

**ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING: January 30, 2014  
Town Hall, 41 South Main Street – 7:00 PM**

**Board Members Present:** Bill Dietrich, Arthur Gardiner (Chair), Phil Harrison, Steve Marion, Bernie Waugh

**Staff:** Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Arthur Gardiner, Zoning Board Chair, called the meeting to order at 7:01 p.m. The deliberation meeting will be held February 6, 2014 in the Town Hall Boardroom at 7:00 PM. Gardiner stated that for Case #Z2014-02, a four--member board would be seated and advised of the three-member board concurrence requirement. He explained that each applicant could request to continue their cases 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. Continuation of CASE #10023-Z2013-37: NEW CINGULAR WIRELESS PCS, AS AGENT FOR PETER & KAY SHUMWAY, PROPERTY OWNERS OF RECORD, IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, TABLE 204.8, PURSUANT TO SECTION 322, "COMMUNICATION/TELECOMMUNICATION FACILITIES", TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY CONSISTING OF A TOWER, TWELVE ANTENNAS, SHELTER, GENERATOR, AND OTHER NECESSARY EQUIPMENT AND APPURTENANCES ENCLOSED WITHIN A STONE COMPOUND AT 67 THREE MILE ROAD, TAX MAP 10, LOT 23, IN THE "F" FORESTRY AND RECREATION ZONING DISTRICT.**
- 2. Continuation of CASE #10023-Z2013-38: NEW CINGULAR WIRELESS PCS, AS AGENT FOR PETER & KAY SHUMWAY, PROPERTY OWNERS OF RECORD, IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, "VARIANCE," TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY GREATER THAN 30' IN HEIGHT AT 67 THREE MILE ROAD, TAX MAP 10, LOT 23, IN THE "F" FORESTRY AND RECREATION ZONING DISTRICT.**

On a motion by Marion, seconded by Waugh, the Board voted unanimously to continue these two cases to February 27, 2014.

- 3. CASE #28008-Z2014-01: CARL SANDIN AND WILLIAM & CRISTINA HAMMOND ARE REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION U02, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION," TO CONSTRUCT A SINGLE-FAMILY RESIDENCE AND DRIVEWAY WITHIN THE 0'-75' WETLAND BUFFER AREA AT 11 ETNA**

**ROAD, TAX MA0 28, LOT 8, IN THE “SR-2” SINGLE RESIDENCE ZONING DISTRICT.**

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

Russ Rohloff, of Pathways Consulting, presented the application. Bill Hammond spoke in favor of the application in Phase I.

Sandra Harris, spoke in opposition to the application in Phase II.

Mr. Rohloff rebutted in Phase III.

No one spoke in Phase IV.

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

Case No. Z2014-01 was closed.

- 4. CASE #22003-Z2014-02: VICKI SMITH, AGENT FOR THE BARBARA F. HALL REVOCABLE TRUST, PROPERTY OWNER OF RECORD, IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,” TO ALLOW THE CREATION OF A NON-CONFORMING LOT AT 3 DOWNING ROAD, TAX MAP 22, LOT 3, IN THE “SR-1” SINGLE RESIDENCE ZONING DISTRICT.**

Chair Gardiner stepped down from this case. Waugh stepped in as acting chair. Steve Marion, as Acting Clerk, read the Notice of Public Hearing.

Vicki Smith presented the application. Barbara Hall, Bruce Williamson, an unidentified gentleman, Mark Hansberry and Arthur Gardiner spoke in favor of the application in Phase I.

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

Case No. Z2014-02 was closed.

- 5. CASE #23138-Z2014-03: CAROLYN & MARTIN SINGER ARE REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,” FROM THE REQUIREMENTS OF SECTION 209.3, TO ALLOW THE CONSTRUCTION OF A LIVING SPACE ADDITION WITHIN THE SIDE SETBACK AREA OF 2 BARRYMORE ROAD, TAX MAP 23, LOT 138, IN THE “SR-3” SINGLE RESIDENCE ZONING DISTRICT.**

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

Wendy Williamson, of Domus, and Marty Singer, property owner, presented the application. Bruce Williamson spoke in favor of the application in Phase I.

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

Case No. Z2014-03 was closed, with the record being left open for additional information until 4:30 pm on Tuesday, February 4<sup>th</sup>.

6. **CASE #15033-Z2014-04: LARRY & MAUREEN MORSE ARE REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION". THIS REQUEST IS SEEKING A MODIFICATION OF THE DECISION GRANTED IN CASE Z2012-27, TO INCLUDE THE BARN SHOWN ON THE APPROVED PLANS. THE PROPERTY IS LOCATED AT 50 RENNIE ROAD, TAX MAP 15, LOT 33, IN THE "RR" RURAL RESIDENCE ZONING DISTRICT.**

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

Jim Kennedy presented the application.

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

Case No. Z2014-04 was closed, with the record being left open for additional information until 4:30 pm on Tuesday, February 4<sup>th</sup>.

7. **CASE #12082-Z2014-05: ANA & DAVID EDSON ARE REQUESTING AN EQUITABLE WAIVER UNDER ARTICLE X, SECTION 1007, FROM THE REQUIREMENTS OF SECTION 209.3, TO PERMIT A PORTION OF THE HOUSE STRUCTURE TO BE LOCATED IN THE SIDE SETBACK AREA OF 1 PIPERS LANE, TAX MAP 12, LOT 82, IN THE "RR" RURAL RESIDENCE ZONING DISTRICT.**

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

David Edson, property owner, and Victor St. Pierre, septic designer and construction manager, presented the application.

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

Case No. Z2014-05 was closed, with the record being left open for additional information until 4:30 pm on Tuesday, February 4<sup>th</sup>.

8. **ADJOURNMENT:** The meeting adjourned at 9:34 PM.

Respectfully submitted,  
Judith Lee Shelnuttt Brotman