Zoning Board of Adjustments

Public Meeting

June 30, 2021

Members: Ralph Marinaccio, chair, Andrew Hatch, Gary Carney, Jack Sheehy

Visitors: Mr. Demore, Siri Piligreno, Atty Tinsley (Bernstein, Shur) Eric, Wendy Mensh, Don Revane, Tom Marshall and Mark Florence, Mr. Mrs. Demore.

Subject Matters: To accept their appel for Mr. Mrs. Mensh, to reconsider Siri Peligreno variances. Public Hearing for Mr. Demore.

Hatch moved to approve May 25, 2021 meeting minutes Sheehy second all voted in favor.

Marinaccio: Called to order at 7:00 pm calling Mr. Demore

Mr. Demore explained he was replacing the existing house and would need a 24.5’ variance from the north side of the house (garage).

Hatch: Informed Mr. Demore that he would also need an additional variance from the road, there are no exceptions of the 50’ rule on private roads.

Mr. Demore: Okay I thought it was a private road we did not need one, but thank you for letting me know.

Marinaccio: is there any public that would like to speak regarding the two variances or any further comments from the board.

No further comments.

Marinaccio: Mr. Demore, we will let you know within 30 days in writing with the board's decision. (7:06) closed Mr. Demore’s public hearing.

Roy Tinsley, Atty. Representing Siri Pelligrino, 2191 Valley Road, Highland Shore lot 1986 historically before purchase. Mr. Tinsley provided a recalculation and provided the paperwork to the board that Siri meets the impervious and would only need two variances from the sidelines one 20’ and a 12’. Tinsley continued to explain the lot is only 52’. Analysis of this lot; a historic small lot my client is requesting reasonable use and be able to enjoy her property. The board has received two emails from Siri abutters who approve of her plans. Also, there will be gutters for the water run-off going into a dry well. This is a small historic lot in town this was an older subdivision, an unconditional design that’s reasonable use and consistent with the surrounding property. Noncontrary to the public, sufficient access, would cause substantial loss not allowing Siri to build on her lot. Again, the lot was created pre-existing 1956 subdivision, before existing zoning, unique non-conforming conditions, reasonable use, strict enforcement takes away my client's rights. The proposed appeal is reasonable in coverage, she reduced her porch eliminated the shed, the board should act in favor of the requesting appeal.

Marinaccio: The board went over and over tough lot measured and re-measured. We will take into account her re-appeal.

Hatch: addressed Atty. Tinsley with the appeal he had written on behalf of Ms. Pelligreno, I did some soul searching and having a conversation with the town’s Atty. Not ignoring very seriously your efforts reason of allegation un-doubtfully we may have outdated paperwork. We appreciate you have not been here before we take the responsibility seriously.

Tinsley: Application respectively is confusing to an applicant

Hatch: Well taken, the spirit of the LUO adopted for some years ago, setbacks have not changed. We are looking at a vacant lot, what we are facing here is a vacant lot, and the location and the significance of the percentage on a small lot.

Siri: pointed out Vadney’s lot which was approved for a 23 X 28 garage which is bigger than the house with deck and shed. I am asking for a 20X24 two-story house.

Hatch: This was an existing residential structure.

Tinsley: re-explained his reasoning to approve then appeal.

Hatch: They are camp lots, level of use is was not permanent nothing stopping her from camping.

Siri: How do you go to the bathroom?

Hatch: explained the difference between a dry well versus a well.

Marinaccio: The board with deliberate and you will receive the board's answer in writing within 30 days.

7:37

Eric, Wendy Mensh, re appeal request

Mensh E. I am struggling with the denial that was already their 10’ overhang. I am removing the asphalt in the driveway that’s a substantial net gain on the impervious. Easier egress.

The board further discussed the pitch towards the neighbor, confirming the email from the abutter is fine with the roof and steps. The board acknowledges you’re willing to reduce the size, but rather not.

Marinaccio: I Will notify you within 30 days of the board’s decision to accept your re-appeal.

Mr. Mrs. Davis

Hatch: Understanding your re-appeal is slightly modified

Davis Ed: yes original was a 12 X 16, requesting a 10 X 14, but still in need of a variance

Hatch: side variance, water, and structure variance.

Discussed re staking where the shed would be located, the board suggests to re-stake. The lot is small, we appreciate your work with coming up with a new plan

Hatch: I have a hard time with the hardship

Davis: I have no place to store things

Hatch: What about under your deck.

Davis: I story wheel barrel, lawnmower it's full.

Davis Mrs. We are trying to protect our property. The current shed is full

Marinaccio: We will consider your re-appeal

Carney moved to close the public session, Hatch second all voted in favor.

The board discussed Pelligrino footage of the house, run-off. Board discussed Mensh 2’ overhang and possible place a stone at the bottom of the doorway.

Hatch moved to approve to rehear Mensh ZBA case Marinaccio second all voted in favor.