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## Board of Appeals Meeting Minutes Thursday, October 14, 2021 at 7:00 p.m.

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*Committee Members Present: Roberta Albright, Robert Cushing (via phone), Robert Davidson, and Donald Means (via Zoom)*

*Absent: Harry "Terry" Lowd*

*Also Present: Jessica Westhaver (Treasurer/Board Staff Liaison), Joseph Rose (Code Enforcement Officer), Thomas Warren*

**The meeting was called to order at 7:03 p.m. by Robert Davidson.**

### **New Business –**

- **Variance Appeal - New Construction of Single Family Dwelling (Map 03A Lot 068 – Island View Rd)**
  - Mr. Warren recapped the Board of Appeals meeting he attended in January. At the time, the board tabled the decision based on Mr. Warren addressing outstanding questions from the board. The lot in question has a very small building envelope. The original planned structure was only 17 feet from the road, under the required 50 foot setback. The questions asked were:
    - Provide documentation the septic or the house cannot be placed in different locations. Also try for a second opinion.
    - Contact abutters on rear side to determine if an easement for the septic disposal field can be placed outside of the building envelope.
    - Possibly shrink the house footprint to fit within the setback of a traveled way.
    - Use piers as the foundation on the house to possibly move closer to the septic disposal field.
  - Mr. Warren shared he engaged an additional company for a second opinion on the septic location and it was determined the original test was correct with only one viable location. The second company also tested numerous spots on the abutting property to see if reaching out for an easement would be an option. No viable tests were present. Mr. Warren did try to contact the abutters prior to the tests to determine if an easement was an option but had no response. There were revisions made to the suggested septic design with an improved Fuji Clean technology which would allow one row of pipping for the disposal field, gaining 2 feet. Additionally the slope of the land was reviewed, and it was determined the incline was less intense than originally thought, allowing more room. With these two developments the setback for the septic system was resolved.
  - The option of piers instead of a foundation was reviewed. The State said if you have piers or a slab foundation, you are allowed 15 feet setback from the septic disposal field. Mr. Warren stated they are planning on a slab. The State has shared it is possible they would do a first time variance as low as 5 feet with piers (this is not decided by Town), though the State would need to review the property before making the final decision.

- The original house design and footprint of 3 bedrooms was reduced and repositioned from 2,907 sqft to 1281 sqft. With the redesign of the septic system and a gain of 10 feet, this allowed the footprint of the house to fit within the building envelope. A front porch was included on the design which fell within the 50 foot setback of the road. If the porch was eliminated, the dwelling would be compliant with the Land Use Ordinance.
- The board applauded the effort to bring everything into conformance. The board discussed the new placement of the house meeting the 50 foot setback, without the front porch, and if the State approves a variance to move the building closer to the septic by 10 feet. The board would need to allow a variance for a 5x5 foot front, which would be slightly within the setback. If the front step is granite no variance is required as it is considered landscape enhancement. If a constructed wooden platform was installed, it would need a variance. The board is willing to grant a variance for this item.
- Vote: Cushing made a motion to allow the dwelling with final approval for a variance for the septic from the State, with a variance of an area of 5x5 for installation of a normal front stoop stairway; Albright seconded. All in favor

### **Additional Business**

Means requested an amendment to the February 18<sup>th</sup>, 2021 minutes to update the road name from Mel's Rd to Mels Ln.

Meeting adjourned at 7:35pm. No future meetings scheduled at this time.

Respectfully submitted,  
Jessica Westhaver  
Staff Liaison