

BRISTOL
ZONING BOARD OF ADJUSTMENT
January 5, 2016

APPROVED:

4/5/16 __jrl_____

AGENDA: 15SE07, SPECIAL EXCEPTION: GATED PROPERTY SERVICES & DEVELOPMENT/WILLIAM & ERMALINDA NASSAR, 526 Wulamat Rd., #103-032.005

15SE08, SPECIAL EXCEPTION: HAROLD WARING,
32 Belmore Court Drive, 104-164.171

ATTENDING: Richard LaFlamme (Vice Chairman), Lorraine Bohmiller, Larry Denton, Ashley Dolloff

ABSENT: Alan DeStefano (Chairman – away)

OTHER: Garth Woolsey/Gated Property Serv. & Devel., Harold Waring

The meeting opened at 6:00p.m. Mr. LaFlamme explained that the Chairman was away and asked if the applicants wished to continue without a full board. The applicants answered in the affirmative.

15SE07 SPECIAL EXCEPTION: GATED PROPERTY SERVICES & DEVEL./William & Ermalinda Nassar/Garth Woolsey

The secretary read the application, list of abutters notified, where the hearing was advertised, and stated that there were no phone calls nor written responses received.

Mr. Woolsey explained the various photos that had been submitted. Mr. Denton then asked if the height was to be increased 5' or 6' as the narrative said 6' and the application 5'. Mr. Woolsey stated that originally, Mr. Nassar wanted 6' but they determined that it would accomplish what was wanted as 5'. He added that the footprint will remain the same. The basement will increase to 5' and resolve a drainage issue.

A. Dolloff made a MOTION, second by L. Denton, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

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NASSAR SPECIAL EXCEPTION continued:

Mr. Woolsey then went through the 5 criteria:

1. The specific size and location are appropriate: The change will allow for proper sloping to correct water management deficiencies.
2. Will not adversely affect the character of the neighborhood: Existing homes on the property and abutting properties have undergone similar changes. There will be no expansion of the building itself.
3. No nuisance or serious hazard to vehicles or pedestrians: There will be no increase in the footprint.
4. No excessive or undue burden on Town services or facilities: There will be no change in utility usage and no change in maintenance of town roadways or sidewalks.
5. No significant effect on public health, safety, and general welfare of the neighborhood: No outward expansion that would interfere with pedestrian or vehicular traffic.

Mr. Woolsey added that there will be a driveway change in elevation so as to slope away from the house. The pavement will then be replaced.

Mr. LaFlamme asked for anyone to speak for or against the project and Jolyn Hayward (the only other attendee) felt that it sounded like a good idea.

The public portion was then closed.

Mr. Denton stated that the 5' discrepancy is not an issue as that is what is on the application. He commented on the pictures, which are very nice, and felt that the project will not impact anything. Ms. Bohmiller asked if the change of pitch on the driveway will affect anyone and Mr. Woolsey stated that a drainage ditch is in the process of being done on the complex and this will tie in to it.

With no other questions, A. Dolloff made a MOTION, second by L. Denton, to APPROVE THE SPECIAL EXCEPTION FOR GATED PROPERTIES/WILLIAM AND ERMALINDA NASSAR AS PRESENTED AS ALL CRITERIA HAVE BEEN MET. The motion CARRIED. The Notice of Decision was signed and the 30-day period was stated.

15SE08 SPECIAL EXCEPTION: HAROLD WARING/JOLYN HAYWARD

Ms. Hayward explained that her Dad, Harold Waring, is in the hospital so she is here to represent him. She then explained the photos she had brought in. When asked about the ownership of the cottage in question, Ms. Hayward explained that when her grandmother passed away, two cottages were inherited by Harold and 2 by her uncle.

WARING SPECIAL EXCEPTION continued:

At 6:40p.m. a break was taken so as to make copies of drawings that will further show the project. The Board resumed at 6:45p.m.

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

Again, Mr. LaFlamme asked clarification on the ownership of this particular cottage. Ms. Hayward explained that her uncle, Alan Waring owns #7 and #15, her Dad owns #9 and #32. The confusion apparently is that these are the numbers given by 911 and the ones shown on the tax map are the old numbers.

Ms. Hayward stated that they wish to do the project so as to renovate and make more modern this old cottage. She then went over the criteria.

1. Appropriate location and adequate size for the use: Others in the Belmore Court complex have been approved for larger buildings in the last 5 years.
2. Will not adversely affect the character of the area: It does not as the pictures presented show. They will be improving the roof pitch for snow removal.
3. No nuisance or serious hazard to vehicles or pedestrians: The project will not affect anything.
4. No excessive or undue burden on Town services or facilities: No change in the use.
5. No significant effect upon public health, safety, and general welfare of the neighborhood: The cottage will be better and safer and more enjoyable.

Ms. Hayward added that this is a private road and there is an addition lot for parking if it is needed. There is no change in water use; still seasonal.

Mr. Denton asked if they will be using additional water or adding bedrooms. Ms. Hayward answered that they will not. There will be an addition in the peak for a loft but no specific bedroom additions. Mr. Denton asked if it will be a complete renovation and was told that it would be.

There was no longer any public present to comment. The public portion was closed.

Mr. Denton felt that this was straight forward and the photos show that there is no-one behind or in front who would be affected. Ms. Dolloff mentioned that there were no abutter comments.

L. Denton made a MOTION, second by A. Dolloff, to deliberate the case as one. The motion CARRIED.

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WARING SPECIAL EXCEPTION continued:

Ms. Dolloff added that the plan is in character of the other cottages and it doesn't affect any views. Ms. Hayward added that, because the back of Shackett's store is behind the cottage, they do not plan on putting windows in the back of the cottage.

L. Denton made a MOTION, second by A. Dolloff, to APPROVE THE SPECIAL EXCEPTION FOR HAROLD WARING AS PRESENTED. The motion CARRIED. The Notice of Decision was signed and the 30-day time period was explained.

MINUTES OF SEPTEMBER 1, 2015:

L. Denton made a motion, second by L. Bohmiller, to approve the minutes as read and the motion carried with one abstention.

COMMUNICATIONS: There were none.

NEXT MEETING: The next ZBA meeting is scheduled for February 2, 2016 at 6:00 p.m. No applications have been received as yet; applicants have until January 15 at noon to apply.

With no other business, L. Denton made a motion, second by A. Dolloff, to adjourn at 7:07p.m.

Respectfully submitted,
Jan Laferriere, recording secretary