

**MINUTES  
ZONING BOARD OF APPEALS  
SEPTEMBER 11, 2014**

Board members Edmund Tarnuzzer, Michele Shoemaker, Charles Barney (associate), William Bryon (associate) and Bruce Fletcher (associate) met at the Town Building at 9:00 a.m. to conduct site visits to the properties that were the subject of public hearings held on September 8th.

**128 Barton Road – Laurel Reynolds:** The members noted the dwelling had been constructed with a deck in mind as there are two glass sliders facing the Lake that are approximately 15 feet above grade. The dimensions of the proposed decks had been staked out. No major concerns were expressed.

**54 Pine Point Road – Douglas & Margarita Sweet:** It was noted there is a door approximately five feet above grade where the deck is proposed to be constructed. There are four concrete Sonotubes in place as if for a foundation. Concern was expressed for the location of the septic tank close to the proposed deck. There was general agreement that a 10-ft. wide deck is "too much"; an 8-ft. width would be more appropriate for the location.

**41 Hale Road – Denise Story-Kerble:** The members noted that the current structure, a typical summer cottage on lakefront, is in advanced stage of disrepair. The dimensions of the proposed replacement dwelling, garage and leach field had been staked out. Structures on abutting properties were noted: a large, tall dwelling of Dusseault at 45 Hale Road and the Fuller dwelling at 39 Hale Road. The Fuller garage encroaches on the Story-Kerble lot. The need for a rear yard variance to the Lake was noted as well as possibly for a retaining wall. The lack of definitive dwelling plans was a concern, especially as regards height.

The members returned to the Town Building for discussion of the findings and to vote.

**Reynolds:** Request for variance for two proposed decks and stone walls. The members wondered if a variance was needed for the two stone walls that are no more than a foot high. It was agreed to grant, if needed. On motion by Mr. Fletcher, second by Mr. Barney, it was voted unanimously by members Tarnuzzer, Shoemaker, Barney and Fletcher to grant the requested variances.

**Sweet:** As noted at the site visit, it was felt a 10-ft. wide deck was excessive. Mr. Fletcher moved to "deny without prejudice" and to add a note that an 8-ft. wide deck would be more appropriate; second by Mr. Barney. The vote of members Tarnuzzer, Shoemaker, Barney, Byron and Fletcher was unanimous in favor of the motion to "deny without prejudice" with the added note.

**Story-Kerble:** Special Permit request re non-conforming structure. The members felt that more information was needed as the plans submitted are preliminary. On motion of Mr. Fletcher,

second by Mr. Barney, it was voted unanimously by members Tarnuzzer, Shoemaker, Barney and Fletcher to deny the request for special permit "without prejudice".

The discussion on the requested variances centered on the easterly side yard. It was generally felt that with a little redesign, the proposed dwelling could fit within the "footprint" of the existing structure on the east. There was no concern over the garage but, again with a little work, the easterly side yard request could be reduced by five feet. On motion by Mr. Fletcher, second by Mr. Barney, it was voted unanimously by members Tarnuzzer, Shoemaker, Barney and Fletcher to grant the westerly side yard request and the two garage side yard requests and to deny the easterly side yard request. It was agreed to mention in the decision the need for variance on the lakeside as well as possibly for the retaining wall.

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,  
Edmund C. Tarnuzzer  
Acting Chair