

January 19, 2012

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

Alternates: Todd Peterson, Chip Wildman

Staff: Shelley White, Mike Ajello

Also Present: Mr. & Mrs. Smith, Mr. DeMotte, Architect, Mr. Sabin, Landscape Architect, Mr. Neff, Engineer, Ms. Risley, Mr. Farnen, Ms. Scodari, Mr. Aston, Mr. Powell, Residents

Ms. Roberts called the meeting to order at 7:28 pm.

PUBLIC HEARING

Seated: Polly Roberts, Todd Catlin, Peter Bowman, Rod Wyant, Todd Peterson, Alt.

Continued

ZBA-0906 - Request of Smith, 22 Parsonage Lane, for Variance, Zoning Regulation(s) 17.5 (Increasing Non Conformity), 11.6.1(Side Yard Setback), for an addition that will encroach 12.4' into 50' side yard setback.

Mr. Demotte, Architect, Mr. Sabin, Landscape Architect and Mr. Neff, Engineer were present to represent the Smiths. Mr. Demotte summarized the changes made to the Proposed Site Plan titled Property Boundary Survey, prepared for Christopher W. & Marlene M. Smith, 22 Parsonage Lane, revision date 12-8-11. He stated that the lot shape is the hardship and has stricter setbacks because it is an interior lot. Mr. Demotte stated that the Inlands Wetlands Commission is close to an approval.

Mrs. Smith stated that the IWC meeting was continued in order to allow time to review the neighbor's Consultant's Soil Engineer Report. She stated that this plan allows restoration of the wetlands and removal of existing nonconforming structures.

Mr. Sabin, Landscape Architect presented the map titled Site and Landscape Plan, prepared for Chris & Marlene Smith, with a revision date 1-18-12 by Dirk W. Sabin. He stated that the stone walls in the setback area have been replaced with revised grading and boulder slope retention. The Smith's request that the stone walls originally proposed near the house remain in the proposed plan. Mr. Sabin stated that the Smiths and Caroe Family have met and agreed upon a view easement over the meadow to the north in favor of Mr. Caroe. Mr. Sabin stated that this area has been staked and is being surveyed in preparation for filing the view easement on the Land Records and the Hawthorne Grove has been removed from the plans. Mr. Sabin stated that the existing detached garage is along side of wetlands and the applicant is proposing to demolish this structure and restore the wetlands and maintain it in a wet meadow condition and that the removal of both the pool shed and the existing garage would actually result in a decrease in non conformity.

Mr. Neff, Engineer displayed the map titled Soil Erosion & Sediment Control Plan, Addition to the Smith Residence, with a revision date of 1-5-12, by Brian E. Neff, Licensed Engineer. He stated that this plan was designed for a 4.8" rainstorm. Mr. Neff stated that the foundation drainage from the addition is to be connected into the existing house drainage and he explained that the runoff would go in to the rain garden and the two proposed dry well systems. He stated that the proposed addition is not within the wetlands setback.

Mr. Sabin stated that Mr. Caroe's consultant, Mr. Gagnon, would be sending a letter to the IWC and the Zoning Board of Appeals stating that he is satisfied with the revised plan.

Mr. Smith stated that he read the minutes from the previous ZBA meetings and that the input from the Commission was helpful in coming to an agreement with the Caroes. He stated that the proposed garage would encroach into the side yard setback by 9.4 feet. Mr. Smith stated that he feels the visual easement would benefit the Caroes, future owners of the property and Parsonage Lane.

Mr. Caroe stated that this is the first meeting he has looked forward to attending and that he supports the Smith's proposed plan for the addition. He stated that he feels they have beautifully protected this piece of property and that he appreciates the response and the help provided by the Commission.

Mr. Rimsky stated that he is a resident of Parsonage Lane, supports the proposed plan and hopes that the Commission votes in favor of this application.

There were no further questions or comments.

Motion:

to close ZBA-0906 – Request of Smith, 22 Parsonage Lane, for a Variance, Zoning Regulation(s) 17.5 (Increasing Nonconformity) and 11.6.1 (Side Yard Setback), for an addition that will encroach 9.4' into 50' side yard setback, by Mr. Wyant, seconded by Mr. Bowman, by 5-0 vote.

MEETING

Mr. Catlin stated that he is delighted that the neighbors were able to work this out. He stated that he feels that this is a very modest hardship being an interior lot. Mr. Catlin stated that he applauds the applicant for considering the input from the Commission and updating, revising and scaling down the plans. He stated that he believes this is a modest infringement, he likes the boulder system and that he is in favor of this application.

Mr. Bowman stated that he agreed with Mr. Catlin and that he appreciates that the applicant considered the Commission's input and made revisions to the plan. He stated that he feels the addition is appropriate for the sight and eliminating the existing garage and pool shed decreases the non conformity and he is in favor of this application.

