

ZONING BOARD OF ADJUSTMENT
June 5, 2012

APPROVED:

6/5/12_____

AGENDA: SPECIAL EXCEPTION: JOHN & LINDA WYETH,
11 Silver Shores Drive #111-027 (12SE02)

ATTENDING: Alan DeStefano (Chairman), Lorraine Bohmiller, Larry Denton,
Ashley Dolloff

ABSENT: Richard Laflamme (Vice Chairman – away)

OTHER: Michael Capone (Town Administrator)

The meeting opened at 6:05pm.

SPECIAL EXCEPTION: JOHN & LINDA WYETH

The secretary read the application, those notified, where the case was advertised, stated that there were no phone calls or written messages nor any Department Head comments.

The Board reviewed the information submitted.

L. Denton made a MOTION, second by L. Bohmiller, to ACCEPT THE SUBMITTED INFORMATION AS COMPLETE. The motion CARRIED.

Mr. Wyeth stated that they bought the cottage in 2006. It is in need of lots of repairs so they contemplated on building new but with the economy decided to do more repairs. The original building is at the north end (facing the water); the south end was added in the late 1970's. The original roof is in poor shape. There is no pitch which is a problem when there is a lot of snow. Their architect suggested going up 3 ½'. They would add a series of small windows for ventilation. They wish to replace the windows for safety and energy. The decks are in bad shape. They would center the deck on the south side. The north side would be 5' x 8'. They will put in a new electrical panel and wiring as well as a propane heater. Right now, the kitchen is in the front and the bedroom in back. They would like to reverse this so that the pipes to the kitchen have a shorter distance to come in. There will be no increase in square footage.

Mr. Denton asked if the south deck would remain the same and was told that it will.

WYETH SPECIAL EXCEPTION continued:

The criteria for a special exception was then looked at:

1. The proposed use is only allowed by special exception per Article IV Section 4.12.C,1.a of the zoning ordinance – The proposed use will remain a residential dwelling. Relief is for the height change (approx. 3’6” which is allowed by special exception. Mr. Denton asked if they will only be doing the north end of the roof and Mr. Wyeth stated that the north roof is poor but the south end will still need a new roof.
2. The specific site is an appropriate location and of adequate size for the use - The site is an appropriate location with the lot size being similar to abutting properties. It is currently a very concentrated area. Many homes have full 2nd floor loft areas, formally approved in the past and significantly exceed the proposed height change being requested. The photos of the abutting buildings were shown to be much taller.
3. The use, as developed, will not adversely affect the character of the area – A residential, 1-story building is consistent with the surrounding properties. It shall enhance surrounding values due to the investment planned by the applicant. It will complement the other dwellings nicely.
4. There will be no nuisance or serious hazard to vehicles or pedestrians – There will be no impact to the grounds surrounding the property. The property currently services two vehicles parking which enter onto a private gravel road. The new renovations will not affect this.
5. The use will not place excessive or undue burden on Town services or facilities – The property will remain as residential use. It will have no impact on Town services or facilities. The roadway is private and the home renovations will be assessed at a higher value which in turn will generate more tax revenue.
6. There would be no significant effect resulting from such use upon public health, safety, and general welfare of the neighborhood – The proposed construction is in keeping with current use. No neighbors will be negatively affected. The renovation will reduce the potential for rodents to access crawl space under the dwelling and will upgrade the electrical system and smoke alarms insuring compliance with current building code standards.

Mr. DeStefano advised the Board that they are only to consider the height proposal. The electrical, etc. are good points but are not part of this special exception.

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Mr. DeStefano then called for public input for and against this proposal. No comments were received for either.

The Board then deliberated. Mr. Denton and Mr. DeStefano felt that the proposal is similar to what the neighboring residents have done. When asked, Mr. Wyeth stated that the ceilings will be vaulted. Mr. DeStefano asked if he intends to not have an enclosed porch and was told no. The old one is already part of the living area.

Mr. Denton felt that they have met all the criteria and are updating similar to their neighbors. They are trying to make it safer for their family and it will be better for the town. Ms. Dolloff and Ms. Bohmiller agreed.

Ms. Dolloff made a MOTION, second by L. Denton, to APPROVE THE SPECIAL EXCEPTION FOR JOHN AND LINDA WYETH. The motion CARRIED and Mr. DeStefano signed the Notice of Decision and stated that there is a 30-day appeal period.

MINUTES OF APRIL 3, 2012:

L. Denton made a motion, second by L. Bohmiller, to approve the minutes as read. The motion carried.

COMMUNICATIONS:

The Annual LRPC Meeting date is to be June 25th. Also received were the April and May issues of Town & City Magazine.

NEW ZONING ORDINANCE:

The members received the updated Zoning Ordinance and it was noted that it now includes the colored map. As the town cannot reproduce in color, Mr. DeStefano stated that he can make any copies that the members may need.

NEXT MEETING: The next scheduled meeting for the ZBA is July 3, 2012 at 6:00 p.m. Applications must be received by June 8th at noon in order to be heard at this meeting. If nothing is received, Mr. DeStefano would like to cancel the July 3rd meeting. The secretary will notify the Board if that is the case.

With no other business, L. Denton made a motion, second by L. Bohmiller, to adjourn at 6:37 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary

