

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: 08/28/2014
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: Kate Connolly, Phil Harrison, Ruth Lappin, Carolyn Radisch (Acting Chair)

Staff: Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Carolyn Radisch, Zoning Board Acting Chair, called the meeting to order at 7:01 p.m. The deliberation meeting will be held Thursday, September 4, 2014 at 7:00 PM in the Boardroom at Town Hall. The following agenda items were then heard.

- 1. CASE #23090/089-Z2014-30: THOMAS & JUDY OXMAN 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 SIDE AND REAR SETBACKS OF 6.5 AND 6.25 MITCHELL LANE, TAX MAP 23, LOTS 90 AND 89, IN THE “SR-2” SINGLE RESIDENCE ZONING DISTRICT.**

Carolyn Radisch read the Notice of Public Hearing.

Thomas Oxman presented the application. Andrew Winter spoke in favor of the application in Phase I.

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

Case No. Z2014-30 was closed.

- 2. CASE #22036-Z2014-31: MARGARET H. GREENE, TRUSTEE OF THE MARGARET H. GREENE REVOCABLE TRUST, PROPERTY OWNER OF RECORD, IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1K, “FENCES”, PURSUANT TO SECTION 206, “SPECIAL EXCEPTIONS”, TO REPLACE AN EXISTING FENCE THAT IS HIGHER THAN 4’ TALL, LOCATED WITHIN THE REQUIRED REAR SETBACK, WITH A 7’ FENCE. THE PROPERTY IS LOCATED AT 9 PLEASANT STREET, TAX MAP 22, LOT 36, IN THE “GR-2” GENERAL RESIDENCE ZONING DISTRICT.**

Connolly stepped down. Radisch stated that a four-member board was seated and advised of the three-member board concurrence requirement. She explained that the applicant could request to continue this 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 applicant agreed to be heard by the smaller board.

Radisch read the Notice of Public Hearing.

Margaret Greene presented the application. Wood Sutton and Dan Collison spoke in favor of the application in Phase I.

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

Case No. Z2014-31 was closed. Connolly resumed her seat on the Board.

- 3. CASE #06005-Z2014-32: JAMES BARRY IS REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION," TO PERMIT THE REPLACEMENT OF A WASTEWATER DISPOSAL SYSTEM WITHIN THE 125' WETLAND BUFFER AREA AT 115 RUDDSBORO ROAD, TAX MAP 6, LOT 5, IN THE "RR" RURAL RESIDENCE ZONING DISTRICT.**

Radisch read the Notice of Public Hearing.

James Barry presented the application. No one else spoke in favor of the application in Phase I.

Marjorie Rogalski spoke in opposition to the application in Phase II.

Barry rebutted in Phase III.

No one spoke in Phase IV.

Case No. Z2014-32 was closed.

- 4. CASE #15071-Z2014-33: LAWRENCE JENKYN & LAURIE GREENBERG ARE REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION," TO PERMIT THE REPLACEMENT OF A WASTEWATER DISPOSAL SYSTEM WITHIN THE 125' WETLAND BUFFER AREA AT 7 FERN LANE, TAX MAP 15, LOT 71, IN THE "RR" RURAL RESIDENCE ZONING DISTRICT.**

Radisch read the Notice of Public Hearing.

Lawrence 'Skip' Jenkyn and Rod Finley presented the application.

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

Case No. Z2014-33 was closed.

- 5. ADJOURNMENT:** The meeting adjourned at 8:14 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman
Zoning Administrator