

Town of Day Zoning Board of Appeals

Minutes - Regular Meeting – February 22, 2005

Members Present: Kearney Mason
Ray Ives
Pat Volpe
Kathy Prud'homme
Judy Traeger

Absent: David Avigdor, Attorney

Kearney Mason called the meeting to order at 7:00 P.M.

Minutes A Motion was made by Judy Traeger, 2nd by Pat Volpe, to accept the minutes of the January 20, 2005 regular meeting. Motion carried 5-0.

PUBLIC HEARING

Conway, Margaret & Fennell, Michael 04-05ZBA –Tax Map 31.16-1-54
Public Hearing was opened at 7:05pm. Margaret Conway addressed the board.

PUBLIC PRESENT

Margaret Conway
Sally Allen
Preston Allen

The secretary received three correspondences from the public regarding this application:

1. David Kackowski sent a letter opposing garage (see attached)
2. Mr. & Mrs. Musliner sent a letter opposing garage (see attached)
3. Mr. & Mrs Sanborn left a message opposing garage

After everyone was heard that wanted to be heard, the public hearing was closed at 7:20pm

Old Business

Conway, Margaret & Fennell, Michael 04-05ZBA –Tax Map 31.16-1-54
14 Abeling Road

Looking for a side yard variance to build a garage. The board reviewed the area variance criteria:

❖ **Can the benefit be achieved by other means?**

Pat Volpe – yes by moving the garage over and turning it so that you pull straight in

Ray Ives – yes by moving garage over some and making it smaller

❖ **Undesirable change in the neighborhood character?**

Kathi Prud'homme and Judy Traeger feel this is not an issue because there are other garages in that area and Mr. Fennell is going to have the house re-sided this spring and will have the garage sided to match.

❖ **Is the request substantial?**

Ray Ives and Pat Volpe both feel that an 11 foot variance is substantial especially due to the small lot size

❖ **Will this have adverse physical or environmental effects?**

Ray Ives and Kearney Mason feel that this will change the view of the lake for the neighbors across the road.

❖ **Is the alleged difficulty self-created?**

The board agrees that this is not a self created issue.

After reviewing the information and reviewing the concerns of the neighbors a motion was made by Judy Traeger and seconded by Pat Volpe to table the public hearing until March 7th, 2005 until the board can get more information as to what the concerns are from neighbors Mr. & Mrs. Sanborn. The secretary was asked to notify the Sanborns. Motion carried 5-0.

New Business

Allen, Preston & Sally – 05-01ZBA – Tax Map #23-1-36

Hunting Club Road

Looking for a variance for lot width and lot area size to build a studio apartment above existing garage.

After reviewing application, a motion was made by Ray Ives and seconded by Pat Volpe to accept the application as complete and to set the public hearing for March 7th, 2005 at 7:00pm to be held in conjunction with the Planning Boards public hearing for this matter. Secretary will send notice to the newspaper making the public aware of the change of dates for the Zoning Boards March meeting. Motion carried 5-0

Correspondence

None

Secretary Report

None

Public Participation

None

Meeting adjourned

At 8:10pm a motion was made by Ray Ives and was 2nd by Pat Volpe to adjourn meeting. Motion carried 5-0.

Respectfully submitted,

Rebecca D'Allaird - Clerk