

Zoning Board

February 6, 2008

Memorial Building

7:00 P.M.

These minutes are to be considered draft minutes only until they are approved by the Board at their next meeting.

Present: B. Manning, Cynthia Hayes, Gene Hayes, Bill Sullivan, Barbara Dunlap

Tom Norton, Chuck Theall, David Eckman

Minutes: The following changes were made to the minutes of the meeting of January 6, 2008; page 1, last line "placed at the 50" buffer" changed to "placed at the 50' buffer". A motion was made, seconded and unanimously approved to accept the minutes of January 6, 2008, as corrected.

Tunis, LLC Continued Variance Hearing-Present: Susan Hankin-Birke, David Eckman (at about 7:30). B. entered into the record a copy of the e-mail he had sent to the other Board members regarding the Covenants and Deed Restrictions, as reviewed by Town Attorney Dan Smith. Susan went over the changes she had made at Dan's suggestion. He had seen her revisions and now thought that it was "fine" in his opinion.

The Board now wanted to clarify the requested variances. They are:

For lot 750-517-Small lot

- 1) The house is only 78'4" from the lake, not 100' (Article VII A3)
- 2) The house is only 25'5" from the ROW, not 35' (Article III B3b1)
- 3) The house is only 16'8" from the property line, not 35' (Article III B3b1)
- 4) Septic system is 0' from the property line, not 40' (Article III B3b2b)
- 5) Septic system is less than 40' from the road/ROW (Article III B3b2b)

For lot 735-520-Large lot

- 1) The house is only 59'6" from the lake, not 100' (Article VII A3)
- 2) Septic system is only 87'9" from the lake, not 125' (Article VII A5)
- 3) Septic system is less than 40' from the road/ROW (Article III B3b2b)
- 4) Septic system is less than 40' from the property line (Article III B3b2b)

With David Eckman now here, and with full-sized maps, B had him address the list of concerns from Ross Stevens, as listed in the minutes from January 2, 2008. There was discussion about foundation drains. The owners and builders would like to have a full basement but don't know if they can because they have not dug any test pits. If there was a full basement, perimeter drains would zero out very close (1-3 feet) to the lake. If there is only a crawl space the perimeter drains would zero out outside the 50' buffer. As each of these issues was addressed, the Board formed a list of conditions. They are:

- 1) The Declaration of Covenants and Easements (Revised, dated 2/6/2008) goes with the plan, as well as the signed Certificate of Authority.
- 2) All State approvals and permits are obtained
- 3) Plan B-1 is recorded at the Registry of Deeds, Ms. Hankin-Birke will provide proof
- 4) There will be no deck on either house
- 5) There will be an alarm for the septic system pump in each house
- 6) Outdoor lighting on both properties will follow the Basic Lighting Ordinance by the OEP which states "Any new outside lighting whether for area illumination, sign illumination, building illumination or other purpose, will project no more than 3 percent of its light rays above the horizon from the lamp, its lens structure or any associated reflector."
- 7) There were 2 conditions added to sheet C-3 concerning perimeter drains and a silt fence during excavation at the well.
- 8) These Variances will expire in 5 years if substantial construction has not been completed.

B. went over the worksheet for area variance with the Board.

Bill made a motion to grant the above variances, based on plans presented by David Eckman on 2/6/08 and subject to the above 8 conditions, the motion was seconded by Gene, and all members voted in favor.

Springfield Power: B. stepped down as Board member and helped Mr. Theall speak to the Board about a variance for pollution control equipment the plant wishes to install which is taller than 35'. Time is very short so they asked if the Board would consider having a site visit before the next regular meeting on March 5, 2008. The Board agreed and B. will work with the office to get all appropriate paperwork in on time for proper notice.

Cynthia wishes for the Board to review its by-laws. She handed out samples from other Towns. The meeting was adjourned at 9:38.

Respectfully Submitted,

Linda Huntoon, Recording Secretary

