

DRAFT
Shoreham ZBA Minutes
June 27, 2019

Site visit at 422 DeLong Lane was attended by John Kiernan, Brandon Streicher, Jim Ortuno, Jim Payne, and Shelley Payne from 6:30 pm to approximately 6:50 pm.

Chair John Kiernan opened the ZBA meeting at 7:00 pm.

ZBA members present: **John Kiernan, Linda Oaks, Bob Fisher, Brandon Streicher, Jim Ortuno**

Previous meeting minutes (June 28, 2019): Motion to approve made by Linda Oaks, seconded by Jim Ortuno. Minutes were approved

Hearing for Application #18-28 (Ellis).

Present for the hearing were: ZBA members mentioned above, Mike Ellis, Jim Payne, Shelley Payne, Robin Conway, Steve Goodrich, and Phil Kivlin.

John read the application warning aloud and explained “interested parties” and “conflicts of interest”. He also asked ZBA if anyone had conflicts—members present all reported no conflicts.

John swore in the applicant (Mike Ellis) and interested parties (abutting land owners Jim and Shelley Payne).

Mike Ellis apologized to the Board for starting construction prior to obtaining permits. His understanding was his contractor was going to obtain permits for the project, and there was an obvious misunderstanding. He also noted per the addendum to the permit application that he may need to tear down the building and rebuild due to poor quality of construction. He estimates it may take twice what he spent to repair the faulty construction on the existing structure.

The new building is 14 feet wide by 30 feet long. The location of the structure will be approximately 10 feet farther back from DeLong Lane than the park model camper/trailer that was on the site.

Brandon asked what how many bedrooms was the new structure, and if that was an increase in what was in the pre-existing structure. Mike indicated the new building is essentially a one bedroom camp, which is the same as the pre-existing structure. The new structure will use the existing water and wastewater systems.

There was an existing wood retaining wall behind the buildings which was failing. A new retaining wall was constructed. Board members indicated to Mr. Ellis that he may need to obtain a Shoreland Protection Permit for certain activities within 250 feet of the Lake mean water level.

Jim and Shelley Payne indicated they completed a major renovation to their camp next door and constructed the structure to meet the Town's setback requirements at greater expense. They said they didn't even think about asking for a waiver, they just followed the Town's rules. Phil Kivlin noted that approximately 6 to 8 properties have been granted waivers along Delong Lane in the past. Linda Oaks mentioned one application where a proposed garage was denied a setback waiver request. However, in that case, the proposed structure would have increased the level of non-conformity as it was closer to the road than any of the existing structures on the lot.

Linda motioned and Jim seconded to close the hearing at 7:50 p.m.

Hearing for Application #19-014 (Munson)

Chair John Kiernan opened the ZBA meeting at 7:50 pm. Present for the hearing were: ZBA members mentioned above, Patsy Munson, Roger Munson, Robin Conway, Steve Goodrich, and Phil Kivlin.

John read the application warning aloud and explained "interested parties" and "conflicts of interest". He also asked ZBA if anyone had conflicts—members present all reported no conflicts.

John swore in the applicant (Patsy and Roger Munson).

Patsy Munson explained their plans to retain an existing dwelling unit for a rental, and convert the remainder of the space for some office space and workshop/storage for their commercial fencing business, 802 Fence Company, LLC.

Currently there are 3 employees, with a potential to provide for 2 more.

The Munsons plan to update the building exterior, but no external additions to increase the footprint of the building are proposed.

Hours of operation will be typical for a business use in a commercial district.

Most of the traffic will be related to deliveries of materials, but there will be office space for meeting with potential customers, and there may be some retail sales.

Based on the proposed 1,000 square feet (sf) of office space and storage, a total of 10 parking spaces are required for the proposed business uses. There is sufficient parking and drive areas on the property for parking and tractor trailer deliveries.

No additional lighting is proposed on the building. Some lighting will be provided in the parking areas for security purposes.

The pre-existing structure does not meet the front yard setbacks on Route 22A (currently 30 feet) or on Route 74W (currently 50 feet). No construction is proposed that will affect these current setback distances.

Bob motioned and Brandon seconded to close the hearing at 8:30 p.m.

ZBA entered deliberative sessions for Ellis and Munson Hearings at 8:30 p.m.

Deliberative sessions ended approximately 9:20 p.m.

Review of Application #17-36 (Jonathan and Kim Hescock)

John indicated a decision was never drafted or finalized for this hearing, which was conducted on November 8, 2017. The Zoning Administrator has not issued a permit at this time. Due to the time which has passed

Bob Fisher motioned to approve Application #17-36 without conditions. Jim Ortuno seconded. All ZBA members present voted in favor, none opposed. John will sign the permit application to authorize the ZA to issue a permit, based on the following:

“The conditional use for 1) the mixed use of two residential dwelling units and a 1,000 square foot workshop for a construction business is hereby APPROVED by the ZBA. A zoning permit may be issued for all other work proposed on the property.”

Other Administrative items on the agenda were tabled until the next meeting.

Jim Ortuno motioned to close the meeting, Bob Fisher seconded. Meeting ended at 9:45 p.m.

Meeting minutes by: John Kiernan