

ZONING BOARD OF APPEALS MEETING

June 9, 2016

6:00PM

The meeting was called to order by Chairman Bill Gabak at 6:00PM. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

Phil DelloStritto  
Neal VanLiew  
Kathy Taylor  
Joe Flaherty, Alternate  
William Gabak, Jr., Chairman

Also in attendance: John & Nancy Breault  
Jessica Hanley Johnson  
Kathleen Cuddy  
Carol Lewis  
Attorney Jonathan Pollack  
Don Bowen, Zoning Officer

Chairman Gabak made a motion to approve the minutes of May 19, 2016 as presented by ZBA Clerk, Cindy Schiminske. Approved AYES 5-0.

The purpose of this meeting was to continue the Breault variance application.

Chairman Gabak reviewed the variance requests with the Breaults, as he was not present at the prior meeting. He discussed the location of the leach lines and questioned why the Breaults were seeking a side yard variance of 17 ft from the required 20 ft. The Breaults indicated that there was an existing pad there and it would be a good foundation. Chairman Gabak stated that he visited the property and does not see that the proposed structure would block anyone's view of the lake. Both he and Don Bowen spoke extensively with the contractor and the building will be only about 16 ft high with a storage area in the center. It would be made of materials such as treated posts, concrete, steel siding which would satisfy the Board with the mean high water mark.

Chairman Gabak advised that the existing stone pad is a permeable surface, water soaks through to the ground. When they put the garage up, they are changing that to a non-permeable surface so they would have to put gutters on it and do something with the water so as not to affect the neighbors. There was further discussion about water in the driveway. Mr. Breault indicated he had no issues with water coming down the driveway. They had the driveway elevated. The neighbors had water because they didn't put any stone in. The Breaults indicated that the blacktop would not encompass the right of way. Chairman Gabak suggested that at the end of the blacktop driveway, to put in some type of drainage to take the water away from the neighbors and the garage.

Jessica Johnson, a neighbor, stated that she spoke with DOT about the water issue and they are going to work with her to resolve this issue. Carol Lewis, a neighbor, stated that she was there to support the Breaults and that she doesn't have a problem with them putting up a garage.

Jonathan Pollack, attorney for the Donnellys, addressed the Board. He indicated that the Board had touched upon all the major issues that were discussed before in the previous meeting. He indicated that the Breaults haven't submitted anything to show how they will be mitigating the potential storm water problems. Chairman Gabak stated that he understands that and that is why he addressed the issue of putting a drain at the end of the blacktop driveway and also putting gutters on the proposed garage and taking the water someplace where it won't cause any flooding or problems with the neighbors on either side or with their own property. The variance won't be approved unless they take care of those problems. It will be written up in his report.

Chairman Gabak stated again the problem with the shed and how much of an increase that the Breaults want. Mr. Breault asked if scaling it down to 22' by 22' would help. Chairman Gabak stated that it would not cut that much square footage off. Mr. Breault stated the other suggestion that he has is to put up a single one car garage and have an overhang so that he would have a place to keep his truck to keep it out of the snow and rain. Mr. Breault said the contractor stated that to safely park a car in there and put in a stairway that's up to code, it should be 24'. There was further discussion regarding the dimensions of the garage with overhang. The Breaults and Board agreed on a 16' x 24' building with an 8' overhang. They would need to gutter the sides and do something with the water so it won't go on the neighboring properties. If they decide to blacktop the driveway, Chairman Gabak insisted that a drain be put in, which the Breaults agreed to.

Chairman Gabak made a motion to vote on a 16' x 24' garage with an 8' roof overhang, with gutters, so the water is kept away from the neighbor's properties, seconded by Neal VanLiew. Roll call vote was taken by the Board.

**MOTION APPROVED 5 AYES 0 NAYS**

Chairman Gabak made a motion to vote on the side yard variance of 17' from 20' on the north property line, seconded by Kathy Taylor.

**MOTION APPROVED 5 AYES 0 NAYS**

Motion to adjourn made by Bill Gabak, and seconded by Kathy Taylor. All in favor. Time was 6:55 PM.

Respectfully submitted,

Cindy Schiminske  
Clerk, Zoning Board of Appeals