

Zoning Board of Adjustment

 October 3, 2022 at 7:00 PM
 Town Council Chambers
 **APPROVED MEETING MINUTES

Present:** Bob Daigle (Chair), Wayne Rosa (Vice Chair), David Evans (Zoning Administrator), James Drago, Steve Minutelli, and Al Zink
**Absent:** John Greene (Alternate) and Henry Smith (Alternate)

The Chair called the meeting to order at 7:02 PM **[time on DCAT 10:00]**The five voting members this evening include: Bob Daigle, Wayne Rosa, James Drago,
Steve Minutelli, and Al Zink. **1. Pledge of Allegiance**

**2. Acceptance of Minutes – August 8, 2022 [time on DCAT 10:35]

Motion: Al Zink** moved to approve the draft minutes of August 8, 2022 as written.  **Second: Steve Minutelli
Discussion:** none **Vote: Unanimously Approved 5-0-0

3. New Business**
Read by the Chair: **[time on DCAT 11:22]**
a. **Public hearing for an application for a Variance from Section 32-155(c)(4) *Wetland Protection Overlay District*, requested by Cheryl & Stephen Miller, to permit installation of a 19 x 16’ accessory shed approximately 13 feet from the closest wetland delineation, where 25 feet is allowed for the setback requirements of Hydrologic B soils. The property is located at 110 Grant Road, Tax Map R4, Lot 71, R1 Zone.**Mr. Stephen Miller was present this evening to seek the variance. He explained that the shed has already been built and is actually 12’x16’ which leaves some room around the structure to walk around. He followed all State regulations when making the installation, but admitted that he did not seek a building permit or variance from the Town which was in error. The building inspector visited to discuss whether or not a permit had been pulled and if the wetlands had been delineated on the property. His home was built in 1992. To his knowledge, no wetlands had ever been mapped for 110 Grant Road. He went ahead and contacted Ambit Engineering to perform a study. The shed currently sits on land that was once developed as a well site. His mother, Mrs. Cheryl Miller, has some mobility issues, and does not have room enough within the house or garage for storage, making the additional shed necessary to clear her current dwelling for living space. The basement is finished and her son lives there. The garage is used for ‘garage’ materials. He would prefer not to move the structure, but it could be moved to the easterly side as presented in his application.

The Chair opened the public hearing at 7:12 PM. **[time on DCAT 18:27]**

Bonnie Downey, 118 Grant Road, is a direct abutter to the Miller’s property. She has no issue with their request for a variance.

**Al** **Zink** asked if the proposed site could be moved closer to the road to avoid the entire wetlands. Mr. Miller mentioned that the shed would then be within the 40’ setback from the road and there are two very large pine trees which the shed would butt up against or he would need to remove. **Wayne** **Rosa** asked about placement of rain gardens to prevent water from seeping into the wetlands. Mr. Miller said he would contact a landscape gardener for help. The Chair mentioned that the Planning Board told him that the wetland overlay district was established in 2003 and the Miller’s home was built in 1992.

The Chair closed the public hearing at 7:17 PM. **[time on DCAT 23:38]**  **Motion: Al Zink** made a motion to approve the application for a Variance from Section 32-155(c)(4) *Wetland Protection Overlay District*, requested by Cheryl & Stephen Miller, to permit installation of a 19’ x 16’ accessory shed approximately13 feet from the closest wetland delineation, where 25 feet is allowed for the setback requirements of Hydrologic B soils. The property is located at 110 Grant Road, Tax Map R4, Lot 71, R1 Zone. The finding of fact was presented by the applicant and the Planning Board on the wetland overlay district implemented in 2003.
**Second: Wayne Rosa
Discussion:** none **Vote: Unanimously Approved 5-0-0**The finding of fact is the record presented to the ZBA in the Staff Report prepared by the Zoning Administrator.

**4. Adjourn [time on DCAT 25:57]**

**Motion: Al Zink** made a motion to adjourn at 7:20 PM **Second: James Drago
Discussion:** none **Vote: Unanimously Approved 5-0-0**Respectfully submitted,

Sue Frick
Recording Secretary

**DCAT:**https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7\_5VjxKP/videos