

ZBA Minutes Meeting of October 25, 2006 –Snell

Members Present: Robert Cadle, Chase Duffy, Mark Mulligan, Cynthia Maxwell, Megan Mahony

Chairman Cadle convened the Snell hearing by reading the Legal Notice.

Ted Doucette, Polaris Engineering, was acting as agent for the applicant, noting that they are requesting a special permit for an in-law apartment. He said that all by-law requirements are met, including the requisite 800 sq. ft. apartment/addition and a garage to provide extra parking. He said that there is a new septic system being installed and one unit will be owner occupied. He noted that the living space is 800 square feet and connected to the existing building, and the entire structure looks like a single family dwelling. He said that the extra parking space is in the new garage, noting that the preliminary design is for six bedroom Title V system and will be applied for soon. He said that there is a four bedroom system there now that will be replaced with a six bedroom system. Mr. Doucette then submitted floor plans, noting that the apartment will have two bedrooms.

Discussion ensued regarding the plan, including landscaping, etc.

Mr. Mulligan asked whether family members would be living there.

Ms. Snell noted that the apartment is for her mother.

Mrs. Duffy asked about a washer/dryer.

Ms. Snell said that they will be installed.

Chairman Cadle asked about utilities, heat, etc.

The contractor noted that there is a separate oil furnace, water line and utility line.

Chairman Cadle went through the list, noting that all conditions have been met except one, and asked about the entrance.

Mr. Doucette said that there is a porch with mudroom and a door to the apartment will be there.

Chairman Cadle asked about the increase of more than 800 square ft of the actual addition.

Mr. Doucette said that it is an extended porch.

Chairman Cadle said that it increases the dwelling by more than 800 square ft. because the porch is part of the apartment and not the existing dwelling.

Two Board Members thought that that part of the by-law is ambiguous, because there is a question of how the increase in square footage is allowed.

Mr. Doucette said that he thinks that a porch isn't really a living space/structure and suggested sonar tubes as a condition for the porch.

Discussion ensued regarding how to make this work, with Mrs. Duffy suggesting conditioning that there be no increased living space, no screening or glassing in of the porch, etc.

Of note: the porch is shared.

The Board moved to grant the application for an accessory apartment at 25 Stonebridge Way with the conditions that the apartment be not more than 800 square feet, sonar tubes will be used for the porch footings and the porch shall not be converted to living space. The proposal further meets the criteria of section 218-16D, including area, owner occupation, a single apartment, the footprint of the house proper is increased by only 800 square feet and there is additional parking for one more car. Further, the proposal meets all Title V requirements and will meet all other utility department requirements. The proposal is not detrimental to the neighborhood because an effort has been made to maintain the appearance of a single family dwelling.

The Board went over the special permit criteria, noting that the BI should be questioned about the actual construction footprint of any addition.

The Board moved and seconded to grant a special permit to Snell for an accessory apartment. The motion passed unanimously.

Discussion ensued regarding a local homerule bylaw stipulating that a board member can miss one meeting and still vote on a case.

Of note: a memo to the PB will be sent re: the new by-law allowing a Board Member to miss one meeting.

The meeting adjourned at 8:30 pm.