

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: MARCH 27, 2014
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: Gert Assmus, Phil Harrison, Ruth Lappin, Steve Marion, Bernie Waugh

Staff: Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Bernie Waugh, Zoning Board Acting Chair, called the meeting to order at 7:00 p.m. The deliberation meeting will be held April 3, 2014 in the Town Hall Boardroom at 7:00 PM. The following agenda items were then heard.

- 1. CASE #44049-Z2014-13: HIDDE VAN HOEVEN & HELEN RIPMEESTER ARE APPEALING AN ADMINISTRATIVE DECISION, UNDER ARTICLE X, SECTION 1005, "BOARD OF ADJUSTMENT", PURSUANT TO ARTICLE II, SECTION 210.1A "DRIVEWAYS", THAT A SPECIAL EXCEPTION OR VARIANCE IS NEEDED TO ALLOW A SECOND DRIVEWAY AT 15 LEDGE ROAD, TAX MAP 44, LOT 49, IN THE "SR-1" SINGLE RESIDENCE ZONING DISTRICT. THE DECISION BEING APPEALED IS CONTAINED A LETTER FROM THE ZONING ADMINISTRATOR DATED FEBRUARY 19, 2014.**

A request to continue this case has been received. Ms. Lappin moved to continue the case to April 24, 2014, Mr. Marion seconded the motion. Voted unanimously in favor of the motion to continue the case.

- 2. CASE #12111-Z2014-08: ROSEMARY & MATTHEW AYRES ARE REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION," TO REPLACE A LEACH FIELD WITHIN THE WETLAND BUFFER AREA AT 123 LYME ROAD, TAX MAP 12, LOT 111, IN THE "RR" RURAL RESIDENCE ZONING DISTRICT.**

Ms. Lappin, Acting Clerk, read the Notice of Public Hearing.

Allen Lee Wilson, Septic Designer, as agent for the property owners, presented the application.

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

Case No. 2014-08 was closed.

3. **CASE #46015-Z2014-09: KRISTINE & PATRICK MCDEVITT ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE VIII, SECTION 803, "CHANGE OF NON-CONFORMING STRUCTURES," PURSUANT TO SECTION 206, "SPECIAL EXCEPTIONS," TO REPLACE AN EXISTING NON-CONFORMING GARAGE WITH A LARGER GARAGE. THE PROPERTY IS LOCATED AT 55 LYME ROAD, TAX MAP 46, LOT 15, IN THE "SR-3" SINGLE RESIDENCE ZONING DISTRICT.**

Ms. Lappin, Acting Clerk, read the Notice of Public Hearing.

Kristine McDevitt, property owner, and H. Sloane Mayor, architect, presented the application. Bruce Williamson spoke in favor of the application in Phase I. Mina Cowie, an abutter, forwarded an email to Ms. McDevitt, expressing her approval of the project.

No one spoke in opposition to the application in Phase II

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

Case No. Z2014-09 was closed.

4. **CASE #23005-Z2014-10: LIAM MCCARTHY IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, "VARIANCE," PURSUANT TO SECTION 210.1F, "RENTALS", TO ALLOW THE RENTAL OF A NON-OWNER OCCUPIED SINGLE-FAMILY DWELLING TO FOUR UNRELATED PERSONS. THE PROPERTY IS LOCATED AT 101 SOUTH MAIN STREET, TAX MAP 23, LOT 5, IN THE "SR-2" SINGLE RESIDENCE ZONING DISTRICT.**

Ms. Lappin, Acting Clerk, read the Notice of Public Hearing.

Gert Assmus stepped down from the Board for this hearing. Mr. Waugh explained the Zoning Board By-Law affording the applicant the option of continuing the case until a 5-member Board can hear the case, and the automatic rehearing provision for a 2-2 decision. Mr. McCarthy and Mr. Atwood elected to proceed with a 4-person Board.

Brad Atwood, attorney, and Liam McCarthy, property owner, presented the application.

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

Case No. Z2014-10 was closed.

5. **CASE #23138-Z2014-11: 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 SMALL 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.

Ms. Lappin, Acting Clerk, read the Notice of Public Hearing.

Bruce Williamson, of Domus Inc., as agent, and Martin Singer, property owner, presented the application.

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

Case No. Z2014-11 was closed.

- 6. CASE #01024-Z2014-12: HYPER THERM, INC. IS REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, “WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION,” TO PERMIT IMPACT TO WETLANDS AND WETLAND BUFFER AREAS ASSOCIATED WITH PAVING, THE INSTALLATION OF A WALKWAY, CONSTRUCTION OF STORMWATER MANAGEMENT FACILITIES AND OTHER RELATED SITE WORK AT 9 GREAT HOLLOW ROAD, TAX MAP 1, LOT 24 AND 15 GREAT HOLLOW ROAD, TAX MAP 1, LOT 18; BOTH LOCATED IN THE “BM” SERVICE BUSINESS AND LIMITED MANUFACTURING ZONING DISTRICT.**

Ms. Lappin, Acting Clerk, read the Notice of Public Hearing.

Perry Seal, of Hypertherm, Russ Rohloff, of Pathways Consulting, and Jan Becker of Breadloaf Construction Co., presented the application

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

Case No. Z2014-12 was closed, with the record being left open for receipt of a letter summarizing the wetland impacts.

- 7. ADJOURNMENT:** The meeting adjourned at 9:12 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman, Zoning Administrator
Beth Rivard, Administrative Assistant