

MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
June 15, 2011
7:00 PM

Meeting called to order by Chair Electra Alessio, at 7:00 PM present: Ray Donald, Jay Alberts, Peter Coffin, and John Whittier. Mr. Alberts motioned to approve May minutes Mr. Donald seconded all in favor.

Dena Bouzianis 9 Maple Street, Tax Map U-2, Lot 26

Ms. Bouzianis stated the variance for the back porch would be so that the porch could be screened in. Ms. Bouzianis stated the porch was only 47 feet from the water. Ms. Bouzianis stated a variance was granted to build the deck, and she would like to put a roof over it and screen it in. Ms. Bouzianis stated the roof overhangs along the side of the house, which leads to the side door. Ms. Bouzianis stated she did not have a door facing Maple Street. Ms. Bouzianis stated she wanted to have a door facing the street. Mr. Donald stated the applicant was not intending to increase the footprint. Ms. Bouzianis stated that was correct. Mr. Alberts asked if deck was being increased by two feet. Ms. Bouzianis disagreed. Photos and plans were reviewed and discussed. Mr. Alberts stated there would be a two foot increase on the back deck. Mr. Donald asked about the basement entrance. Ms. Bouzianis stated she would like to go two feet toward the bulkhead. Ms. Alessio asked if anyone would like to speak in favor or against the application. Mr. Whittier asked for clarification of photos. Ms. Bouzianis explained photos. Mr. Coffin asked if the porch was going to be winterized. Ms. Bouzianis stated no. Ms. Alessio read the five criteria and all five criteria passed. Mr. Donald made a motion to approve, Mr. Alberts seconded all in favor. Ms. Alessio explained the thirty day waiting period.

Gil & Natalie Costa 111 Main Street, Tax Map U-7, Lot 18

Ms. Alessio stated she had received an affidavit that granted authority to Mr. Costa to represent Twin Mountains in this matter. Mr. Costa stated that he originally wanted two units in the building but altered his plans to a single family residence. Mr. Costa stated he invited Mr. Steward to review the project and he was advised that Mr. Costa would need a permit and a variance to change from commercial use to single family. Ms. Alessio stated it would become less non-conforming. Mr. Costa stated he initially thought it would be possible to put two units in, but today realizes it would be impossible. Mr. Costa went through the five criteria. Mr. Whittier

asked about the notary signature. Mr. Donald asked about the eleven units on the property and the restaurant being out of business for an extended period. Mr. Donald stated that by not granting the variance the building would remain vacant and it would not be good for the town. Mr. Donald stated that because there are 12 units and a business and it would be appropriate for the applicant to go for a site plan review. Ms. Alessio stated the applicant would have to go for permits. Mr. Costa stated there are 11 units plus the office plus the new single family unit on 3.4 acres. Mr. Coffin stated the board couldn't address the 11 units or the business. Mr. Coffin stated it should be stipulated on a site plan review. Ms. Alessio added all appropriate building permits would be needed to proceed. A discussion followed on enforcing the restrictions. Mr. Middlemiss stated because the property had more than 3 residences it is considered commercial and all commercial property must go before the planning board if there is a change in the usage. Ms. Alessio explained the process including the thirty day waiting period. Ms. Alessio read the five criteria for a use variance; all five criteria passed Mr. Donald made a motion to approve the variance Mr. Coffin seconded, all in favor.

Andrew & Deborah Meyer, 54 Little River Road, Tax Map R-39, Lot 19

Mrs. Meyer stated they were at the final stages of the permits when they realized they would have to come before the board. Mrs. Meyer gave details of a model of the residence and property. Mr. Donald asked for an explanation of increasing the size of the house. Mrs. Meyer stated they bought the house with the intention of doing something and has been told this would be the best plan. Mrs. Meyer explained the changes and stated it was an old house with no closet space or storage. Ms. Alessio stated she had a detailed letter from Mr. Steward which stated among other requirements a septic design approval. Mrs. Meyer stated the septic design had been approved by the state. Mr. Donald asked if Mr. Middlemiss had approved the septic design change. Mrs. Meyer stated no. Mr. Whittier stated she needed both. Ms. Alessio stated the septic design is for a two bedroom and the house is classified and taxed as a three bedroom. Mrs. Meyer stated they are renovating the downstairs to combine the two bedrooms into one bedroom. Mr. Donald asked if would stay a two bedroom house. Mrs. Meyer stated it was currently a three bedroom house, but would be downgraded to a two bedroom because of the septic. Mr. Coffin asked about the office. Mrs. Meyer stated the office is going to be used an office not as a bedroom. Mr. Coffin stated the issues arise during re-sale. Ms. Alessio referred to a letter written by Mr. Steward stating if the variance was granted the applicant still had septic and bedroom count issues to be resolved. Ms. Alessio stated the applicant had been before the board previously for the addition. Mr.

Donald stated the footprint would not be changed. A discussion followed regarding the literal interpretation of the ordinance. Ms. Alessio read the five criteria, all five passed, Mr. Coffin made a motion to grant the variance, Mr. Alberts seconded, all in favor. Ms. Alessio explained the thirty day waiting period.

Ms. Alessio adjourned the meeting @ 7:55.

Respectfully submitted,

Tammy L. Bakie
Secretary
Zoning Board of Adjustment