

**GREENLAND ZONING BOARD
PUBLIC MEETING**

TUESDAY, July 15, 2008

Members Present: Ms. Stephanie Glennon, Chairperson
Mr. Chris Halligan, Vice Chairman
Ms. Liz Cummings
Ms. Tina Ho Wendell

Members Absent: Mr. Don Arsenault

Staff: Mr. Robert Cushman, Building Inspector
Ms. Amy Leonard, Secretary

Chair Glennon opened the public meeting of the Greenland Zoning Board of Adjustment at 7:00 P.M. and a roll call was taken. She announced that a quorum was present and they would proceed with the meeting. She stated the procedures of the Zoning Board of Adjustment and announced that the meeting was being recorded and the minutes would be available to the public when completed.

Public Hearing

1. Request for a Special Exception, 3/5 Hillside Drive, Owner/Applicant: Edward Scully, (Map U9, Lot 24). Applicant is requesting a special exception from Article XVIII, Section 18.12, Subsection 18.12.1 of the zoning ordinance: to replace and expand a 2nd story existing deck, which will encroach an inland wetland buffer zone.

Chair Glennon noted the said application was received as complete and the Board members have reviewed it. Mr. Edward Scully approached the Board to discuss the special exception application to replace and expand a 2nd story existing deck. He submitted a form signed by 4 abutters: Christopher Thompson, Katherine Wentworth, William Shupe and Stanley Ross, as well as various neighbors and a letter from abutter, John Peyser, stating they had no objection to this application. He indicated the final abutter: Stanley Ostremecky, verbally stated he had no objection to this application.

Mr. Scully indicated the footprint of the existing deck is 274 square feet, including 36 square feet for the stairs. He stated the proposal was to replace the existing deck and add 91 square feet by extending the existing deck on a diagonal to his recent addition that had been completed in 2007, after the appropriate variances were obtained. He stated the stairs and landing would be on the left side of the deck as the right side would interfere with the septic system. Ms. Cummings asked how close the deck would be to the wetland buffer. After showing the Board the location of the deck on a plan and measuring the distance, Mr. Scully responded there would be 37 feet in between the deck and the wetland buffer. Mr. Cushman, Building Inspector, felt the deck would actually be less intrusive than the house and new addition because it would be farther away from the buffer (the house and addition is only 29 feet from the buffer).

Chair Glennon opened the hearing for public comments. Hearing none, the hearing was closed and the following motion was made:

Motion 1: Chris Halligan moved to grant the request for special exception, as presented, from Article XVIII, Section 18.12, Subsection 18.12.1, to replace and expand a 2nd story existing deck, which will encroach an inland wetland buffer zone. Lizbeth Cummings seconded the motion.

Mr. Halligan proceeded to review the criteria and felt all had been met: A. The lot is an official lot of record; B. The new structure or expansion is not otherwise prohibited; C. The use cannot feasibly be carried out on any other portion of the lot due to the layout of the house; D. No reasonable and economically viable use of the lot can be made without this exception; E. It is consistent with the purpose and spirit of the ordinance. Ms. Cummings agreed and added the applicant is not encroaching on the wetlands itself, just the buffer, he cannot put the stairs on the right due to the septic location and she did not feel there would be any excessive water run off from this small expansion into the wetlands. After the discussion a vote was taken on the motion.

There was a vote of 4 - 0, in favor of granting the special exception. MOTION CARRIED.

2. Any business that may legally come before the Board but does not call for public hearing, including: review of previous meeting minutes, consideration of their approval, consideration of timely-filed motions for rehearing, and consideration of further motions.

The Board reviewed the minutes of June 17, 2008. After the review, the following motion was made:

Motion 2: Lizbeth Cummings moved to accept the minutes of June 17, 2008, as submitted, and Chris Halligan seconded the motion. There was a vote of 3 for and 1 abstained (T. Ho Wendell). MOTION CARRIED.

Being no further business, the meeting was adjourned at 7:15 P.M.

Motion 3: Chris Halligan moved to adjourn the meeting at 7:15 P.M. and Lizbeth Cummings seconded the motion. All were in favor with a vote of 4 - 0. MOTION CARRIED.

Recorded, transcribed and typed by:

Amy Leonard
Secretary, Zoning Board of Adjustment

Attachments:

1. Agenda, dated 7-15-08

Approved by the Greenland Zoning Board on March 17, 2009.