

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: October 31, 2013
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: Gert Assmus, Arthur Gardiner (Chair), Phil Harrison, Steve Marion, and Bernie Waugh

Staff: Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Arthur Gardiner, Zoning Board Chair, called the meeting to order at 7:00 p.m. The deliberation meeting will be held November 14, 2013 in the Town Hall Boardroom at 7:00 PM. Gardiner stated that a four--member board will be seated for Case # 2013-34 (Travis/Westberg) and advised of the three-member board concurrence requirement. He explained that the applicants could request to continue their case to a future date when a full board could be present or proceed before the smaller board with the understanding that a split decision, by the smaller board, would be grounds for a rehearing, if requested.

The following agenda items were then heard:

- 1. CASE #34098-Z2013-33: KCC PROPERTIES 13 SP LLC, IS REQUESTING AN SPECIAL EXCEPTION UNDER ARTICLE II, TABLE 204.5, PURSUANT TO SECTION 206, “SPECIAL EXCEPTIONS”, TO CONVERT A TWO-FAMILY DWELLING TO A THREE-FAMILY DWELLING AT 13 SOUTH PARK STREET, TAX MAP 34, LOT 98, IN THE “GR-2” GENERAL RESIDENCE ZONING DISTRICT.**

Bernie Waugh, Acting Clerk, read the Notice of Public Hearing. Board members noted that the Notice was incorrect on two issues – the Notices were mailed by Certified U.S. Mail (not regular U.S. mail) and this is a request for a Special Exception (not an extension request).

Jolin Kish presented the application. No one else spoke in favor of the application in Phase I.

Ron Shaiko spoke in opposition to the application in Phase II

Kish rebutted in Phase III. Jim Matthews spoke in favor of the application in Phase III.

Shaiko spoke in Phase IV.

No one else spoke in favor of, or in opposition to, the application.

Case No. Z2013-33 was closed.

2. **CASE #33004-Z2013-34: PETER TRAVIS & CAROL WESTBERG ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1K, "FENCES", PURSUANT TO SECTION 206, "SPECIAL EXCEPTIONS", TO CONSTRUCT A FENCE GREATER THAN 4' TALL WITHIN THE REQUIRED SETBACKS. THE PROPERTY IS LOCATED AT 10.5 SARGENT STREET, TAX MAP 33, LOT 4, IN THE "GR-1" GENERAL RESIDENCE ZONING DISTRICT.**

Gardiner stepped down from the hearing.

Assmus, as Acting Chair, opened the hearing.

Waugh, Acting Clerk, read the Notice of Public Hearing.

Peter Travis and Carol Westberg presented the application.

No one else spoke in favor of, or in opposition to, the application.

Case No. Z2013-34 was closed.

ADJOURNMENT: The meeting adjourned at 8:15 PM.

Respectfully submitted,

Judith Lee Shelnuttt Brotman
Zoning Administrator