

**MEMBERS PRESENT:** Hal Gaffin, Hank Besanceney, Mark Donahoe, Jim Hoh, Theresa Markham

**ALSO PRESENT:** Danny Bassette, George Easton, David Quick, Nate Rozzi, Charlie Battle, Chuck Jansen, Ryan Stoner, Gary Garafalo, Robert Taylor, Melissa Matson, Mr & Mrs Donner

Chair Gaffin called the meeting to order at 7:30 PM.

**AREA VARIANCE: 167 MONROE STREET**

George Easton addressed the Board regarding his property at 167 Monroe St. He has built a tennis court and would like to erect a ten foot fence. The maximum height allowable by code is six feet. The tent will be green, chain-link. The closest neighbor to the side is about 250' and the closet neighbor to the rear is about 500'.

There were no comments from the public.

**AREA VARIANCE: 60 WEST MAIN STREET**

David Quick appeared, representing Flaherty's. They would like a variance for a sign height. The maximum height allowed is six feet from the original grade and their sign is 7'6". The extra height is due to a berm that was built as a landscaping feature.

There were no comments from the public.

**AREA VARIANCE: 115 WEST MAIN STREET**

Nate Rozzi, Charlie Battle and Chuck Jansen presented plans for changes to Molye Chevrolet. The changes are being made due to a fire that destroyed part of the original structure.

The first variance they are requesting is for maximum building size. The code currently states the maximum building size is 17,000 sf. The original building was 16,665 sf. The new proposed structure will be 17,936 sf. The extra area is needed in order to meet requirements set down by GM.

They are also requesting a variance for maximum lot coverage. They are not planning on increasing the lot coverage. The variance is needed because the existing coverage (approximately 10% over the maximum allowed) is pre-existing, non-conforming.

There were no comments from the public.

**AREA VARIANCE: 61-65½ WEST MAIN STREET**

Ryan Stoner is proposing to re-subdivide five lots on W. Main St. into four lots. Two of the lots (63 & 65 W. Main St.) are currently non-conforming in terms of some of the setbacks. Mr. Stoner is asking for variances for these pre-existing, non-conforming setbacks as follows:

- 63 W. Main St.: area variance requested for lot width of 57.65' which is a variance of 22.35' from the required 80'.
- 65 W. Main St.: area variance requested for lot width of 66.15' which is a variance of 13.85' from the required 80'.
- 65 W. Main St.: area variance requested for side setback of 7.2' which is a variance of 4.8' from the required 80'.

In addition to the above variances, Mr. Stoner is requesting three variances for the newly created flag lot:

- Street frontage 24.92' which is a variance of 15.08' from the required 40'.
- Rear setback of 15' which is a variance of 45' from the required 60'.
- Front setback greater than 30'

Chair Gaffin asked for comments from the public. Mr. & Mrs. Taylor (77 W. Main) and Mr. & Mrs. Donner (75 W. Main) expressed concern about the three existing lots being shortened and about a house being built on the new flag lot. They are unhappy about how building on this new lot will impact on the view from their yards.

Chair Gaffin closed the public hearing at 8:45 and opened the business meeting.

**AREA VARIANCE: 167 MONROE STREET**

Motion by Mark Donahoe, seconded by Hank Besanceney, to grant a variance for a 10' fence around the tennis court.

**ALL IN FAVOR, MOTION CARRIED**

**AREA VARIANCE: 60 WEST MAIN STREET**

Motion by Jim Hoh, seconded by Theresa Markham, to grant a variance for a 7'6" sign.

**ROLL CALL VOTE**

- H. Besanceney – Aye
- M. Donahoe – Aye
- H. Gaffin – Aye
- J. Hoh – Aye
- T. Markham – Aye

**AREA VARIANCE: 115 WEST MAIN STREET**

Motion by Jim Hoh, seconded by Mark Donahoe, to grant a variance for a building size of 17,936 sf. plus a 512 sf. carport.

**ALL IN FAVOR, MOTION CARRIED**

Motion by Jim Hoh, seconded by Hank Besanceney, to grant a variance for lot coverage of 83% (pre-existing).

Amendment by Jim Hoh, seconded by Mark Donahoe, to write a letter to the Planning Board stating that the ZBA felt every effort possible should be made to remove paving off their property with the approval of the adjoining landowner.

Charlie Johnson agreed to draft a letter.

**ALL IN FAVOR, AMENDMENT CARRIED**

**ALL IN FAVOR, MOTION CARRIED**

**AREA VARIANCE: 61-65½ WEST MAIN STREET**

The Board determined that they could not act on the variance requests for the front and rear setbacks for 65½ W. Main St. since there was no specific request being made and variances cannot be used to create a general building envelope. The variance for street frontage would be the only variance acted upon at this time.

Motion by Jim Hoh, seconded by Hank Besanceney, to grant a variance from 40' to 24.92' street frontage for 65½ W. Main St.

**ALL IN FAVOR, MOTION CARRIED**

Motion by Theresa Markham, seconded by Jim Hoh, to grant a variance for the pre-existing, non-conforming lots at 63 & 65 W. Main St. as follows:

- 63 W. Main St – variance granted for lot width of 57.65'
- 65 W. Main St – variances granted for lot width of 66.15' and side set-back of 7.2'

**ALL IN FAVOR, MOTION CARRIED**

Charlie Johnson raised an issue with a fence at 6 Pride St. The home owners built a fence that was not to code. The owners were told at the time they built the fence (2003) that it was not to code. They are now selling their house. The earliest they can be seen by the ZBA is April 26<sup>th</sup> but their closing is scheduled for April 22<sup>nd</sup>. They would like to get the ZBA's opinion on whether or the existing fence can be approved.

The Board agreed that they could not give approval. The fence would have to be brought to code or removed.

The Board filled out the Area Determination Worksheets (see attached).

Motion by Hank Besanceney, seconded by Jim Hoh, to close the meeting at 10:15pm.

**ALL IN FAVOR, MOTION CARRIED**