

**Minutes Meeting of January 4, 2006-** Smith, Liteg

Members Present: Stuart Schulman, Jay Prager, Mark Mulligan, Chase Duffy, Cindy Maxwell, Bob Cadle

The Chair convened the Smith hearing by reading the Legal Notice.

Mr. Smith and an Engineer from Cornerstone Engineering were present, noting that the septic needs replacement and the existing dwelling has drainage problems. He said that he wants a new house to replace the existing residence, noting that the existing house is quite close to the pavement. He said that the new house will be much further set back. The applicant noted that the existing house is sitting low on the lot and the lot wasn't graded properly, causing the block foundation to deteriorate. Mr. Smith said that it would cost a fortune to lift up the house and build a new foundation, and noted that he has a Title V septic permit.

The Chairman noted that there were no abutters present.

The engineer said that both the house and garage will go and he will construct a three bedroom house, noting that the septic permit is for a three bedroom house. He stressed the hilly topography but said that he is situation the house to keep from cutting into the hill.

Mr. Mulligan thinks this is a better use of the lot.

Mr. Smith said that he wants to have a family and now can't store anything in the basement. He stressed that he wants to stay on this lot.

The Board moved to grant a variance from acreage and frontage pursuant to the plan submitted with the application.

The motion was seconded and passed unanimously.

The Acting Chairman reconvened the Liteg hearing.

David Kiele, attorney, noting that they are asking for relief from the acreage by-law, to replace a trailer. He said that there were questions regarding whether this is a water resource protection area, in Zone 3. He said that a single family dwelling is a protected use and also submitted photos of other houses in the neighborhood, approximately 2/10ths of a mile away. He said that the existing trailer is 25 to 30 feet from street and noted that the new house will be set further back, conforming to setback requirements. He stressed that the new house would only improve the neighborhood.

Discussion ensued regarding an existing barn in the neighborhood.

Atty. Kiele said that they can't enhance the trailer and noted the presence of a cesspool to rear. He also noted that there is a root cellar in very bad condition to the rear of the trailer.

Mr. Prager said that moving the house back makes a lot of sense, particularly in the summer when there is a lot of activity at the Baddacook boat launch.

Mr. Logue said that he has an application with the BOH.

Mr. Cadle said that he wanted to discuss the criteria of granting a variance, particularly related to hardship.

Atty. Kiele said that it is a better use of the lot.

Mr. Logue said that he wants to keep the house as small as possible and make a dollar.

Discussion ensued regarding the best location of house on lot and keeping it away from boat ramp.

Mr. Prager said that the trailer will be torn down and its location is not good for the house.

The Board moved to approve a variance to allow construction of a house less than 2900 square feet.

Mr. Cadle said that it is a good proposal and that he is voting for it.

The motion was seconded and passed unanimously.

The meeting adjourned at 8:15 pm.