

**MINUTES OF BUSINESS MEETING
HELD BY THE ZONING BOARD OF APPEALS
LINCOLN CENTER HEARING ROOM
SEPTEMBER 26, 2007**

MEMBERS PRESENT: James Stevenson, Chair
Kathleen Maffe, Vice Chair
Albert Gionet
Robert Haley

ALTERNATES PRESENT: Susan Shanbaum (sitting)

MEMBERS ABSENT: Robert Schneider, Secretary
Edward Slegeski
Paul Harnois

ALSO PRESENT: James Davis, Zoning Enforcement Officer
Mark Pellegrini, Director of Neighborhood
Services and Economic Development

The Chair opened the Business meeting at 7:15 p.m.

CONSIDERATION OF PUBLIC HEARINGS

EMIL BURZ – application #2337 – request a variance to Article II Section 2.01.01 to reduce the rear yard setback to 21 feet (30 feet required) for an addition at 137 Columbia Drive, Rural Residence Cluster zone.

MOTION: Ms. Maffe moved to approve the variance as requested because of the configuration of the lot and orientation of the house on the lot, and because the deck would be compatible with other homes in the neighborhood. Mr. Gionet seconded the motion and all members voted in favor.

The Board clarified that the variance was only for the deck as proposed in the application.

DONALD CYR – application #2338 – request a variance to Article II Section 4.01.01 and Article II Section 1.03.04(c)1 to reduce side yard to 18 inches (10' required) for a shed at 124 Constance Drive, Residence A zone.

MOTION: Ms. Maffe moved to approve the application as submitted because of the topography of the rear yard and the fact that the shed had long been in a similar location based on the applicant's testimony. Ms. Shanbaum seconded the motion and all members voted in favor.

APPROVAL OF PUBLIC HEARING AND BUSINESS MEETING MINUTES OF APRIL 25, 2007 AND MAY 24, 2007.

MOTION: Ms. Maffe moved to approve the minutes as written, Mr. Gionet seconded it and all members voted in favor.

ACCEPTANCE OF NEW APPLICATIONS

WILLIAM & MARY NIGHAN – application #2339 – request a variance to Article II Section 2.01.01 to reduce the rear yard setback to 24’ (30’ required) for an addition at 5 Thayer Road, Rural Residence zone.

ANY OTHER BUSINESS

Ms. Shanbaum noted that Mr. Davis had reminded Ms. Burz it is necessary to obtain a building permit even though the Board granted the variance application. Ms. Shanbaum wondered if the staff explains the entire process to applicants and whether a fact sheet explaining the process step-by-step should be provided to applicants. Mr. Pellegrini said the staff of the planning department helps applicants complete the application form and explains the public hearing and decision process. If a variance or special exception is granted, the staff sends a letter to the applicant advising them of the Board’s decision and telling them that at the end of the 15 day appeal period they will receive a certificate of approval that they must file in the Town Clerk’s office. After the appeal period passes the certificate is sent and applicants are again advised to file that document. Mr. Pellegrini said he would prefer to add a reminder notice in the decision letters that a building permit is required even though the variance was granted.

I certify these minutes were adopted on the following date:

Date

James Stevenson, Chair

NOTICE: THE CASSETTE TAPE RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO. 490