**ZONING BOARD OF APPEALS**

MINUTES

Public Hearing – Regular Meeting

**October 20, 2016**

7:30 P.M. Main Level Meeting Room

**MEMBERS PRESENT:** Mr. Catlin, Ms. Roberts, Mr. Bowman, Mr. Wyant,

Mr. Peterson

**ALTERNATES PRESENT:** Mr. Wildman, Ms. Kaplan, Mr. Horan

**STAFF PRESENT:** Mr. Ajello, Ms. Pennell

**OTHERS PRESENT:**  Mr. Johnson, Mr. Garvey

Mr. Catlin called the meeting to order at 7:30 p.m.

**PUBLIC HEARING:**

Seated: Mr. Catlin, Ms. Roberts, Mr. Bowman, Mr. Wyant, Mr. Peterson

**ZBA-1021: (Continued) Request of Douglas Hamilton/183 West Shore Road/Request for Variance from 11.6.1 Minimum Setback and Yard Dimensions and 12.1.1 Wetland**

**and Watercourse Setbacks.**

Mr. Paul Szymanski of Arthur Howland and Associates, authorized agent for Mr. Douglas Hamilton, submitted a letter dated October 17, 2016 requesting the withdrawal of this application. Mr. Catlin read the letter aloud for the record. Copy is in file.

**ZBA-1022: Request of Anne Bowen/121 West Shore Road/Request for Special**

**Exception for Non- Conforming Dwelling from Section 17.5 and 11.6.1 – Minimum Setback and Yard Dimensions.**

Mr. Catlin and Ms. Roberts had questioned why the call was for Special Exception from 11.6.1. After discussion between members and Zoning Enforcement Officer, Mr. Mike Ajello, it was decided to add 17.5 to the call. The Public nor Board members had any objection to this.

Mr. Johnson of West Mountain Builders presented application. Mr. Johnson had a couple photos of the existing home and a “Proposed Well Installation Plan”, Sheet 1 of 1, prepared by Brian E. Neff, Engineer dated March 15, 2016. He stated that there is no architect involved in this project. Mr. Johnson stated the plan is to side the home, change the windows and enclose an area of the porch. He noted that there will be no change in the roof line, foundation, porch deck and no bedrooms will be added. Mr. Johnson stated Health Department was aware of this application and had no concerns. He explained that the footprint, lot coverage and height/volume will remain the same.

Mr. Catlin requested Mr. Johnson explain what will be seen from the lake front and sides. Mr. Johnson did so noting where the location of windows and door will be. He further noted that there is no need for Inland/Wetlands as it is within setback. Mr. Johnson stated there will be no sight work involved with this project and no soil disturbance.

Mr. Bowman asked what they will be doing for the foundation. Mr. Johnson explained that there will be concrete footings as is the rest of the foundation. He added that they will use closed cell foam in the existing joist space and will be winterized.

Mr. Catlin asked if there were any further questions from Board members or the Public. None were noted.

**MOTION:** To close the Public Hearing for ZBA-1022: Request of Anne Bowen/121 West Shore Road/Request for Special Exception for Non-Conforming Dwelling from Section 17.5 and 11.6.1 Minimum Setback and Yard Dimensions. By Ms. Roberts, seconded by Mr. Wyant, passed 5-0 vote.

Mr. Wyant stated he is satisfied with the application and supports it. Mrs. Roberts felt that this was a good example of Section 17.5, reasonable in scope and is in support of application. Mr. Catlin agreed with Ms. Roberts. Mr. Bowman stated this is a modest change, but would have appreciated plans explaining why it is needed and to better understand what it will look like. Mr. Peterson was in agreement with other members and is in support of application.

Mr. Johnson was reminded that with future applications, drawings and plans are necessary.

**MOTION:** To approve ZBA-1022: Request of Anne Bowen/121 West Shore Road/Request for Special Exception for Non-Conforming Dwelling from Section 17.5 and 11.6.1 Minimum Setback and Yard Dimensions, to increase a non-conforming structure with the following conditions: 1.) Any change to the approved site plan will void the Special Exception; 2.) Single matching window to west of current north window; 3.) West side to be solid shingled wall. Passed by a 5-0 vote.

**OTHER BUSINESS**:

**CONSIDERATION OF MINUTES:**

With respect to consideration of the minutes from the ZBA meeting held August 18, 2016, on page 6, last paragraph under ZBA-1021, the sentence reading “Mr. Hamilton showed photos of what the boathouse looks like currently and what his proposed plan for the rebuilding..”, should read, “Mr. Hamilton showed photos of what the boathouse looks like currently and what his proposed intentions for the rebuilding..”. Also on page 7, still under ZBA-1021, first paragraph, the sentence reading, “Mr. Hamilton showed the overlay of his plans for the new structure”, will be deleted.

**MOTION:** To accept the August 18, 2016 meeting minutes as corrected. By Ms. Roberts, seconded by Mr. Wyant, passed 5-0 vote.

With respect to consideration of the minutes from ZBA meeting held on September 15, 2016, Ms. Roberts noted that Mr. Peterson should be listed as present for the meeting. She also noted on page 4, second full paragraph, sentence reading “it was the consensus of the Board that this application was deemed appropriate an no actions required from Zoning Board of Appeals”, should read “it was the consensus of the Board that this application would not require action by the Zoning Board of Appeals.

**MOTION:** To accept the September 15, 2016 meeting minutes as corrected. By Ms. Roberts, seconded by Mr. Catlin, passed 5-0 vote.

**DISCRETION OF THE CHAIR:**

Mr. John Garvey, chairman of Warren Zoning Board of Appeals, was present to observe. He had noted that there were many request for setback variances and wanted to see how Washington ZBA handled them. Mr. Catlin did note that ZBA was granting variances some time ago for historic structures that were built three feet from the road. He explained that Zoning Commission and Zoning Board of Appeals had decided to work together and created Section 17.5 as a way of helping with non-conforming structures that are “historic” in nature.

Mr. Garvey is aware of our regulations on line for him to view and was encouraged to attend future meetings to observe.

 **ADJOURNMENT:**

**MOTION**: To adjourn the meeting at 8:02 p.m. By Ms. Roberts, seconded by Mr. Wyant, passed 5-0 vote.

Submitted by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Donna Pennell, Land Use Clerk

 October 25, 2016