

TOWN OF CHESTER

Zoning Board of Appeals

Meeting Minutes

NOTICE OF DECISION OF A VARIANCE

October 30, 2017

Attendance: Chairman John Baldasaro, Vice-Chairman Barbara Huntoon, Clerk Rene Senecal, Town Administrator Patricia Carlino, Administrative Assistant Rosanne McClaflin, Bob Daly, Peter Spotts (Country Journal) Louis Magni, Janet Lever, Cedar Millet, Gary Dickson

I. Chairman Baldasaro called the meeting to order at 7:00 p.m. on October 30, 2017

Overview of request for variance. 402 East River Road resident Louis Magni would like to build an enclosed porch on the front of his house. Zoning requires 25' of space between house and road, Mr. Magni has 20'.

Chairman Baldasaro asked for a description of the project. Mr. Magni offered a hand drawn plan, attached, covered porch to be 8' deep, exact width to be determined -approximately 30'.

Resident Cedar Millet asked to see drawing-so provided.

Clerk Senecal asked what is located to the left and right of Mr. Magni's house- left side is the road, right side is home of Cedar Millet and Gary Dickson.

Chairman Baldasaro offered letters of support from three (3) East River Road residents, Clerk Senecal noted there were no letters of conflict.

Chairman Baldasaro asked if there were questions or comments.

Cedar Millet commented regarding triangular shape of the property and porch will be closer to road at narrow end. Vice-Chairman Huntoon noted 17' to stone wall and 8' from stone wall to road on narrow end, 18' to stone wall and 17' from stone wall to road on wide end.

Clerk Senecal stated he could not "come up with any reason to decline variance". Chairman Baldasaro agreed, and that there was no infringement, asked if there were any further comments. Resident Millet commented she would not be able to see the road from her house, and it makes a difference to her- the area where the porch will be, is her only view outside her yard, Chairman Baldasaro noted Mr. Magni could plant trees or shrubs that would block the sight line without any variance. Ms. Millet asked if the Historic Society had been questioned as North Chester is a Historic district. Chairman Baldasaro noted that the only question the board had to address was the variance, the Building Inspector would be responsible for any design approval.

There being no further discussion, Chairman Baldasaro entertained a motion to grant the variance based upon the request and that it meets the four findings spelled out in the Chester Zoning By-Laws.

1. The variance must be with respect to a particular parcel of land or to an existing Building on the land. **It is.**
2. There must be circumstances relating to the soil conditions, shape, or topography especially affecting such land or structure, but not affecting generally the zoning district in which it is located. **There are.**
3. Literal enforcement of the Bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant. **It would.**
4. Desirable relief may be granted if there will not be substantial detriment to the public good, or nullification or substantial derogation from the intent and purpose of this Bylaw. **There will not be.**

Clerk Senecal motioned to allow the variance, Vice-Chairman Huntoon seconded, unanimous.
Variance granted.

It should be noted that the rights granted and not exercised within one (1) year shall lapse and may only be re-established after notice and new hearing.

Note the 20-day appeal period after recording by Town Clerk.

There being no further discussion Chairman Baldasaro adjourned the meeting at 7:18 p.m.

Minutes submitted by: Rosanne McClaflin

John Baldasaro – Chairman

Barbara Huntoon – Vice-Chairman

Rene Senecal - Clerk