Mr. Wyant stated that this application was very well presented and that he was glad that the neighbors were able to work out an agreement. Mr. Peterson agreed with Mr. Wyant and stated that the applicant addressed all of the concerns of the Commission.

Ms. Roberts stated that she appreciates that the Inland Wetlands Commission was waiting to make a decision and that their approval would be a contingency if the ZBA approves this variance. She stated that she agreed with the other Commissioner's comments, is glad to see that the applicant would be removing existing non conforming structures and she is in favor of this application.

Motion:

to approve ZBA-0906 – Request of Smith, 22 Parsonage Lane, for a Variance, Zoning

Regulation(s) 17.5 (Increasing Nonconformity) and 11.6.1 (Side Yard Setback), for an addition that will encroach 9.4' into 50' side yard setback, contingent on Inland Wetlands approval and subject to the declared light and view easement on the neighbor's behalf, passed by 5-0 vote.

Seated: Todd Catlin, Kathy Leab, Peter Bowman, Rod Wyant, Chip Wildman, Alt.
Ms. Roberts recused herself.

PUBLIC HEARING

ZBA-0907 –Request of Risley, 72 Wykeham Road, for Variance, Zoning Regulation(s) 11.6.1 (side Yard Setback), for locating a generator within the setback &

ZBA-0908 – 72 Wykeham Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), for locating a generator further than 25 ft. of structure principally served.

Ms. Risley displayed a copy of the site plan for 72 Wykeham Road and stated that this is an interior lot because the frontage is less than 220 ft. and the only legal place to locate the generator would be in the middle of the yard. She stated that her westerly neighbors did not object to having the generator but they were not happy. Ms. Risley stated that she is proposing to locate the generator to the area behind her existing garage and would have the ability to tie in to the existing electrical system in the garage. She stated that this location would not be 25 feet within the structure principally served but she feels it is a better location. The Commission confirmed that Ms. Risley is requesting a 22-foot variance for the side yard setback. The Commission and Ms. Risley briefly discussed the topography of the lot and the less than a percentage increase in lot coverage. It was the consensus of the Commission that the proposed would be the most appropriate location for the generator and it would have the least amount of impact on the neighbors. The Commission looked at the spec sheet for the generator. There were no further discussions.

Motion:

to continue ZBA-0907 – Request of Risely, 72 Wykeham Road, for a Variance, Zoning Regulation(s) 11.6.1 (yard setback), for locating a generator within the setback, by Mr. Wyant, seconded by Ms. Leab, passed by 5-0 vote.

MEETING

Mr. Wyant stated that he felt the applicant has sufficiently demonstrated that this would be the best placement of the generator.

Ms. Leab stated that she thinks this is the best location and that she is happy that the neighbors concerns were taken in to consideration.

Mr. Bowman stated that he feel this is a better location than if it were installed closer to the house because of the topography of the property and he is in favor of this application.

Mr. Wildman stated that he is in favor of located this generator in the proposed location.

Mr. Catlin stated that he feels there is a hardship because it is a small interior lot and the proposed location is closer to open space rather than neighbors and he is in favor of this application.

Motion:

to approve ZBA – 0907 Request of Risley, 72 Wykeham Road, for a Variance, Zoning Regulation(s) 11.6.1 (Side Yard Setback), for locating a generator within the setback, passed by 5-0 vote.

Motion:

to approve ZBA-0908 - Request of Risley, 72 Wykeham Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), for locating a generator further than 25 ft. of structure principally served, passed by 5-0 vote.

Seated: Polly Roberts, Todd Catlin, Peter, Bowman, Rod Wyant, Kathy Leab

PUBLIC HEARING

ZBA - 0909 - Request of Rumsey Hall, 201 Romford Road, for a Variance, Zoning Regulation(s) 12.1.1, 12.1.2(Wetlands and Watercourse Setbacks), to reconstruct existing dining hall, health center and faculty apartments.

Mr. Farmen, Headmaster of Rumsey Hall School, was present and he displayed a color rendering of the proposed Dining Hall, Health Center and Faculty Apartments for the school. He stated that they would like to replace the existing building that was constructed in the 1950's and that the existing infirmary and food service kitchen and servery are not to code. Mr. Farmen stated that the footprint of the building would increase, they would be using the existing septic system and this plan has received approval from the Inland Wetlands Commission. He stated that this facility would bring everything up to code. Mr. Farmen confirmed that there are no lot coverage issues.

