

Zoning Board of Adjustment
Craig Daniels, Chairman
June 11, 2013
7 p.m.

Present: Ed Scovner, Celie Aufiero, Ken May, Craig Daniels, Phil Neily, Zoning Administrator and Paula Rowe-Recorder.

Guests: William and Simin Batchelder, Don Roberts, Roger Rottevelle, Rob and Lauri Malz, Ed and Juleann McLaughlin.

Approval of Minutes:

Celie Aufiero made a motion to accept the minutes of May 14th, with a second from Ken May. Motion carried.

Alternate:

The board was in agreement with David Dow becoming an alternate for a three-year term. All present voted in favor.

Public Hearing:

- I. Robert V. Malz III and Lauri Malz, by their agent, Donald Roberts, are requesting a variance from Article IV, Section 401.1-L. of the Enfield Zoning Ordinance. They are requesting a Variance to allow a structure to be located within the required setback area. This property is located at 18 Bridge Street, Map 322, Lot 8, in the (R1), Residential District.***

Don Roberts presented the Board with a map of the property. Purpose of relocation of the building is for drainage. Set backs of the new location would not be any closer than they are now, with the front setback increasing in distance.

William and Simin Batchelder, abutters, asked about the drainage specifically. Mr. Roberts explained that the storm drainage currently goes more directly into the lake. They will be turning the house away from facing the Batchelders, as well as, making a collection system with a series of drainpipes. Mr. Roberts further informed the Batchelder's that the drainage collection would allow the water to exit slower through the soils. Mrs. Batchelder asked why the building couldn't be level with the street. Mr. Roberts felt that ledge would be an issue if the lot were to be excavated lower. Mrs. Batchelder also asked that there be no windows on the side of the house that faces into her bedroom, Mr. Roberts offered that this was a discussion that could be had between the Batchelder's and the Malz.

Chairman Daniels read the criteria to the board for vote.

- A. No diminution of value of surrounding properties would be suffered. 4-0 in favor.
- B. Granting the permit would be of benefit to the public interest. 4-0 in favor.
- C. Denial of the permit would result in unnecessary hardship to the owner seeking it. 4-0 in favor.
- D. Granting the permit would do substantial justice. 4-0 in favor.
- E. The use must not be contrary to the spirit of the ordinance. 4-0 in favor.

Celie Aufiero made a motion to approve the variance with the Shoreland Protection Plan that is in place be followed. Ken May second this. Motion passed unanimously.

II. Juleann and Edward McLaughlin are requesting a Variance from Article IV, Section 401.1-L. of the Enfield Zoning Ordinance. They are requesting a Variance to allow a structure to be located within the required setback area. The property is located at 29 Alwood Dive, Map 21, Lot 12, in the (R1), Residential District.

Mr. McLaughlin presented the board with an illustration of the placement of the new shed. The shed is 10 feet by 14 feet. Mr. McLaughlin showed proof of no other place for this shed as follows: His property is at the dead end of the street. Propane and oil trucks have to enter his property to turn around. He also has to allow a place for snow removal. Mr. McLaughlin has spoken with abutters and they are not opposing – notices went out to 12 abutters.

Chairman Daniels reviewed the 5 criteria with the board members.

- A. No diminution of value of surrounding properties would be suffered. 4-0 in favor.
- B. Granting the permit would be of benefit to the public interest. 4-0 in favor.
- C. Denial of the permit would result in unnecessary hardship to the owner seeking it.
- D. Granting the permit would do substantial justice.
- E. The use must not be contrary to the spirit of the ordinance.

Celie Aufiero made a motion to approve this variance as presented. Ken May second this. Motion passed unanimously.

Next Meeting:

July 9, 2013 – no hearings scheduled at this time.

Adjournment:

Ken May made a motion to adjourn at 7:38 p.m. with a second from Ed Scovner. Motion carried.