

## Zoning Board of Adjustment meeting minutes for August 9, 2011

Present: Chair John Smith, Lewis Major, Bernie Rideout, Todd Page, Alternate Mike McGrath and CDC Kathryn Lynch. Dorianne Almann was excused. Applicant was present; two members of the public were present.

7:00 pm Chair John Smith called the meeting to order and explained to the applicant that four members of the Board were present and asked Alternate Mike McGrath to join the Board. CDC Kathryn Lynch read the public notice for tax map 46 lot 59, 18 Highland Ave. Chair John Smith read the application and invited the applicant to present his case for appeal. Sean Leary, applicant, explained to the Board that the front of his home has an existing porch that is decaying and unsafe. Sean would like to build a porch that is safe, the porch would extend five feet from the home towards Highland and have stairs that would face the side of home and driveway. The porch would have a half wall and roof. He presented a cost list from Team Vinyl. The proposed porch would be 12' in width and 5' in length. The existing porch extends 3' from home and the proposed porch would be an additional 2'. Chair John Smith asked for comments from the public in favor of the variance. Kathleen Ready of 14 Highland Ave. explained that the porch has been unsafe since the property was owned prior to Mr. Leary and as the years have gone on they have gotten worse, she is in favor for safety reasons. Chair John Smith asked for comments from the public in opposition of the variance, hearing none he closed the public portion of the meeting. Board worked on the Finding of Facts listing five:

1. Set back is 35'
2. Five foot extension from home
3. The proposed porch will be 12' x 5'
4. This will be an additional 2' from home, existing porch extends out 3'
5. Stairs are rotted and this will be safer

Todd Page made a motion to accept the Finding of Facts, seconded by Bernie Rideout, unanimous "aye" votes to accept, motion passed.

Board worked on Statement of Reasons.

1. There ~~would~~/**would not** be a diminution in value of surrounding properties as a result of the granting of this variance because: ***the porch would add curb appeal and will be designed in keeping with the style of the home in such away as to highlight its most positive characteristic.***
2. The granting of this variance **would**/~~would not~~ be of benefit to the public interest because: ***there would be no disruption to the neighbors in the way of traffic, or access to their properties, and the improvement would only enhance the "old homes" image to similar properties in town.***

3. Since:
- a. the following special conditions of the property make an area variance necessary in order to allow the development as designed: **The home was built in the mid 1800's prior to proper streets or ordinances.**
- and:
- b. the same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden because: **There is no other place to construct a porch.**
4. By granting this variance substantial justice ~~would/would not~~ be done because: **It would be a substantial esthetic improvement to the front of the property as well as allow access to the front entrance of the home.**
5. The use contemplated by petitioner as a result of obtaining this variance ~~would/would not~~ be contrary to the spirit of the ordinance because: **The placement of the porch would not interfere with the road crew during snow removal or utilities in any way.**

Bernie Rideout made a motion to approve the Statement of Reasons, seconded by Todd Page. Unanimous and individual "aye" votes to approve, motion passed unanimously.

Bernie Rideout made a motion to grant the variance seconded by Lewis Major. Unanimous and individual "aye" votes to approve, motion passed unanimously.

Bernie Rideout made a motion to approve the minutes dated August 9, 2011 as written, seconded by Lewis Major. Unanimous and individual "aye" votes to approve, motion passed unanimously.

Todd Page made a motion to adjourn, seconded by Bernie Rideout, motion to adjourn unanimous.

Respectfully submitted by,

CDC Kathryn Lynch

Draft of minutes until approved and signed