

Zoning Board

August 4, 2009

Memorial Building

7:00 P.M.

These minutes are considered a draft until they are approved by the Board at the next meeting.

Present: Cynthia Hayes, Bill Sullivan, Katherine Richardson, Barb Dunlap, Kevin Waite, John Chiarella (Selectman), Gene Hayes.

Minutes: Kevin motioned to accept the minutes of July 7, 2009, 2nd by Bill, all in favor.

Literature & Correspondence: None

Denison-Area Variance Hearing. Present: Christine Denison. There was a site visit on this property at 6:00 pm this evening. Kevin was absent last month but was at the site visit. When asked, he told Cynthia he felt he was “up to speed”.

Cynthia went over the 5 conditions/criteria which must be met in order to grant an area variance. She allowed Mrs. Denison to address each one. Mrs. Denison stated that basically this was just a little, well-kept shed. The abutter upon whose property-line the shed now sits, has given permission. The cost of moving the shed would amount to more than the shed's value, and would involve the removal of trees, and other soil disturbances. Other locations on the property would make access to the shed much less convenient. The Denison's lease a 100' x 30' parcel of land from the State, but, they are not allowed to put the shed there.

There was a letter placed on file from Linda Sheridan; supporting the Denisons.

The Board then discussed the criteria further. No one could find any problems with Public Interest (#2) or Property Values (#1). Gene expressed concern that moving the shed would require a substantial amount of terrain alteration. Cynthia didn't feel there was anything unique about this property.

Kathy pointed out that the Denison's had signed a building permit in 2007, for enclosing the shed. That permit included a line which stated that the owner's agreed to abide by the zoning ordinance.

After asking if there were any more comments, Cynthia closed the public hearing. The Board then discussed the 5 conditions/criteria more. The Board had the most concern with condition #3 unnecessary hardship. They felt there was at least one other site on the property to place the shed and that the Denison's property was similar to the other properties in that neighborhood. Cynthia asked for a motion and Bill moved to deny the appeal, 2nd by Kathy. After a brief discussion there was a vote. All members voted in favor of denying the appeal.

Cynthia informed Mrs. Denison of her right to appeal. John Chiarella left the building with Mrs. Denison and returned to tell the Board that he told her “what her options were”.

The Board continued with some discussion of enforcement of zoning laws and possible penalties. They also discussed the timeline for removal of the shed, and who should be responsible for follow-up.

The Meeting was adjourned at 8:35pm.

Respectfully Submitted,

Linda Huntoon, Recording Secretary