

ZONING BOARD OF ADJUSTMENT

Minutes of Jan. 23, 2024

Approved 1/30/2025

Members Present: Waugh (Chair), Milley, Green, Safro, Fischel, Epps

Waugh opened the Annual Business meeting at 6:30 p.m.

Election of Officers: Green nominated Waugh to serve as Chair for one year. There were no other nominations. Waugh was elected Chair unanimously. Fischel nominated Green to serve as Vice-Chair. There were no other nominations. Green was elected Vice-Chair unanimously. There were no nominations for Clerk; the consensus of the Board was to put off the election of a Clerk until a later meeting. After a brief discussion of hearing procedures, the Board agreed to return to the prior practice of members being recognized by the Chair prior to posing questions.

Waugh introduced the Board, read the hearing procedures, appointed alternates Safro and Milley to sit in place of Esinhart and Eggleton, and opened the public hearings:

1. CASE #05075-Z2024-24 (continued from December 5, 2024) Michael Carbonneau, Agent for Thomas Fitzmaurice, appeared with the Functions and Values Assessment that the Board had requested as well as a slightly revised septic plan. He explained the minor changes in the wetlands delineation, system location, and sump pump drainage location. Thomas Fitzmaurice appeared via Zoom and answered questions. The Board noted that the Assessment failed to confirm that the proposed use (a leach field within 125 feet of a water resource at 5 Dogford Rd) *“will not result in any unreasonable and significant net adverse effect on the natural function of any water resources or their buffers in the area.”* as required by Section 1103.7.A.3. The Board agreed to hold the record open until January 29 for Mr. Carbonneau to submit a letter from the wetlands scientist addressing that question.
2. CASES #47073-Z2024-25 & Z2024-26: John Welborn appeared and asked the Board to continue his case. An abutter has contacted him and co-owner Susan Park with objections to the proposed ADU and driveway, and they hope to resolve any issues before returning to the Board. The Board agreed to table the case on the condition that the applicants cover the costs of new notice to be provided when they return to resume the case.
3. CASE #23003-Z2025-01: Jennifer Lynn appeared, explained the need for a special exception to raise their house at 103 S. Main, detailed how the proposal met the special exception criteria, and answered questions from the Board. In a brief discussion following the close of the case, the consensus of the Board was that the criteria had been met. Milley was assigned to write a draft decision for consideration at the 1/30 deliberations.
4. CASE #39021-Z2025-02: Frank J. Barrett, Jr., Agent for Robert and Myra Kelbalka. No one appeared for the hearing. The Board voted to continue the case to Feb. 27 at 7:00 pm.