

**ZBA Meeting Minutes December 3, 2008** – Miles

Members Present: Robert Cadle, Chase Duffy, Harris McWade, Cynthia Maxwell, Alison Manugian

The Chairman reconvened the Miles variance.

One Board Member is sick; the hearing is continuing with a four member board.

Chairman Cadle said that they all went on a site walk and noted that he wants to go through any problems or issues that the Board may have.

Ms. McWade said that she thinks there is about 15 feet of setback, as shown on plan. She said that she wonders if the garage could be pushed more towards the abutting property.

Mr. Miles said that he if moves the garage back and in, it could encroach on the septic system. He said that the system is not on the plan but is diagonally back from the garage and house.

Ms. McWade felt if the garage could be moved back to split the distance, she would be more comfortable with the plan.

Discussion ensued regarding location of the mulch patch and access for the septic pump truck.

Mr. Miles said that he could rebuild the garage without a variance if used the same footprint, but with current code, it would only be a single car garage because of the required width of the walls, etc.

Mrs. Duffy asked about reducing the size, noting that she doesn't feel secure voting for a garage that size and that close to the road.

Mr. Miles said that the plan shows the right of way 15 feet from the garage.

Mrs. Duffy noted that if the town wants to widen the road and there is only 15 feet, Mr. Miles would need to move the garage.

Mr. Miles said that he wants as much of a variance as he can get but could live with a 3.5 foot variance if he could not get the requested seven plus feet.

Chairman Cadle suggested moving the garage back toward the house and angling it so only one corner is closer to the road.

Discussion ensued regarding how to make a plan work that board could live with and not feel there is a safety issue.

Chairman Cadle said that he could give a four foot variance and let the applicant decide how to work with it.

The Board moved to grant a variance to allow the replacement of the existing garage such that the road side wall is no closer than 11 feet from the front property line, as shown on the map signed by Stan Dillis and dated 9/17/08. The motion was seconded and passed unanimously.

The Board moved to accept the instructions and application except for a few minor grammatical edits. The motion was seconded and passed unanimously.

The meeting adjourned at 8:45 pm.