

Board of Adjustment
July 12, 2011
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Present:

Members: Kevin Brown, Bob Stetson, Ted Desmond, Peter Grant, Ron Kowalski, Brenda Tillberg, Paul Jackman & Carol Clauss

Witnesses: Vicki Beaudoin, Greg and Linda Toner

Meeting called to order at 7:35p.m.

Application #11-23 of Vicki Beaudoin & Craig Augustinsky appealing the Zoning Administrator's decision that a yurt on their property located at 380 Bristol Pond Rd (Parcel #030131) requires a zoning permit and must meet the setback requirements. The property is located in the Conservation 25 acre zoning district.

Kevin Brown swore in Vicki Beaudoin.

Kevin Brown asked Vicki to describe the yurt and its purpose. Vicki explained that there is a platform with 6 piers and then a membrane type structure on top. Vicki explained that she uses the yurt mostly for storage and there is no sewer, water, or electricity. Bob Stetson explained that the Listers found 2 other structures besides the yurt that were already built without permits. Since then there have been permits granted for a shed and outhouse. There was discussion as to how and why the shed was permitted. Kevin Brown moved to continue this discussion in deliberative session after Greg & Linda Toner's application. Carol Clauss seconded. Motion passed (6-1) with Peter Grant, Ron Kowalski, Paul Jackman, Carol Clauss, Kevin Brown, & Ted Desmond in favor; Brenda Tillberg was opposed and Bob Stetson recused himself.

Application #11-29 of Gregory & Linda Toner appealing the Zoning Administrator's decision that an addition to a camp on their property located at 45 Bristol Pond Rd (Parcel #030145) must meet the setback requirements. The property is located in the Conservation 25 acre zoning district. The applicant seeks approval under Section 512 Non-Conformities.

Kevin Brown swore in Gregory & Linda Toner.

Greg Toner presented the Board with some background information in regards to purchasing the property and what it was used to be used for now and in the future. Greg and Linda decided that the main building was not a reasonable use due to the Greg explained that they made plans to add a bedroom for additional space for each other and to keep the bed away from the wood stove. Greg did not feel that by building the room they were trying to create a full time dwelling. Greg said that they built a deck with a roof above and screening for the bedroom space, they also built a deck and then connected it to the bedroom space. Greg explained that he applied for a building permit

for the annex room and the deck at the same time and the Zoning Administrator split the permit into 2 separate permits. Greg and Linda did not realize what it meant to be able to get a variance. The annex and the deck were already built when they came in for the meeting on October 9, 2007. Greg did forward information to the Planning Commission for suggested zoning changes to the Bristol Pond camp area. Greg and Linda said that the Planning Commission was busy with the Town plan redraft, so they did not bother them. Discussion and clarification as to exactly when the foundation platform and the annex room were built. Brenda Tillberg asked about the issue of discussing the same type of application twice when there was already a ruling. Brenda did not feel that they should be discussing this application. Kevin Brown said that they could discuss that in deliberative session. Linda Toner said that for this application they were looking for approval under Section 512 as a preexisting non conforming use not as a variance. Kevin feels that the Toners were not truthful at the meeting in October of 2007 and were under oath. The board reviewed Section 512. Greg mentioned that he felt that some of the districts list side yard setbacks at each side but not all of them do, so that is why they felt they could go for Section 512 as they had a pre existing 33'9" set back and they were not going bigger, they were building within that building envelope.

Kevin Brown moved to go into deliberative session at 8:35 p.m. Ron Kowalski seconded. Motion passed with all in favor.

Ron Kowalski moved to approve the minutes of June 28, 2011. Peter Grant seconded. Motion passed (5-0) with Bob Stetson, Peter Grant, Ron Kowalski, Paul Jackman & Brenda Tillberg in favor.

The Board of Adjustment will meet again on July 20, 2011 to continue their deliberative session for both applications.