

## MINUTES

<b>Members Present:</b>	R. Broseau, R. Stearns, D. Vigneau, A. Welch, S. Woulfin
<b>Alternates Present:</b>	D. Blanchard,
<b>Alternates Absent:</b>	S. Barefield, T. Ward
<b>Staff Present:</b>	L. Painter, Director of Planning and Development; E. Galbraith, Administrative Assistant

## CALL TO ORDER AND ROLL CALL

Chair Brosseau called the meeting to order at 6:30 PM.

## PUBLIC HEARINGS

**Z-0002: Application for variance s to the minimum front and side yard setbacks to authorize a two- car garage 5 feet from the side property line and 34 feet from the front property line at 50 Farmstead Road (Parcel ID 15.30.5 8, R-90 Zone). David Knecht and Lori Smolin Owners/Applicants.**

Brosseau opened the Public Hearing at 6:32 PM. Members present are Brosseau, Stearns, Vigneau, Welch, and Woulfin.

Painter noted that this hearing is a continuation of an extension granted at the December regular meeting of the ZBA, previously noticed in *The Chronicle* newspaper.

Lori Smolin and David Knecht took the stand and introduced themselves as the applicants and owners of the home at 50 Farmstead Road. Smolin referenced newly submitted information to support the application including a copy of the original 1962 building permit, a copy of the zoning regulations from 1962, and a letter of professional opinion from Smolin & Knecht's contractor, Sunrise Construction.

Smolin recapped their request for a variance. The applicants seek authorization to construct a two-car garage on the east side of the house, 5 feet from the side property line and 34 feet from the front property line, which is less than the standard setback requirements for such a project per the current zoning regulations. Smolin stated that after thorough research, she has determined that placing a new garage within the standard setbacks would create a number of problems for the property.

The first set of concerns raised are in relation to the use of a driveway. In order to place a garage within the standard setbacks, either a new driveway would need to be created, or the current one would need to be largely extended. According to Town Engineer, Derek Dilaj, a new driveway cut would not comply with regulations because of the 30% grade in slope with current regulations calling for a slope of less than 15%. Alternatively, the option to use the current driveway would require paving across the front lawn, as well as creating a turn-around to

provide a safe exit. Such an increase in impervious material would exacerbate storm water drainage issues and would not be in line with the town's low impact recommendations.

Stormwater drainage is already an issue on the property as a sub pump was installed to manage basement flooding. Any addition of pavement would increase the amount of stormwater traveling both toward the house, and to the septic field, which is not advised by the Health Department. In this event, drains would need to be installed to manage water flow, which would require a 25 foot setback from the well and septic, which would not be possible due to the size and dimensions of the property.

Upon completion of the applicant's testimony and with no one from the public wishing to comment, Welch MOVED, Vigneau seconded, to close the public hearing at 6:46 PM. Motion PASSED unanimously.

## **OLD BUSINESS**

**Z-0002: Application for variance s to the minimum front and side yard setbacks to authorize a two- car garage 5 feet from the side property line and 34 feet from the front property line at 50 Farmstead Road (Parcel ID 15.30.5 8, R-90 Zone). David Knecht and Lori Smolin Owners/Applicants.**

After member discussion, Welch MOVED, Vigneau seconded, to approve the application of David Knecht and Lori Smolin dated August 5, 2019 for variances to the minimum front and side yard setbacks to authorize a two-car garage 5 feet from the side property line and 34 feet from the front property line at 50 Farmstead Road as shown on the site plan dated July 10, 2019 prepared by Datum Engineering and Surveying. The subject application was heard at public hearings on October 16, 2019 and January 7, 2020.

In approving this application, the Zoning Board of Appeals considered all Public Hearing testimony and communications. In accordance with Article 11, Section G.1.c, approval of the variance is granted based on the following findings:

1. The requested variance is consistent with the intent and purpose of the Zoning Regulations and will not have a negative impact on public safety and welfare.
2. Literal enforcement of the regulations would create an unusual hardship based on the site's topography and resulting stormwater impacts to the well and septic system if a new driveway and garage were to be constructed to the west of the house.

Motion PASSED unanimously.

## **NEW BUSINESS**

None.

## **ADJOURNMENT**

Brosseau adjourned the meeting at 6:52 PM.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "R. Stearns". The signature is fluid and cursive, with a long horizontal stroke at the end.

R. Stearns, Secretary  
Mansfield Zoning Board of Appeals