

**ZBA Minutes Meeting of April 29, 2009** – Ferguson, Mattbob

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

Chairman Cadle convened the Ferguson special permit hearing.

Of note: the roof can't be more than 35 feet and needs a pitch of 10/12.

Mr. Ferguson, applicant, said that he wants to raise the roof of his house and has already put up a shed that doesn't meet the setback requirements from the street. He said that his land from the street to the lake is 46 feet in total and unless he makes a floating shed, he can't comply.

Discussion ensued regarding the size of the plan and location of the shed. The applicant said that he can park a 12 foot box truck between the shed and the road and one wheel rests in the street, so he thinks it has a setback of a little less than 10 feet.

Chairman Cadle asked about the size of the shed. The applicant said that it was 8x8x11 feet. Ms. McWade said that it is very irregularly shaped and there is a steep drop off like a cliff.

Mr. Ferguson said that the whole roof is being raised, front to back, adding a story and going up seven feet, six inches. He said that there will be a reverse gable with a hip roof in the front so it doesn't look like a sky scraper from the lake. He said that pitch will drop to a 10/12 pitch.

Mrs. Manugian asked about the existing roof on the drawing.

Chairman Cadle said that he is confused by the plan and that the applicant needs to submit a plan that is understandable by the Board. The applicant then presented an engineered plan.

The Board noted general confusion.

Mrs. Duffy suggested a site walk and asked about the impact on neighbors.

Mr. Ferguson said that a camp that has no running water and is used one weekend per year is the closest abutter and otherwise there is only the Bigelows between the Andersons.

The Board noted that a site walk was a good idea.

Mr. Ferguson said that he is cutting off the roof, adding seven feet six inches and reattaching the room. He said that what is now one and one half floors will be two floors and an attic, noting that the house is on a cliff.

Mrs. Duffy said that she wants a site walk.

Discussion ensued regarding the neighboring camp, which is listed as a dwelling with no water service.

Mr. Ferguson said that he is serviced by town water and has a tight tank septic.

Chairman Cadle asked about the BOH. Mr. Ferguson said that he has approval from them.

Chairman Cadle said that he wants a site walk and both the BOH and Cons. Comm. approvals in hand.

The Board agreed.

Mrs. Duffy said that she likes the photos submitted with the packet but felt they do not do justice to the site.

A site walk was scheduled for Saturday at 9 am, 5/2/09 and the hearing was continued to 5/6/09 at 7:30 pm. The motion was seconded and passed unanimously.

The Chairman reconvened the Mattbob hearing and noted that the applicant had asked for a continuation to the middle or end of May.

Mrs. McEvoy, abutter, asked what would be discussed at the next meeting.

Chairman Cadle said that the modification request would be discussed.

Josh Degen said that that is a flawed approach and the Board is letting the applicant lead them down a road that is illegal. He asked how the Board is going to pay Mark Bobrowski and said that the Board shouldn't let the applicant negotiate with Mike Jacobs regarding his bill. He said that the applicant is playing both sides of the coin.

Chairman Cadle agrees that the modification request can't proceed without more funds. He said that Matt Field came to the last meeting and said that he was negotiating with Mr. Jacobs. He said that the Board just wanted Mr. Jacobs to be paid.

Mrs. McEvoy said that all protocols haven't been followed and that Mr. Bobrowski hasn't been formally hired.

The Board disagreed that protocol has not been followed.

Mrs. McEvoy said that she wants the trail covered, and wants consultants hired and on record.

Mr. Degen said that the BOS is very concerned that the Board is creating a situation for potential litigation. He said that they are concerned about the lack of contracts with Mr. Jacobs and Mr. Bobrowski, the lack of 593 dollars and how Mr. Jacob's bill was paid.

Discussion ensued re: procedural process.

Mrs. Duffy said that Mike Jacob's work is key.

Mr. Degen said that he doesn't want Mike Jacob's report to be tainted. The Board said that because he has already done the work, the report would not be tainted.

The Board moved to continue Mattbob to May 27 at 7:30 pm. The motion was seconded and passed unanimously.

The meeting adjourned at 8:15 pm.