

April 19, 2012

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

Alternates: Chip Wildman, Todd Peterson, Joan Kaplan

Staff: Shelley White, Mike Ajello

Also Present: Ms. Curtis, Architect, Mr. Moore, Architect, Ms. Petrovich, Mr. Grausman, Mr. Wright, Mr. Karabell, Ms. Alger, Mr. Reiss

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

Seated: Roberts, Catlin, Bowman, Leab, Wyant

PUBLIC HEARING

ZBA-0915 – Request of Grausman, 21 Barnes Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from the structure principally served.

Mr. Grausman, property owner, and Ms. Petrovich were present to discuss their request for a Special Exception to install a generator. Ms. Petrovich stated that the licensed electrical contractor that they are working with suggested the proposed location of the generator, which is behind the studio because all of the electrical hookups are in the studio and that if the generator were to be installed behind the house the sound would travel into the valley. She stated that the generator would supply power to the three buildings on the property. The Commissioners looked at the Survey Map titled Zoning Location Survey for Philip Grausman, 21 Barnes Road, dated March 2012, by Michael Alex, Land Surveyor. Ms. White confirmed that all neighbors were notified and the Land Use Office received all of the green returned receipt cards. The Commissioners looked at the spec. sheet for the Generac QT025A and discussed the decibel levels at the property lines. The Commissioners agreed that the decibel level calculations show that the decibel level at the nearest property line would be just under 50dBA.

There were no further questions or comments.

Motion:

to close ZBA-0915 – Request of Grausman, 21 Barnes Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from the structure principally served,
by Ms. Roberts, seconded by Mr. Wyant, by 5-0 vote.

MEETING

Mr. Bowman stated that he agrees with the proposed location, that the generator has sufficient screening and has no objections to this application. Ms. Leab stated that she agrees with Mr. Bowman and she feels that this application is simple and straightforward and she does not have any objections. Mr. Catlin stated that he agrees with the previous comments, that he is glad that there were no objections from the neighbors and the proposed location of the generator meets the decibel level requirement. Mr. Wyant stated that he agrees with the other Commissioners and has no objections to this application. Ms. Roberts stated that she feels the generator is sited well within

the cluster of building on the property to have little impact on the surrounding neighbors.

Motion:

to approve ZBA-0915 – Request of Grausman, 21 Barnes Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from the structure principally served, passed by 5-0 vote.

PUBLIC HEARING

ZBA-0916– Request of Morris Electric, LLC., 132 Lower Church Hill Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from structure principally served

Mr. D. Wright of Wright Electric was present to represent the property owners. Mr. Wright discussed the topography of the property and stated that the proposed generator location would be behind the garage with the existing 6-foot hedge screening one side and open to a wooded area. The Commissioners looked at the A-2 Survey for 132 Lower Church Hill Road, by Michael Alex, Surveyor, not dated. The Commission calculated that the decibel level would be lower than the decibel limit at the nearest property line. Ms. White confirmed that the Land Use Office received all the return receipt cards from the neighbor notifications. The Commission looked at the spec. sheet for a Kohler 14/20RES Generator.

There were no further questions or comments.

Motion:

to close ZBA-0916– Request of Morris Electric, LLC., 132 Lower Church Hill Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from structure principally served.,
by Ms. Roberts, seconded by Mr. Wyant, passed by 5-0 vote

MEETING

Mr. Wyant stated that this is an appropriate location for the generator. Mr. Catlin stated that he calculated the decibel level to be at or slightly under 50dBA at the nearest property line. Ms. Leab stated that she agrees that the generator is properly sited. Mr. Bowman agrees that this is a sensible location and it is far away from the house to address and concerns regarding carbon monoxide. Ms. Roberts stated that she agrees with the rest of the Commissioners.

Motion:

to approve ZBA-0916– Request of Morris Electric, LLC., 132 Lower Church Hill Road, for a Special Exception, Zoning Regulation(s) 12.14 (Noise Generating Equipment), to install generator farther than 25 ft. from structure principally served., passed by 5-0 vote.

PUBLIC HEARING

ZBA-0917 – Request of Karabell & Alger, 112 River Road, for a Special Exception, Zoning Regulation(s) 17.5 (Increasing Nonconformity), to raise the roof of existing non conforming dwelling, and ZBA-0918– Request of Karabell & Alger, 112 River Road, for a Variance, Zoning Regulation(s) 17.4 (Non Conforming Structure), volumetric increase to raise the roof on an existing

non conforming structure.

