

Present: Chairman Matthew Morton, John Frink, Richard Ford, Jill Newick, Edna Mosher. Also, Planner Tom Morgan, Realtor Denise Frink-Hoyt, Residents Irving Beebe and Chris Cross, Attorney Charles Griffin.

Meeting was called to order at 7:00 p.m.

Minutes: The minutes of meeting held 10-21-01, were accepted on a motion by John Frink, seconded by Richard Ford.

Public Hearing - Application for variance by Roderick & Thomas Labrie to allow construction of a single family residence on a 1.2 acre lot (Map 13 Lot 8) where a minimum of 80,000 sq ft are required.

Chairman Morton noted that this is the same lot of land discussed at the last meeting. The owners had requested variances to construct a duplex and the variance denied.

Attorney Charles Griffin, representing the owners, stated that the owners had changed their plans and now requested variances to construct a single family dwelling.

Attorney Griffin cited the criteria for granting the variance noting as follows:

The lot is an established lot and is separately taxed.

There will be no diminution of property values - noting that the lot on Patterson Lane backs up to the new power plant.

Public Interest will be served as there is a demand for housing in this area and the Town will collect additional property taxes.

The spirit and Intent of the ordinance will be met - the lot does meet frontage and setback requirements will not impinge on any wetlands and a septic system for 4 bedrooms is approved and only requires a signature. Also, the lot is on a corner and additional land can not be acquired and is in a neighborhood of non-conforming size lots..

To deny would create unnecessary hardship - that the lot size is closer to conforming than majority in the area - and could restrict reasonable use of the property. To grant the variance would not injure the public or private rights of others. Substantial justice will be served by allowing the owner to make permitted use of the property.

Chairman opened the hearing for general discussion-

John Frink, noting that the abutting lot is in the same ownership, asked if there were any intersecting buildings and was told no.

Irving Beebe, Patterson Lane, noted that there had been questions about the location of the septic system when a duplex was requested. Plan shows septic system has been moved to accommodate the requirements. Irving also asked if there was any possibility that the residence could be changed to a duplex in the future. Tom Morgan advised that this could be controlled by stipulations attached to the variance.

Chris Cross stated he was concerned about the buffer between the residential and industrial properties and would like some limits on the number of trees removed. Denise Frink-Hoyt stated that the developers would keep as many trees as possible - that any resident would need to maintain a buffer from the industrial uses.

Chairman Morton noted that if development was commercial the number of trees could be specified - but this development is in a residential zone.

John Frink asked if buildings on abutting lot conformed to setback requirements and was told they did.

It was also noted that this undeveloped lot was an existing lot when purchased.

There being no further questions the Public Hearing was closed.

Richard Ford moved to grant the variance for a single family dwelling as presented. Motion was seconded by Edna Mosher.

Board reviewed the five criteria as follows:

1. Agreed unanimously that there would be no diminution of values.
2. Agreed unanimously that public interest would be served by providing housing.
3. Agreed unanimously that to deny would create a hardship - noting that property taxes had been paid on this lot for many years.

That property is unique being in an area of small lots and surrounded by industry.

There is no gain by denying and some gain in tax revenue

Only objection had been septic location and this was corrected.

4. Agreed unanimously that justice will be served by granting the variance.
5. Agreed unanimously that the spirit and intent of the ordinance will not be compromised by allowing development of residential use.

The motion to grant a variance for a single family residence carried unanimously.

Board briefly discussed BOA procedures for future reference .

The meeting was adjourned at 7:30 pm on a motion by Ford seconded by Frink.

Pat Main
Secretary