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Zoning Board Minutes
9/4/12

BLEILER VARIANCE continued:

Mr. DeStefano asked why he doesn't just use the side door. Mr. Bleiler stated that the builders tell him that it would be harder to build in that direction. There is also the slope issue.

Mr. DeStefano asked if there were any present who are for this project. Tim Woodward stated that he is for it.

Mr. DeStefano asked if any present are opposed. There was no-one in opposition.

With no further questions from the Board, Mr. DeStefano closed the public portion of the hearing.

Mr. DeStefano summarized by saying that the applicant wants a farmer's porch. Originally that was grandfathered but not any longer.

Ms. Bohmiller stated that the requirement for a ramp is 1' in height for every foot of ramp. Ms. Dolloff stated that the lot is small and there is not a lot of room in which to place this access. Mr. Laflamme noted that even part of the ramp is in the setback.

With no further comments, R. Laflamme made a MOTION, second by L. Bohmiller, to GRANT THE VARIANCE FOR STEPHEN & NANCY BLEILER, HAVING MET THE VARIANCE CRITERIA. The motion CARRIED.

VARIANCE: NEWFOUND BOAT SHOPPE/MATT HUGHES

Mr. DeStefano announced the Mr. Hughes and Mr. Woodward are both clients of his and he asked if anyone had objections to his remaining on the Board for this hearing. Everyone was fine with Mr. DeStefano remaining on the case.

The secretary read the application, the list of abutters, where the hearing was advertised, and said that she received no telephone calls but did receive one e-mail today. There are also Dept. Head comments. Mr. DeStefano read the comments and also the e-mail from James Early who had no issues with the plan.

Mr. Hughes explained that he is trying to use the area of land in the back that is in the Village Residential District. He would like to terrace the area and use it for winter storage, trade-ins, and repair storage. He would have shrubbery and trees all around. Mr. Hughes would like to keep the space clean when looking from Lake Street.

HUGHES VARIANCE continued:

Mr. Hughes then went over the criteria:

1. Contrary to Public Interest – Mr. Hughes felt that it would not as he plans to maintain the existing trees and add more so as to make a natural buffer, making it difficult to see from the road and from neighboring properties. No clutter or disrepair would be seen. Mr. DeStefano asked if there are parking requirements for the building and was told that there are and customers use those spots. Mr. DeStefano asked if the terraced areas are to be screened and was told that they will be and that the boats will be shrink-wrapped in white.
2. Spirit of the Ordinance – No work would be performed in that area. The access will be through the property. They will not service boats in that area. Mr. DeStefano stated that he shall need to address the access with the Planning Board and with the Fire Chief.
3. Substantial justice – The land is not used right now and could use some maintenance. By this use, the area would be maintained. The area is undesirable for a house. Mr. DeStefano mentioned the house behind the Elderly Housing that has not sold.
4. Values of Surrounding Properties - The land is currently overgrown and not maintained. The variance would allow the improvement of the land. We shall use a natural buffer, have no lights, and it would only be used during the regular hours of operation (9:00 – 5:00).
5. Unnecessary Hardship – The property has been zoned half Village Commercial and half Village Residential. There is a residence on the abutting property which is located in the middle of the lot frontage on North Main St. This fact and the steep grades on the back part of the lot make house lots very difficult and costly as well as less desirable. There will be no impact on anyone else.

Mr. Laflamme asked how many boats he expects to have in the area and would they be temporary. Mr. Hughes stated that they would be temporary. The parking lots would be gravel. Mr. DeStefano asked if there will be 10' – 15' of height for each level. Mr. Hughes stated that this is so and that, if they can be seen from the street, he would add buffers between them.

Mr. DeStefano asked for input from the abutters. Tom Crouse stated that he has no objection. Tim Woodward owns the house behind this property (facing North Main St.). He stated that the lots would be behind him. He is concerned about his property value as he is in the process of selling his property right now. He is not sure if the new owners will go for this. Right now, this area is full of trees which keep out the sound and also the sight of the Boat Shoppe.