Mr. Moore, Architect, Ms. Curtis, Architect, Mr. Reiss, Contractor, Mr. Karabell and Ms. Alger were present to present the proposed plan for this application. Mr. Karabell stated that he and his wife bought the property a year and a half ago and feels that there is value in maintaining the existing house, which involves making structural changes. Ms. Alger stated that it is important to them to maintain the spirit of the house and keep it rural. Mr. Moore discussed his background in architecture and historical preservation. He stated that they would like to “celebrate and memorialize” the house and “scenic structure of the street.” Mr. Moore stated that the house is mainly constructed of six inch framing between the first and second floors and eight inch framing in other areas. He stated that they would like to put in ten-inch floor joists between the attic, first and second floor levels and this would raise the height of the roof. Mr. Moore referred to the booklet, titled 112 River Road Residence, ZBA Presentation, dated 4-19-12 by Joeb Moore & Partners LLC. Architect and asked the Commissioners to note the elements of the other existing homes on the street. The Commissioners and Mr. Moore looked at the photos in the book of the existing property. He stated that the proposed plan to raise the floor levels actually allows for a decrease in the size of the dormer because it could be set back, the size of the windows would be increased in order to maintain proportion and are egress compliant and meet safety code regulations. Mr. Moore stated that the finished ceiling height in the main house would be eight feet, the furnace chimney would be removed and he discussed the proposed landscaping. The Commissioners looked at the scaled model as Mr. Moore explained the different structures on the property. Ms. Curtis confirmed that the house would have clapboard siding. There was a brief discussion regarding the section of the proposed dormer that is within setback area. Mr. Catlin asked if the applicant could speak to the land-based hardship. Mr. Moore stated that raising the house twenty inches is required to meet life safety issues and they would like to maintain the existing house, which was partially built within the setback.

Ms. Roberts stated that she would be inclined to rule on this proposed plan under the Special Exception and she feels that this proposed plan applies to the requirements of a Special Exception.

Mr. Catlin stated that the proposed plan does fit well under a Special Exception because the architectural piece of the structure would not change. He stated that he also feels that it could be ruled under a Variance because the hardship is that the house was built too close to the road before the Zoning Code existed. Mr. Catlin stated that he was comfortable with either.

Mr. Bowman, Ms. Leab and Mr. Wyant stated that they would like to rule the proposed plan under a Variance.

Mr. Karabell stated that they plan to give an easement to Steep Rock Association.

Motion:

to close ZBA-0917 – Request of Karabell & Alger, 112 River Road, for a Special Exception, Zoning Regulation(s) 17.5 (Increasing Nonconformity), to raise the roof of existing non conforming dwelling, and ZBA-0918– Request of Karabell & Alger, 112 River Road, for a Variance, Zoning Regulation(s) 17.4 (Non Conforming Structure), volumetric increase to raise the roof on an existing non conforming structure,
by Mr. Wyant, seconded by Ms. Roberts, passed by 5-0 vote.

MEETING:

The Commissioners considered application ZBA-0917 for a Special Exception.

Motion:

to deny ZBA-0917 – Request of Karabell & Alger, 112 River Road, for a Special Exception, Zoning Regulation(s) 17.5 (Increasing Nonconformity), to raise the roof of existing non conforming dwelling, denied by 5-0 vote.

The Commissioners considered application ZBA-0918 for a Variance.

Mr. Bowman stated that he visited the site and agrees that the existing floor structure is under-designed and that the proposed plan would allow for the continued use of this single-family dwelling. Ms. Leab stated that there is obviously a land-based hardship and that this proposed plan would bring the house up to modern living and safety standards and would allow for the existing house to be maintained. She stated that she supports this application. Mr. Catlin stated that the existing house was built in the front yard setback, which is a land-based hardship, and a variance would be required to do any renovations to the existing house. He stated that he was in favor of this application. Mr. Wyant stated the proposed plan would make the house more functional and operational for modern living and he supports this application. Ms. Roberts stated that she agreed with the other Commissioners and she supports this application.

There were no further questions or comments.

Motion:

to approve ZBA-0918– Request of Karabell & Alger, 112 River Road, for a Variance, Zoning Regulation(s) 17.4 (Non Conforming Structure), volumetric increase to raise the roof on an existing non conforming structure, passed by 5-0 vote.

Consideration of the Minutes:

The Commission considered the minutes from the March 15, 2012 regular meeting of the Zoning Board of Appeals.

Corrections:

Pg. 3, 1st sentence after motion to deny should read: Mr. Bowman stated that he approves of this proposed plan and that it is a significant improvement from what exists on the property.

Motion:

to approve the minutes of the March 15, 2012 regular meeting of the Washington Zoning Board of Appeals as corrected,
by Ms. Leab, seconded by Mr. Wyant, passed by 5-0 vote.

Other Business

The Commission briefly discussed possible revisions in the Zoning Regulations

Adjournment

Motion:

to adjourn at 8:25 pm, by Mr. Catlin seconded by Mr. Wyant.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,
Shelley White, Land Use Clerk