

Present: Chairman Mathew Morton, Richard Ford, John Frink, Russell Cooke, Planner Tom Morgan. **Absent:** Edna Mosher.

Correspondence: Copies of the report of the Annual Planning & Zoning Conference, Land Use Update, were distributed to each member, Report addresses new tests to determine “Unnecessary Hardship”.

Minutes: Minutes of meeting held May 21, 2001, were accepted on a motion by Russell Cooke, seconded by Richard Ford.

Public Hearing - A request by Thomas & Barbara DeVincenzo for a Variance from Article IV of the Zoning Ordinance.

Chairman Morton advised Mr & Mrs DeVincenzo that they had the option to table this meeting until a full board was present - that granting a variance required three positive votes and a rehearing can only be granted if it is proved an error was made or new evidence for approval was found. Mr & Mrs DeVincenzo agreed to go forward.

Mr DeVincenzo described his proposal to remove a mobile home, with no foundation, from his 1.3 acre houselot (Map 51 Lot 12) and construct a three bedroom dwelling to the rear of the lot. The DeVincenzo's have occupied the property since 1990. A site plan, including septic plan, was presented. Noted that all abutters to the property had been notified - to date no written or verbal response to the proposal, pro or con, has been received.

The history of this undersized lot was reviewed and Board was advised that a variance to create the lot was granted in 1988.

Board proceeded to review the site plan and noted that all required sideline setbacks will be met.

Mr & Mrs DeVincenzo plan to occupy the mobile home while the new home is being constructed and Building Inspector Doug George explained the process- that a Certificate of Occupancy cannot be given until the old residence (mobile home) is removed. Also, a bond to cover removal of the old dwelling will be required.

John Frink expressed his concern that there may be some wetlands or poorly drained soils on the lot. Chairman Morton stated that he had visited the site and had not seen any evidence of wetland.

Tom Morgan stated that the suitability of the site was between the owners and the Building Inspector, that the BI can withhold the building permit until the site and the septic design are approved.

Following review Richard Ford moved to grant the variance to permit construction of a dwelling on a 1.3 acre lot where 80,000 sf are required. Motion was seconded by Russell Cooke.

The Five Criteria were addressed as follows:

1. There will be no decrease in property values - that in fact values will increase from improvements to site.
2. The Public's Interests will benefit from additional value.
3. Reasonable use of the property will prevent any unnecessary hardship.
4. Justice will be served , that to deny would not serve the general public in any way, that the undersized lot was created by variance from the BOA.
5. The use is consistent with the zoning being a residential use in a residential zone.

The motion carried unanimously.

Tom Morgan advised the applicants that any new curb cuts from Newington Road will require the approval of the State Highway Dept.

Meeting was adjourned at 7:45 p.m.

Pat Main
Secretary