

January 28, 2014

The public hearing was called to order at 6:00 p.m. by Stephen Offiler, ZBA Chairman. Other members present-Robert Lassar, Christine Farrugia, Rick Waugh, Alternate Lincoln Cooper, and Alternate Russell Dexter-6:24 p.m.

Staff present-Joyce Gustavson and Demian Sorrentino

Alternate L. Cooper was seated for D. LeDuc.

The purpose of the hearing is to accept written and/or verbal comments on application #ZBA-14-01 by Joseph J. Ezzell, Jr., for 271 Snake Meadow Hill Road (Map 06828, Block 014, Lot 003D) for a variance from Section 4.01 Minimum Lot Area for Lot 3D and 3D1.

Chairman Offiler read into the minutes a fax received by J. Gustavson, dated January 27, 2014, from Maher and Cotnoir (copy on file) stating that on behalf of the applicant, Atty. Ernest J. Cotnoir is requesting the public hearing be continued for approximately thirty (30) days in order to allow him time to prepare and send the required notice to abutters.

S. Offiler noted that notifying the abutters is a process requirement for an application. He stated that the Commission has two (2) options; 1) Deny the application and have the applicant reapply; or 2) Proceed and continue the public hearing to next month.

R. Lassar asked if this parcel was created before zoning where the dwellings need to be on equal housing lots.

S. Offiler stated that this would be a free split and not a subdivision application. He also stated that everything is in compliance except minimum lot area.

D. Sorrentino, Zoning Enforcement Officer, explained Section 4.02 Minimum Building Area from the Zoning Regulations. He read eight (8) categories of land that excludes contiguous area for "buildable area". Discussion followed regarding slopes and D. Sorrentino will check out the parcel before the next meeting.

S. Offiler stated that the parcels are slightly undersized and the present application takes a single non-conformity lot and makes it two (2) non-conforming lots.

D. Sorrentino referred to Section 4.01 Minimum Lot Area from the Zoning Regulations, stating that "no dwelling may be established on any lot after the effective date unless the lot contains at least two (2) acres (87,120 square feet) of land per dwelling unit, and a buildable area, as defined in Section 4.02 (Minimum Buildable Area) of at least 30,000 square feet per dwelling unit.

S. Offiler stated that he spoke to Jamie Rabbitt, Town Planner, who suggested moving the proposed boundary line in order to have one (1) lot meeting conformity instead of having two (2) non-conforming lots. The question becomes should the Commission grant a variance to reduce the existing non-conformity to make it a less offensive non-conforming use.

There were no other comments.

R. Waugh made a motion, seconded by C. Farrugia, to continue the public hearing to Tuesday, 2/25/2014 at 6:00 p.m. in Room #15 with a special meeting immediately following. All voted in favor of the motion.

Attest: Joyce A. Gustavson  
Joyce A. Gustavson, Recording Secretary

Attest: \_\_\_\_\_  
Christine Farrugia, Secretary