

APPROVED

Town of Grantham
Zoning Board of Adjustment Minutes
March 2, 2016

Chairman Conrad Frey called the meeting to order at 7:02 p.m. on Tuesday, March 2, 2016 in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South.

Present: Chair Conrad Frey; Sheridan Brown; Peter Guillette; Peter Gardiner.

Absent: Myron Cummings; Richard (Dick) Mansfield; Tanya McIntire; Margery Bostrom.

Public: Allen Wilson; Lillian Mandl; Jeff Figley.

Chair Frey stated with members Cummings; Mansfield; McIntire and Bostrom absent this evening he asked that Alternates Guillette and Gardner be appointed voting members for tonight's meeting.

Unanimously Approved

Approval of Minutes

Chair Frey asked Board members if there were any corrections to the minutes from the January 28, 2016 meeting. Guillette said that page one, under Approval of Minutes; line two; remove the word "continued" and replace with "stated". There being no further corrections motion was made by P. Guillette and second by P. Gardiner as amended.

Unanimously Approved

At 7:10 p.m. Margery Bostrom arrived for the meeting.

New Business

Variance Application # 03 – 2016 – 01
Surveyor Allen Wilson & Property Owner Lillian Mandl
Proposed Garage/ 11 Eagle Drive; Map 225 Lot 295

Wilson stepped forward and explained the drawing of the new proposed garage to the Board members asking a variance for the setbacks due to the layout of the land. He stated that the current required setbacks for zoning are 35 feet frontage and 10 feet sides and rear, and need to have them changed to 25 feet frontage and 6 feet sides and rear in order to build the garage.

Frey asked if the entry onto the property would stay the same and Wilson said yes except of some tree removal that already has Eastman approval. Wilson said there would be a retaining wall added to part of the area.

Abutter Jeff Figley asked to look at the drawings. Guillette asked about the original retaining wall that divides the properties and if there would be any changes and Wilson said no. Figley asked Wilson about the reductions in setbacks and Wilson said they were asking for 4 foot of reduction on the side of the property that abuts Figley's property. Guillette asked Figley if he had any objections

APPROVED

with the application and he stated that he did not feel that this would have any impact on his property values.

Chair Frey asked Board members if there were any further questions. Brown stated he felt that due to the fact there is an Eastman Community Association involved he had a hard time of (Regarding the criteria in the Zoning Ordinance Manual for the variance) judging whether this was contrary to the public interest because of the fact the Association would have an interest. Brown realized they did receive notice as an abutter to the property and did not raise objection, but he said they still do have an approval process to go through and felt that would be the best indicator whether the public interest is being served. Frey said if the Association turned it down, would that supersede the decision the board would make. Brown said that's what he would say. Brown stated that it was a protected covenant, a property law issue and not a matter of zoning.

Wilson stated that from past experience once the application has been approved by Zoning Board of Adjustment (ZBA) there has not been any noticed objection from the Eastman Control Committee (ECC). Wilson said case in point was almost an identical situation a few years ago where a property owner wanted to put a garage on a small lot and the ECC asked if they had received a variance from zoning and they had. Wilson said does that not mean it's going to be a problem this time, he doesn't know. Brown further voiced his opinion on this subject as did Guillette.

Figley stated that he would like to see that care is taken to be careful as to not disturb the existing stone wall when they are digging. Chair Frey said that would be between him and his neighbor. Mandl said she intends to build the retaining wall to support and protect the existing trees between the two properties and the existing stone wall that crosses over both properties. Wilson stated the wall does not have any historical importance with everything he had viewed.

Chair Frey asked the Board members if there were any further questions, there being none he finished reading aloud the rest of the criteria in the Zoning Board of Adjustment manual pertaining to this application and members voted on each one. The application was approved with no conditions. ***Unanimously Approved***

Wilson and Mandl thanked the Board.

Other Business

Brown stated since the Zoning Board has a new alternate he was stepping down to pursue his other duties as Selectman and member of the Conservation Commission.

Adjournment

Chair Frey stated there being no further business a motion was made by M. Bostrom and second by P. Guillette to adjourn the meeting at 7:45 p.m. ***Unanimously Approved***

The next Zoning Board of Adjustment meeting will take place on March 24, 2016 unless otherwise posted.

Respectfully Submitted,
Martha Norris, ZBA Clerk