Mr. Aston of Buck & Buck, LLC displayed the map titled Plan of Variances, Dining Hall/Student Center for Rumsey Hall School, by Buck & Buck, LLC, sheet L-1a dated 9-1-11. He discussed the existing and proposed footprint and stated that this would be a 2-story structure with the infirmary on the first floor and the dining hall on the second floor. Mr. Aston stated that the proposed building would be no closer to the river than the existing building and they are asking for a 28-foot variance. He stated that they must build within the constraints of the river and the existing septic system and would not move the building any closer to the river than the existing building. He stated that the existing septic would be used for the proposed building and is shared with other buildings on the campus. Mr. Aston stated that they must also maintain the traffic flow. There was a brief discussion with the Commission regarding parking spaces.

Mr. Powell, Architect, displayed and discussed the drawing titled Floor Plans, Dining Hall/Student Center for Rumsey Hall School, sheet A-1, by Wieber, Powell & Grunigen, Inc., dated 9-8-11. Mr. Powell stated that the building will remain 2 levels, there will be complete handicap access and the infirmary and kitchen/cafeteria would be brought up to code. The Commission and Mr. Powell looked at the drawing titled Exterior Elevations (East & South/West & North), Dining Hall/Student Center for Rumsey Hall School; sheet A-2 & A-3, by Wieber, Powell & Grunigen, Inc., dated 9-8-11. He stated that the proposed building would be about 40 feet longer than the existing building. There was a discussion regarding the roofline. Mr. Powell explained that the different rooflines would break up the mass of the building and the flat part of the roof is necessary for venting of the kitchen but this would be hidden with the Mansard Roof. Mr. Farmen stated that they would like to tear down the existing building in March of 2013 and have it ready by January 2014. He stated that arrangements would be made for the students to eat in the gymnasium and food would be cooked in mobile kitchens. Mr. Farmen and the Commission discussed the Master Plan for the school. He

stated that there are some older building that would have to be removed and rebuilt but there is not enough land to build more on the property.

Mr. Farnen stated that he spoke to most of the neighbors and invited them to come look at the plans. Ms. White stated that 9 out of 10 return receipt cards were sent back to the Land Use Office.

Mr. Powell stated that the proposed building would be less than 40 ft. tall and the mean average is about 36 ft. and the story height from the road would be 1 story. He stated that the existing footprint is about 11,552 sq. ft. and the proposed footprint is 16,141 sq. ft., which results in approximately a 4,500 sq. ft. increase.

Mr. Farnen stated that this building should meet all of the needs of the campus.

The Commission looked at the map titled Topographical Survey Dining Hall, for Rumsey Hall School, by Smith & Co., sheet 1 of 1, dated 6-6-11. They discussed the grade increase in the front of the building. Mr. Aston stated that more detailed plans were submitted to the IWC that included erosion and sedimentation control, schematic landscape plan, phasing for the driveway and details for the storm drainage. Ms. Roberts stated that what is approved at this ZBA Hearing is what needs to be built and that if any changes are made the applicant must come back to the Commission.

There were no further comments or questions.

Motion:

to close ZBA - 0909 - Request of Rumsey Hall, 201 Romford Road, for a Variance, Zoning Regulation(s) 12.1.1, 12.1.2(Wetlands and Watercourse Setbacks), to reconstruct existing dining hall, health center and faculty apartments,
by Ms. Leab, seconded by Mr. Wyant, by 5-0 vote.

MEETING

Mr. Wyant stated that he feels that the plan is very well done and it is necessary to bring the facility up to code.

Mr. Catlin stated that this renovation is necessary; it addresses safety issues and is more attractive. He stated that the property is tricky and he commends the applicant for trying to stay within what already exists and not increase the encroachment into the setback.

Ms. Leab stated that she was happy with the improved safety, the proposed building is on a very difficult piece of property and she is in favor of this application.

Mr. Bowman stated that he is in favor of this application as well. He stated that the applicant addressed all of his concerns tonight and that this is a big improvement than what exists.

Ms. Roberts stated that she agreed with the other Commissioners and that the ADA access, safety improvements and bringing the building up to code are big factors in her decision. She stated that the plan is an improvement and the hardship is that the location is in between a river and a septic system. She stated that she is also in favor of this application.

Motion:

to approve ZBA – 0909 - Request of Rumsey Hall, 201 Romford Road, for a Variance, Zoning

Regulation(s) 12.1.1, 12.1.2(Wetlands and Watercourse Setbacks), to reconstruct existing dining hall, health center and faculty apartments, passed by 5-0 vote.

Consideration of the Minutes:

The Commission tabled the review of the minutes from the December 15, 2011 regular meeting until the February 16, 2012 regular meeting of the Zoning Board of Appeals.

Adjournment

Motion:

to adjourn at 9:15 pm, by Mr. Roberts, seconded by Mr. Wyant.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,
Shelley White, Land Use Clerk