

TOWN OF GRANBY ZONING BOARD OF APPEALS

Meeting Minutes
September 22, 2015

AGENDA: Jones Public Hearing
Colton Public Hearing
Regular Monthly Meeting

MEMBERS: Michael French, Chairman
Peter LeoGrande
Patricia Simmons
Tom Thompson
Dan Parkhurst

ALSO PRESENT: Arthur Jones and David Colton.

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PUBLIC HEARING

Arthur and Jodi Jones – 2094 County Route 8, Oswego
Tax Map # 201.00-02-01.1

Chairman French reopened the Hearing at 7:00 pm. A discussion began by Mr. Jones explaining that he had reinstalled the front porch that he had previously removed in hopes of being able to gain some footage by utilizing the original footprint. Chairman French had spoken to the CEO and assessor and stated that the Town records indicated the porch had been removed prior to 2010 and had no bearing on the allowable addition size. Mr. Jones continued by stating that he appreciated the Board's action in tabling the Hearing and allowing them to represent their case. Photos were presented that were shot from the road perspective - illustrating the bare front of their home, the home elevation higher than the road with a wide ditch area that protects the home from possible auto accidents. The applicant stated that although they would still like an additional 12' they would be able to work with 6' if that was the most the Board was willing to entertain. Chairman French stated that the 24% originally requested was excessive but 6' is only 10% and within an acceptable range for the Board to consider. Mr. Jones stated that he had measured the distance between the front of the house and the edge of pavement and that it was 51' therefore a 6' variance would allow him to build a 7' addition. A discussion ensued about the supplied survey which didn't clearly supply a dimension but yielded measurements to a pole and dotted line which could be centerline or shoulder of road therefore determined to be inconclusive. A second photo was supplied with a drawn rendering of what the proposed addition would look like to illustrate that what the applicant's planned to build would enhance the appearance of their house and therefore enhance the neighborhood. They had always planned since the purchase to add to the front but had developed other areas first and now that their family has grown a third bedroom is necessary. The floor plan has the kitchen, main bathroom and laundry along the back section which was remodeled prior to their purchase and was a reason for the purchase – changing that area

exceeds the cost to benefit ratio for the homeowners. The porch had been removed previously because the door wasn't utilized and created confusion for people coming to the house, a new door was intended to be on the side near the driveway and part of the addition which at 6' may change the location. Mr. Jones summarized his request by stating that the proposed addition is intended to satisfy the space needs of his family and that compromising to 6' reflects their desire to cooperate with the Town while still having an affordable plan. He also stated that the concerns the Board had previously voiced of setting a precedent for large front variances wouldn't occur since the request went from adding a new room to only adding 6' to the existing room usage. The options discussed are not practical since the owners purchased as newly renovated with the existing layout and it's not fair to ask them to change everything. The property assessment has increased from \$40,000 to \$95,000 with the additions they've already made to the property and the proposed addition will further increase the assessment to near \$200,000. The applicant stated that the 6' increases the downstairs living room adequately enough to utilize as planned but the upstairs will need to be totally redesigned to accommodate a third bedroom. In conclusion he said that the 6' requested accomplishes a lot for his family. He had received some photos from previous owner, Dorothy Bullard, from 1939 and 1970 that showed a front area with roof and foundation and adjoining stoop for entrance which the Board members viewed. Chairman French and the Board members only concern at this point was the existing setback and felt that clarification from the CEO regarding point to measure from was crucial to a determination. The applicant and the Board agreed to table the Hearing at 7:45 pm to determine the front setback on a motion moved by Member LeoGrande and seconded by Member Simmons, all were in favor and the motion passed. Date for meeting yet to be determined.

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PUBLIC HEARING

David Colton – 300 Sharp Road, Fulton
Tax Map # 269.00-04-20

Chairman French opened the Public Hearing at 7:46 pm and asked the applicant to explain his request. Mr. Colton stated that he wanted to enlarge his existing garage and increase the width of the driveway to gain more area for storage and parking. He had supplied several enlarged photos with added drawings and details to reflect the improvements he wished to make. The property at the rear of the house is wet most of the year and contains a leach field which limits the expansion in that direction. Existing power lines and well location in the front yard determined the point where the driveway begins to widen. A photo shows a fuel tank in the side yard where the addition is planned, the applicant stated that the power company is ready to relocate that tank if his project is approved. The property size is just over an acre and purchased 5 years ago but he has quickly run out of space and would like to construct the addition as soon as possible to avoid another winter of outside parking. The Board members discussed many other options for placement and size of a garage which wouldn't require a variance. The current design has low ceilings which would only decrease if width were added on which

wouldn't improve the property in appearance, value or use. Member Thompson explained that a pole barn constructed in front of the existing garage could be a maximum of 28' wide without encroaching on the side setback and would give more space because of the pole design with higher ceilings. Without any comments from the public the Hearing was closed at 8:12 pm on a motion moved by Member Simmons and seconded by Member Parkhurst, all were in favor and the motion carried.

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REGULAR MONTHLY MEETING

The Regular meeting was opened at 8:13 pm.

David Colton – The Board members discussed the 8' variance request for side setback regulation which requires 20' – a substantial request at 40%. The benefit of the addition is negligible to the neighborhood in that it doesn't substantially improve the property or its usage. Options are available that could be slightly more expensive but utilize the space without a variance and could provide the applicant with more square footage overall.

Without any further discussion from the Board Members a motion was moved by Member Patricia Simmons and seconded by Member Dan Parkhurst to accept the Area Variance request for side yard setback to expand existing garage 12' on property located at 300 Sharp Road, Fulton, tax map# 269.00-04-20 is hereby DENIED.

A roll call vote was taken:

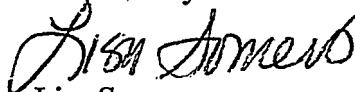
Michael French, Chairman	Nay
Peter LeoGrande, Member	Nay
Patricia Simmons, Member	Nay
Tom Thompson, Member	Nay
Dan Parkhurst, Member	Nay
0 AYES, 5 NAYS – Resolution 2015-03 DENIED	

MINUTES

A **motion** to approve the meeting minutes for August 19, 2015 was **moved** by Member Tom Thompson and seconded by Member Peter LeoGrande, all were in favor, **motion carried**.

With no other business before the Board a **motion** to adjourn at 8:15 pm was **moved** by Member Tom Thompson and seconded by Member Patricia Simmons, all were in favor, **motion carried**.

Respectfully submitted by:



Lisa Somers,
ZBA secretary