

Zoning Board of Appeals - September 27 2022

1238 Main street Sean Skuse

ZBA Members Present: Alan Pease, Garry Baer, Justin Baer, Matt Johnson

Attendees: Greg RoyCathy Kristofferson

Meeting open at 7:01pm

Greg Roy representing Sean Skuse

- Previous house was demo-ed in 2012
- New (3) bedroom house under construction on same footprint
 - new foundation too close to road setback
 - asking for 23' relief
 - building permit was issued by previous B.I., owner proceeded in "good faith"
- most of property is wetlands (unbuildable)
- existing slab has a new garage (under separate building permit)
- house construction started in march 2022, house shifted left by 2'
- garage construction started in April 2022 (does meet setback requirements)
- reusing existing driveway? (yes)
- new well? (yes)

Public hearing closed at 7:28pm

Deliberations:

The Special circumstances are that the BI should have reviewed the changed site location, and/or caught the issue when the building permit was closed, but there was no record of either happening;

1. Special circumstances related to soil or topography: (YES)
 - a. Vote: motion by Alan, 2nd by Garry, 3 votes YES; **condition met;**
2. Special circumstances are related to THIS parcel and do not generally affect other neighboring parcels: (YES)
 - a. the previous B.I. should have caught the problem before issuing the permit
 - b. Vote: motion by Alan, 2nd by Garry, 3 votes YES; **condition met;**
3. Literal interpretation of zoning would involve a substantial hardship to applicant (YES)
 - a. Vote: motion by Alan, 2nd by Justin, 3 votes YES; **condition met;**
4. Granting the variance would not be a substantial detriment to the public good / neighborhood (agreed)
 - a. The new house reused the existing footprint of the previous house
 - b. Vote: motion by Alan, 2nd by Justin, 3 votes YES; **condition met;**

Motion to "approve the Variance, with recommendation (listed above) added:

- Motion by Garry, Justin 2nd, 3 votes yes, **variance is granted**

Meeting adjourned at 7:32pm