

July 22, 2014

The Zoning Board of Appeals Quarterly meeting was called to order at 6:30 p.m. by Stephen Offiler, ZBA Chairman. Other member's present-Diane LeDuc, Robert Lassar, Rick Waugh, and Alternate Lincoln Cooper. Member's absent-Christine Farrugia, Alternate Jim Perry and Alternate Russell Dexter.

Staff present-Demian Sorrentino and Joyce Gustavson.

Also present-John & Dianne Dempsey, Richard Csubak (6:40 p.m.)

Alternate L. Cooper was seated for C. Farrugia.

Audience of Citizens: No Comment.

Approval of Minutes: D. LeDuc made a motion, seconded by R. Lassar, to approve the 3/25/2014 public hearing and special meeting minutes as written and presented. All voted in favor of the motion.

Unfinished Business:

a. Application Fees: Chairman Offiler reported that the proposal to increase ZBA application fees was on the Board of Selectmen's agenda on 6/4/2014. It was stated that either ZBA would have to file an application with Planning and Zoning to make a change to the regulation or the Board of Selectmen could do it, which they did. ZBA does not need to take any action and the proposed application fee increase is in the hands of P&Z. It was on their agenda on 6/24/2014 and tabled to the July meeting. As the ZBA fees are part of the zoning regulations, a public hearing will need to be scheduled.

New Business:

a. Application by Richard Csubak for a Variance from 8 ft of Side Yard Setback of 25 ft for Property Located at 188 Calvin French Road: S. Offiler stated that the main purpose of this meeting is to accept the application. John Dempsey, contractor, stated that he takes full responsibility for the building error. He used the Town GIS website which showed 161 ft. of road frontage. A Boundary and Site Analysis Plan, Subdivision Plan for property of

Ronald, Pauline and Debra Combies, prepared by King & Mullen, Map 390, dated December 1995, shows the frontage to be 136 ft. from the pin to the stone wall. This application was received from Richard Csubak for a variance from Section 4.04 Setbacks (right side) to reduce the right yard setback from 25 ft. to 17 ft. Demian Sorrentino, Zoning Enforcement Officer stated that the variance is to allow the setback for the existing garage – the proposed deck is not an issue at this time. The application was accepted as ZBA-2014-02 for review and a public hearing was scheduled for Tuesday, August 19, 2014 at 6:00 p.m. All voted in favor.

Any Other Business: In regards to abutter notification, D. Sorrentino asked if there are bylaws, an ordinance that created the Zoning Board of Appeals. S. Offiler stated that bylaws were considered, but there are none in place at this time. D. Leduc stated that an ordinance created the Planning and Zoning Commission and the Zoning Board of Appeals was created at the same time. In a book by Mike Zizka, What's Legally Required?, A procedural guide for municipal land use agencies, a paragraph states that you don't need abutter notification.

Adjournment: D. LeDuc made a motion, seconded by R. Lassar to adjourn at 7:06 p.m. All voted in favor of the motion.

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

Attest: _____
Christine Farrugia, Secretary