

Board of Adjustment
March 24, 2015
Meeting Minutes

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

Others Present: Eric Forand (Zoning Administrator)

Public: Robin Hewitt, David Durgin, Greg West, Beth Ekroos, Jerry Henderson, Helen Young, Paul Ruud, Frank Lossman, Elizabeth Choiniere, John Monks, Patricia King, Susan Cousino, John McClain, Adam Ginsburg, Diane Corey

Kevin called the meeting to order at 7:35pm

The Bristol Zoning Board of Adjustment will also hold a hearing on March 10, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #15-02, Greg David Durgin (Parcel #06-02-41), requesting an addition to use for his current home occupation.

Kevin swore in David Durgin. David is appealing the denial of a permit to build a 40ft x 70ft addition to his home to relocate his current home occupation. The permit was denied by the ZA because the square footage occupied by the home occupation would be greater than the “minor portion” allowed. David explained his current home occupation permit is for a fabrication business that cuts metal and other material into shapes with water jets. The home occupation currently takes up the entire basement of the residence which is 1944 sq ft. which is 46% of the total sq ft of the residence. The new home occupation will be 40% of the total sq ft of the residence including the addition. David stated that he would like to build the addition to move the water equipment out of his basement because it creates high humidity. He would move the entire operation to the new addition and the basement would return to a normal basement. He chose the size of the new addition to give him room to move the equipment around. He does not have stocks of inventory. He currently has four employees, himself, daughter, son in-law, and wife. He is not buying any new equipment. His equipment uses about 1 gallon a minute of water and the water is recycled.

Kevin made a motion to postpone to a date certain of April 14, 2015 the appeal, seconded by Carol. All in favor (7-0).

The Bristol Zoning Board of Adjustment will hold a hearing on March 10, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #14-88, Greg West (Parcel #11-1-55), requesting a change of use from a single family to a duplex.

Kevin swore in Greg West. Greg explained how his intention was to build a single family residence with a mother-in law apartment. His application for a mother in-law apartment was denied by the ZA because it was too large a percent of the total square footage of the building and the owner was not going to live there. The apartment was 32% of the primary residence square footage. The application is for a conditional use as a duplex which is a conditional use in the RA5 district. Greg explained that he felt it was not a duplex but a mother-in-law apartment. He felt that the ZA should have notified him about section 594 in the zoning by-laws.

Beth Ekroos asked about the original permit and if it was for a single family with in-law apartment, the ZA said it was. She felt the applicant was not following the proper procedures even though he had built other house in Bristol.

Kevin made a motion to grant approval for permit 14-88, with the condition that all waste water permits are received, seconded by Bob. All in favor (7-0)

The Bristol Zoning Board of Adjustment will also hold a hearing on March 10, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #14-89, Greg West (Parcel #09-01-90.1), requesting a change of use from a single family to a duplex.

Kevin swore in Greg West. Greg explained how his intention was to build a single family residence with a mother-in law apartment. However when the listers inspected the property they found that the in-law apartment was 100% of the square footage of the primary residence. The unit was split with the upstairs and the downstairs being two separate apartments. The ZA requested that he submit an application for a duplex or the property would be in violation of the by-laws. Greg stated that he felt this was not a duplex but a mother-in-law apartment. The original permit was for a single family with an in-law apartment. The residence has 3 bedrooms.

Beth Ekroos wanted to submit a complaint about the driveway. She stated that there were cars that had trouble getting up the driveway and would rev their engines past her driveway to get a running start for the driveway. ZA told the Board that according to section 620 of the by-laws Greg would have to submit an application for a new access approval, because the amount of units served by the driveway would be increasing. Paul Ruud stated he would like to have a condition be that the duplex receive all of its state permits for waste water.

Kevin made a motion to postpone to a date certain of April 14, 2015 the appeal, seconded by Carol. All in favor (7-0).

The Bristol Zoning Board of Adjustment will also hold a hearing on March 10, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #15-06, John Monks (Parcel #05-01-3.1), requesting a conditional use permit for a wood working shop.

Kevin swore in John Monks and Liz Choiniere. John described how he wanted to use an existing structure on plank road for a wood working shop. Liz is the current owner of the structure and land. The structure is currently being used for a heavy machine repair shop. John uses a saw he made to cut logs into rough edge furniture. He does not use planners or joiners which are loud pieces of equipment. He only uses smaller electric hand tools. The large saw he uses is electric. He will do no spraying or painting of his furniture. He currently has no employees. There will be some logs stored outside, about the size of a load at an average persons house.

Susan Cousino a neighbor asked about run off and noise levels. John stated the only waste would be some sawdust which will be stored inside and small chunks of wood which will be used for firewood. John also stated he felt his shop would be quieter then the truck repair.

John requested that the decision be made tonight and not be postponed to a date certain.

Bob made a motion to review the application and not postpone to a date certain, seconded by Peter. All were in favor (7-0)

Kevin made a motion to grant application 15-06 with the following conditions, seconded by Carol. All were in favor (7-0)

- hours of operation would be 8-6 M-F, and 8-12 on Sat.
- Storage of sawdust will be inside building
- No retail shop, no showroom

The Bristol Zoning Board of Adjustment will also hold a hearing on March 24, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #15-08, Michael Corey (Parcel #22-51-35), requesting a setback adjustment for a meditation platform.

Kevin swore in Diane Corey. Diane described the meditation platform as a partial covered deck with fences on two sides for privacy screening. They are requesting a setback adjustment so they can place it 10 ft from the rear yard boundary and 8ft from the side yard. The parcel is in the HDR zone so it should have a 25ft rear yard and 10ft side yard setback. They are asking for the adjustment because the rest of the yard is taken up by mature trees and gardens they have create over the last 30 years. She provided testimony that there is a large barn next door that is only 3 ft from the property line. She also stated there are several other structures in the vicinity that are within the setback for the HDR zone.

Kevin swore in John McClain who stated his house is near Diane's and his garage is within a couple feet of his property line, he also stated there were several others in the neighborhood.

Peter made a motion to grant a setback adjustment for permit 15-08, seconded by Ted. All were in favor. (7-0).

The Bristol Zoning Board of Adjustment will also hold a hearing on March 24, 2015 at the Town Offices located at 1 South Street beginning at 7:30 P.M. to consider the appeal of zoning permit #15-09, Michael Corey (Parcel #22-51-35), requesting a setback adjustment for a two car garage.

Kevin swore in Adam Ginsburg, the architect on the project. Adam stated that the current garage is leaning and needs to be replaced. They are requesting a setback adjustment for the east side of the new garage. The garage will stay the same 2ft from the property line but the wall running along that property line will now be longer. The structure will be 6ft wider than the current structure, the increase in sq ft will occur on the west side.

Frank Lossman, the neighbor on the east requested that a missing portion of a fence that runs along their property line is replaced. Diane agreed that it could be replaced.

Peter made a motion with the below conditions, seconded by Kevin. All in favor (7-0)

- There would not be a residence added above the garage
- The missing portion of the fence that runs parallel to the garage be replaced

Kevin made a motion to accept the minute for October 28, 2014 as amended, seconded by Carol. All in favor (7-0).

Kevin made a motion to go into executive session for two undecided permits, Seconded by Bob. All were in favor. (7-0)

Kevin made a motion to adjourn executive session to a date certain of April 14, 2015, seconded by Bob. All in favor. (7-0).

Meeting adjourned at 10:20pm