

Zoning Board of Adjustment  
Craig Daniels, Chairman  
June 14, 2011 7 p.m.

Present: Robert Cavalieri, David Dow, Craig Daniels-Chairman, Phil Neily – Administrator, and Paula Rowe – Recorder. Only 3 voting members were in attendance, all Public Hearing Applicants were made aware that all 3 members would need to vote in favor of the request for it to be approved. None chose to wait for the next meeting.

Approval of Minutes:

Robert Cavalieri made a motion to accept the Minutes of January 11, 2011 with a second from David Dow and carried.

Approval of March 15, 2011 minutes will be brought forward to the next meeting.

Election of Officers:

Motion carried for Craig Daniels to remain as Chairman and David Dow as Vice Chairman.

Public Hearings:

I. Benjamin Dearman, will request a Special Exception as provided under Article IV, Section 403.1, SubSection o. They wish to construct an Accessory Apartment. The property is located at 784 Rt 4A Map 7, Lot 20-1 in the Residential R1 District.

Mr. David Crowe spoke on behalf of Mr. Dearman who is his son-in-law. Briefly.

Chairman Daniels read the major 4 criteria.

Motion came forward from David Dow to accept this Special Exception as presented with a second from Robert Cavalieri and carried.

II. Scott and Lisa Guitar, will request a Special Exception as provided for under Article IV, Section 4035, Subsection a. They wish to construct a Single Family Home in the Commercial/Industrial (C/1) District. The property Map 2, Lot 57-1 is located at 19 Rice Road in the Commercial Industrial C/I District.

Mr. Guitar spoke briefly.  
Chairman Daniels read the 4 major criteria.

Motion came forward from David Dow with a second from Robert Cavalieri to approve this Special Exception as presented; and carried.

III. Wayne and Carol Smith, will request a Variance from the terms of Article IV, Section 401.3 Sub Section I. They wish to construct a carport within the 20 foot required setback from their property line. The property Map 49, Lot 2 is located at 29 Starr Drive in the R3 district.

Mr. Smith provided an illustration of the property. Matt Dow, contractor for the Smith's went over the plan with the Board and explained elevations and more of the detail. The setback requested is 10'. Letters from abutters were obtained and read by the board.

Chairman Daniels read the 5 criteria for granting a Variance. Questions were asked by the Board as to other locations to construct the carport and if the size could be changed.

The board discussed 'the spirit of the ordinance is observed.'

Cavalieri voted no on the spirit of the ordinance. Dow held reservations as well. Daniels voted no on the spirit of the ordinance.

Robert Cavalieri made a motion to not approve this request as the spirit of the ordinance did not pass the board, with a second from Craig Daniels. David Dow voted against this motion. Motion to deny carried as this was not approved by three members.

NEXT MEETNG:

July 12, 2011 – No hearings scheduled at this time. The meeting may be canceled.

Adjournment:

Motion to adjourn came at 7:36 p.m. from Robert Cavalieri, with a second from David Dow and carried.