

Zoning Board of Adjustment Meeting

June 4, 2020 6:00 pm

Via Zoom Webmeeting

In attendance:

Board members: Morgan Wade, Gail Fisher, Julie Nadeau, Julie Giroux (joined late), Renee Marchesseault, Fern Brown

Zoning Administrator: Cheryl Cote

Additional: Franki Sawicki, Canaan Selectboard; Terrie Herr; Bob Lee

Meeting called to order at 6:05

Chair Morgan Wade reviewed the agenda:

- Two Zoning applications, one from Alan Leigh, one from Dale and Cindy Howland
- Other Business, to include a request from Selectboard to discuss junk yards/zoning violations

Application by Alan Leigh

- Zoning Administrator Cheryl Cote described the property at 90 Hall Stream Road and he is building a deck, or rather covered porch, 10'x20' along the front of his house; in R1/2 the set backs are 30' in the front and 15' on the side (if it is R2, those are 20' on the sides); the current setbacks for the house are 32' front and 23' feet side
- A discussion followed as to whether the 23' was to the driveway or the property line, Cheryl called Alan to ask him to join the meeting
- Alan joined the meeting and clarified that the set back in front would be 24' after built and that the side was to the property line
- The side property line was not being changed and was within the setback
- Morgan read the Zoning Bylaw section 210 regarding Waivers of setback requirements; as his request was not more than 50% as allowed, which he confirmed, it seemed that a waiver was possible.
- Renee Marchesseault made a motion to approve a setback waiver for the project; Gail Fisher seconded; there was no further discussion, motion passed

Application by Dale and Cindy Howland

- Cheryl stated that they sound to put up a storage shed on the Wallace Pond piece of their property (their house is on the other side of the road) for storing boats, floats, paddles, and the like;
- The shed would be 8'x12' on concrete blocks with no septic;
- Cheryl described that she had some trouble getting in touch with the state to discuss whether there were requirements, but had finally contacted someone who said that yes, they would need a state permit due to the location so close to the water
- The set backs were 50' on the "front" and 6' on the "back" but it is not clear which they meant as the back
- In WP district, the set back requirements are 20' road side, 10' side, and 20' rear

- As the projected set backs of the shed would be greater than 50% of the district setback allowances, a waiver under Section 210 is not possible and there was not enough information to discuss why they had it located where they did or if a variance would be an option if that was the only place they could put it
- Morgan stated that a permit could be issued conditional on obtaining the state permit, but since they did not have the information on the setbacks, maybe that would not be the best path; if the decision is just postponed without a date certain, it would be deemed approved
- Terri Herr is a neighbor of theirs and wanted to know where the building would be located on the property, how big it was, and whether there would be septic – the location was still unclear exactly, but it sounded that it would have enough side setback; there was no septic; and it is to be 8'x12' – Renee agreed to email this information to Terri as she had to leave the meeting early
- On Motion of Julie Giroux, seconded by Fern, for the permit to be denied until the state application and permit was completed, with a new permit application to be filed by the Howlands without a fee since they have already paid the fee; motion to deny passed, no opposition or abstention

Other business

- Approve meeting minutes of April 29, 2020; motion by Julie G, seconded by Fern; motion passed
- Junkie yards and zoning violations
 - Frankie talked about how the Select Board has been looking into these and has compiled a list that need to be looked at and thought it was good to address in conjunction with the Zoning Board
 - Morgan talked about how the junk yards are addressed in a Town ordinance, but that the zoning violations would come under Zoning, however there may be some that appear to be violations but are not due to being grandfathered
 - Frankie said he would get the list to Morgan and she could distribute, Gail asked if there were any pictures and Frankie agreed to forward what he has of those as well
 - Cheryl wondered if it was for the Zoning Administrator to look at these and although yes, it was agreed that we should all look into them and then hold a meeting later to discuss approach
- Renee asked about the Falconers sawing logs on their property in Beecher Falls, that she thought their temporary permit expired at the end of May
 - It was agreed that it ended at the end of May
 - We need to check to see if they have stopped sawing and then proceed from there as if they are, they are in violation as an unpermitted use of the property

Motion to adjourn by Julie G and seconded by Gail, meeting adjourned