HUGHES VARIANCE continued:

Ms. Bohmiller asked how many boats they are planning for and was told 20-25 per elevation. During the busy time, the lots may be full but he would use the lower area first. Mr. DeStefano stated that, in other storage areas, the boats are often there year round. Mr. Hughes stated that he did not want boats just sitting. They are to pick them up by June 16th or else make special arrangements. Trailers are stored mostly in the summer when the boats are in the water.

Mr. Woodward again mentioned his concern about the noise. Mr. Hughes stated that, if they put two houses in there, the buffer would be gone and would create more. He is willing to put in rows of trees between them if this would help. Mr. Woodward stated that his house is about 20' – 30' from the line. Mr. Hughes stated that he would be willing to put trees along his boundary line. Mr. DeStefano stated that he appreciates the fact that Mr. Woodward told his buyers of this issue.

Mr. DeStefano then asked if the Board had any further questions. Mr. Laflamme stated that when he bought on Summer St., there was no bearing as to traffic. He feels that Mr. Hughes is showing what he wants to do and is going about it in a proper manner.

Mr. DeStefano then closed the public section of the hearing. He summarized by saying that the desire is to put in open storage areas, not buildings, in a Village Residential District.

Ms. Bohmiller stated that a buffer of evergreens would block noise from the ground up. They would need to be about 20' up. Ms. Dolloff felt that it would be fine if he does as he is saying. Mr. Hughes stated that the neighbors are his security for that area so he wants to please them. Ms. Dolloff continued by saying that it would be good use of the property. Mr. Laflamme agreed. Mr. DeStefano thought that along the back boundary, they might consider staggered fencing. Ms. Bohmiller mentioned the fire entrance if the Fire Chief wants. Ms. Dolloff stated that she would prefer just 2 lots instead of 3. This would leave a bigger area for a buffer. Mr. Hughes stated that he is willing to look into that. Ms. Bohmiller again mentioned preferred use of evergreens. Mr. Laflamme mentioned that evergreens get wider as they get taller. Ms. Bohmiller and Mr. Hughes both stated that they would have to be trimmed. Mr. DeStefano felt that he could not designate the number of lots but would like to see a 40' buffer zone from the setback line of 15' (a total of 55'). The Board liked that idea. Ms. Bohmiller asked Mr. Woodward if he had a preference and he liked the idea of evergreens.

HUGHES VARIANCE continued:

Mr. Laflamme cautioned the Board to be careful of overstepping their bounds. Mr. Woodward asked if they cannot stipulate and was told that the Board could recommend. Mr. DeStefano suggested that they give an approval subject to a 55' buffer zone from the rear property line of the Woodward property and recommend 6' evergreen shrubbery.

- A. Dolloff made the MOTION, second by R. Laflamme, to APPROVE THE VARIANCE FOR MATT HUGHES SUBJECT TO A 55' BUFFER ZONE FROM THE REAR PROPERTY LINE OF THE WOODWARD PROPERTY AND TO RECOMMEND 6' EVERGREEN SHRUBBERY. The motion CARRIED.

MINUTES OF AUGUST 7, 2012:

The following amendments were made:

Throughout the document, change "Wyatt" to "Wyeth" and "Aarrow Head Point Road" to "Arrowhead Point Road". Under the first Variance, 1st paragraph, 3rd line, capitalize the "r" in "revocable". On page 2, the second Variance, 1st paragraph, 2nd line, insert "and" between "Raymond Martha".

R. Laflamme made a motion, second by L Bohmiller, to approve the minutes as amended. The motion carried.

NEXT MEETING: Our next scheduled meeting is October 2nd with the deadline of Sept. 7th. No applications so far.

A discussion was held as to schedules and it was noted that Nov. is voting day so is to be canceled. If something comes in, we might be able to schedule a different time but we shall have to see. The same situation happens in January. It was determined to cancel that meeting also.

With no other business before the Board, R. Laflamme made a motion, second by L. Bohmiller, to adjourn at 8:35 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary