



Approved 11/30/10

**Zoning Board of Appeals  
Meeting Minutes  
October 26, 2010**

**Members in attendance:** Richard Rand, Chairman; Richard Kane, Craig Gugger; Chan Byun; Sandra Landau, Alternate

**Members excused:** Mark Rutan, Clerk; Gerry Benson

**Others in attendance:** Kathy Joubert, Town Planner; Bill Farnsworth, Building Inspector; Elaine Rowe, Board Secretary; Anton Alfonso; Chris Gamache; Jay Gallant

**Chairman Rand called the meeting to order at 7:00 PM.**

Chairman Rand appointed Sandra Landau as a voting member for tonight's hearing.

**Public Hearing to consider the petition of Chris Gamache for Variance/Special Permit to allow the addition of a second floor, which will exceed 80% of the gross floor area of the existing single-family home to which it will be added, on a lot with less than the required minimum lot area located at 65 Birch Hill Road in the Residential C district**

Chris Gamache presented the board with a revised floor plan drawing for the project. Jay Gallant explained that he designed the project to fit well with the surrounding properties. He also presented photographs of other homes in the neighborhood with similar additions.

Anton Alfonso explained that the proposed construction exceeds the maximum allowable increase in gross floor area by 165 square feet. He explained that they are expecting their third child, so are in need of additional room. He also has one parent who is very ill, with a very short life expectancy, so he wants to have space on the first floor for his father to move in when the need arises.

Chairman Rand asked if the home has a full basement. Mr. Alfonso noted that the home is a ranch built on a slab, with a very small crawl space. He explained that he is hoping to construct a guest room on the first floor for his father, and 4 additional bedrooms on the second floor for his growing family. He stated that he has lived in the home for six years, loves the neighborhood and would like to remain but the home is too small for his needs.

Mr. Kane commented that he has no issue with granting the request.

Mr. Farnsworth explained that, under the dimensional regulations, Residential C requires ? sq foot lot. He noted that Mr. Alfonso's lot, at only 13,000 square feet, is a nonconforming lot and therefore makes the home a nonconforming structure. Per the bylaw, section..... allows an increase of no more than 80% of the existing gross floor area.

Mr. Kane asked Mr. Farnsworth what the percentage of increase will be for the project as proposed. Mr. Farnsworth calculated that it will be a 91% increase.

Mr. Kane asked if the proposed addition is out of line with the neighborhood. Mr. Gamache noted that there are other homes in the area with similar additions. He also noted that, rather than simply building a box on top of a box, the homeowner was looking to give the home some curb appeal.

Jim Sommerville, across on Woodland Road – one house between. Homes in that area are small on small lots...several have had additions on them. Does not understand rationale for the 80% - in order to make them a useful home need to exceed by more than 80% to make it a feasible home. In favor of approving.

Judy Rosenbush – abutter beyond. No objections.

Sandra Landau made a motion to close the hearing. Richard Kane seconded, vote unanimous.

Mr. Kane reiterated his approval. Mr. Gugger agreed. Ms. Landau voiced her opinion that a variance is justified due to the amount of ledge on the parcel that makes it prohibitive to add on laterally or behind the existing home. Mr. Farnsworth agreed, and commented that in order to maintain the safe footprint of the existing structure and make the home attractive, it needs to nearly double in size.

Sandra Landau made a motion to grant the variance based on the topography of the lot. Richard Kane seconded, vote unanimous.

Sandra explained 20 day appeal period – any work done within that time is at their own risk.

**Minutes of the Meetings of August 24, 2010 and September 28, 2010** – Ms. Joubert noted that she had revised the minutes to reflect comments received from Sandra Landau and Chan Byun.

Richard Kane made a motion to approve the Minutes of the August 24, 2010 and September 28, 2010 meetings as amended. Chan Byun seconded, vote unanimous with Craig Gugger abstaining.

**Adjourned at 7:10 PM.**

Respectfully submitted,  
Elaine Rowe, Board Secretary

