mail notice had not been sent to Robert Seymour who owns property within 200' of Spring Hill Farm. Mr. Owens submitted letters from Roberts Seymour, Edwin S. Matthews and Kirsten J. Feldman stating they had no objection to the application. Mr. Owens explained that Spring Hill Farm is three parcels; this application is for the Third Parcel which is the largest of the three. Mr. Owens submitted an aerial photo of the third parcel and stated that the cottage is the principle dwelling on this parcel the only other buildings are barns. The survey submitted shows the conservation easement on this 210+ parcel, all non eased property is within wetlands setback. An application is pending in wetlands. Mr. Owens referred to the site plan explaining the existing structure is 19' from wetlands delineation and what they are proposing is approx. 37' from the wetlands. Mr. Owens noted that behind the existing structure they have discovered wetlands also; he described this as less critical wetlands that is a farm field which is tilled twice a year. Behind the existing structure there is a manmade drainage ditch, they are proposing a retaining wall and swale. Originally they were moving away from the pond area, but now are moving closer to other wetlands. The proposed septic conforms to regulations. Mr. Owens stated that the existing site coverage is 6940sf and the proposed site coverage is 6200sf. They will be adding 371sf excluding porches to the existing footprint. The existing building has a slate floor; the proposed structure will have a basement. Mr. Owens went on to say that 2/3 of the existing house will be gone, new structure will be added. Mr. Leab asked why they didn't go to Inland Wetlands first. Mr. Owens stated that they were doing it simultaneously with ZBA, he wants Inland Wetlands to look at the wetlands regulations and ZBA look at the hardship. Mr. Owens noted that the only regulations that need varying are the wetlands regulations; the project conforms in all other ways. Mr. Catlin asked about moving the proposed house back to the 50' wetlands setback on the pond side. All members agreed that they wanted to do a site visit; several members attempted but could not locate the site. Reese Owens explained the location and will contact the secretary on a time for the site visit. Mr. Owens will also send certified mail notice to Robert Seymour.

MOTION: to continue ZBA-0602 Request of Spring Hill Farms LLC, 79 Whittlesey Road, for a variance from Zoning Regulation 12.1 (wetlands and watercourse setbacks), to relocate and enlarge an existing dwelling was made by Mr. Sedito, seconded by Ms. Roberts by a 5-0 vote.

PUBLIC HEARING

Mr. White seated regular members Katharine Leab, Bradford Sedito, Randolph Snook, Polly Roberts and himself.

ZBA-0603 Request of Leah Pullaro, 23 Calhoun Street, for a variance from Zoning Regulations 12.1.1 (watercourse setback), 11.6.1 (front yard setback), 17.4.a (increasing the non conformity of a non conforming structure), 11.5.1 (lot coverage), to install wheelchair ramp and impervious path. Leah Pullaro was present to represent her application. Ms. Pullaro began by explaining that their daughter age 8 has become wheelchair bound. Mr. White referenced the minutes of the November 21,

2002 ZBA meeting where Ms. Pullaro stated that they would not need a variance for ramps because they have found a lift which can be installed within the existing footprint. Ms. Pullaro stated that the lift is expensive and they thought they would have time to save up the money, at present the child is being carried. Lot coverage calculations were done, appear on the survey and are 11%, there is no variance required for lot coverage. The ramp will be constructed of wood. Ms. Leab read from the Fair Housing Laws and their authorization for reasonable modifications. Mr. White asked for further comments and questions from the public.

MOTION: to close ZBA-0603 Request of Leah Pullaro, 23 Calhoun Street, for a variance from Zoning Regulations 12.1.1 (watercourse setback), 11.6.1 (front yard setback), 17.4.a (increasing the non conformity of a non conforming structure), to install wheelchair ramp and impervious path was made by Ms. Roberts, seconded by Mr. Snook by a 5-0 vote.

MEETING

Ms. Leab stated that for this request it comes down to need, she is in favor of granting the variance. All members agreed with Mr. White adding that this is a tough property.

MOTION: to approve ZBA-0603 Request of Leah Pullaro, 23 Calhoun Street, for a variance from Zoning Regulations 12.1.1 (watercourse setback), 11.6.1 (front yard setback), 17.4.a (increasing the non conformity of a non conforming structure), to install wheelchair ramp and impervious path as per Topography Plan by T. Michael Alex dated September 1988 revised 1/19/2006 on file by a 5-0 vote.

MOTION: to accept the minutes of the December 15, 2005 meeting of the Washington Zoning Board of Appeals as submitted was made by Mr. Snook, seconded by Mr. Sedito by a 5-0 vote.

The January 19, 2006 meeting of the Zoning Board of Appeals adjourned at 9:10pm.

Submitted subject to approval,

Pamela L. Osborne, Secretary