

**ZONING BOARD OF APPEALS  
MONDAY, JUNE 30, 2015**

Members Present: Mario Campanello, Susan Marteney, Deborah Calarco, Stephanie DeVito, Scott Kilmer, Ed Darrow

Absent: Matthew Quill

Staff Present: Brian Hicks, Code Enforcement; Chad Hayden, Corporation Counsel

**APPLICATIONS APPROVED:** 6 Center St., 161 North St.

**APPLICATIONS TABLED:** None

**APPLICATIONS DENIED:** None

Ed Darrow: Good evening. Welcome to the City of Auburn Zoning Board of Appeals. I'm board chairman, Edward Darrow. Tonight we will be hearing 6 Center St. and 161 North St.

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**6 Center St. R1 zoning district. Area variance to construct a shed larger than maximum allowed and over the maximum allowed total for accessory structures. Applicants: Thomas and Cynthia Maloney.**

Ed Darrow: 6 Center St. please approach, give your name and address for the record and tell us what you'd like to do.

Cynthia Maloney, 6 Center St.: We'd like permission to purchase a pre-made tool shed that's bigger than the one that was on the property when we bought it.

Ed Darrow: Do you understand why you're before this board, the variance you are seeking?

Cynthia Maloney: No.

Ed Darrow: Let me explain. What you've done is that you are requesting an area variance of 42 square feet because you're only allowed 150 square feet of accessory structure and that's give you 192 square feet. Therefore under our zoning code you're asking us to give you the variance for 42 square feet, that's one. Your other variance is a request for 66 square foot over the allowable 750 square foot total accessory structure allowed. So there are actually two variance here that we'll be looking at. Okay?

Cynthia Maloney: Okay.

Ed Darrow: Any questions from the board members? Is it my understanding that one of the sheds will go down when the new one is up?

Cynthia Maloney: The old shed.

Ed Darrow: The old shed will disappear?

Cynthia Maloney: Yes.

Susan Marteney: The other refers to their garage.

Ed Darrow: Right. Any other questions from board members? You may be seated but we reserve the right to recall you. Is there anyone present wishing to speak for or against 6 Center St.? Is there anyone present wishing to speak for or against 6 Center St.? Seeing none and hearing none I shall close the public portion so we may discuss it amongst ourselves. Thoughts, concerns?

Scott Kilmer: The location they're putting it is nice and spacious, not a big request.

Ed Darrow: Agreed, when you look at how much green space they have.

Susan Marteney: Plenty of room from the neighbor.

Scott Kilmer: Not too close to the corner.

Ed Darrow: If there's no other discussion the chair will entertain a motion.

Susan Marteney: I make a motion for Thomas and Cynthia Maloney of 6 Center St. for the erection of a shed with a variance of 42 square feet over the allowed 150 square feet for a total of 192 square feet and a variance of 66 square feet over the allowed 750 square feet total for accessory structures because the applicant has proven four elements:

- The area variance will not produce an undesirable change or detriment to the character of the neighbourhood or the properties in the neighbourhood.
- The benefit sought cannot be attained by a method other than an area variance.
- The area variance is not substantial.
- The area variance will not produce an adverse impact on the environment nor the physical conditions of the neighbourhood.

Ed Darrow: Will you allow your motion to be amended to add placement per submitted plot plan?

Susan Marteney: Sure.

Ed Darrow: We have a motion, do we have second?

Mario Campanello: Second.

Ed Darrow: We have a second. Roll call please. All members vote approval. Motion carried.

Susan Marteney: The reason I'm voting for this is that we have on many occasion the same problem with sheds that by the code are far too small for people today and that is something that really needs to be addressed in the city code for the size of current needs for contemporary society.

Mario Campanello: Yes, ditto to what Susan said.

Deborah Calarco: Yes, and I'll ditto it also.

Scott Kilmer: Yes, I don't think it's a substantial request.

Ed Darrow: Yes, I do not feel it will be a detriment to the neighborhood nor change the character of the neighborhood and there's plenty of green space. Congratulations, your variances have been granted. Be sure to see Code Enforcement before construction for all permits.

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**161 North St. C5 zoning district. Area variance to construct a shed larger than maximum allowed. Applicants: Harry Dow.**

Ed Darrow: 161 North St. please approach, give your name and address for the record and tell us what you'd like to do.

Harry Dow, 161 North St.: I'd like to request a variance for shed size. I'd like to put in a shed 10 x 20 which exceeds the 150 square feet by 50 feet. I'd like to put it along the western perimeter of our property which borders along Michael Vitale's property. I've had dialogue with him in regard to this and he has no objections. In fact he indicated a willingness to write a letter in support. I don't know if that happened.

Ed Darrow: Any questions from board members? You may be seated but we reserve the right to recall you. Is there anyone present wishing to speak for or against 161 North St.? Is there anyone present wishing to speak for or against 161 North St.? Seeing none and hearing none I shall close the public portion so we may discuss it amongst ourselves. Thoughts, concerns?

Scott Kilmer: Again, I don't think it's a big request and it's going to be down on the back side of the property and it will help to hide a lot of the stuff that's on the side of that fence.

Susan Marteney: Agreed.

Scott Kilmer: And it's a nice looking shed.

Ed Darrow: Any other comments? Concerns?

Susan Marteney: And again, people need more space. They don't have a garage so they need space to put general equipment.

Ed Darrow: Fortunately we'll be able to address that shortly with the rezoning. If there are no other thoughts or comments the chair will entertain a motion.

Susan Marteney: I move to approve the area variance for Harry Down at 161 North St. for a variance of 50 square feet over the allowed 150 square feet for a total of 200 square feet to build a 10 x 20 shed as per the submitted plot plan because the applicant has proven four elements:

- The area variance will not produce an undesirable change or detriment to the character of the neighbourhood or the properties in the neighbourhood.
- The benefit sought cannot be attained by a method other than an area variance.
- The area variance is not substantial.
- The area variance will not produce an adverse impact on the environment nor the physical conditions of the neighbourhood.

Ed Darrow: We have a motion, do we have second?

Stephanie DeVito: Second.

Ed Darrow: We have a second. Roll call please. All members vote approval. Motion carried.

Susan Marteney: Aye and also requesting the same look into the code.

Scott Kilmer: Yes, I don't think it's a substantial request.

Ed Darrow: Yes, I do not feel it will be a detriment to the neighborhood, there's plenty of yard to accommodate it and I don't feel it will change the character of the neighborhood. Congratulations, your variance has been granted. Be sure to see Code Enforcement before construction for all permits.

Any other business?

Next meeting is July 27 at 7:00 p.m. Motion to adjourn? So moved.

Meeting adjourned.