

Subject to Approval

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
Jan. 8, 2019**

The public hearing and regular meeting of the Madison Zoning Board of Appeals was conducted Tuesday, Jan. 8, 2019, at 7 p.m. in Meeting Room A at Madison Town Campus.

MEMBERS PRESENT

Chairman Ned Moore, Vice Chairman Thomas Kelty, and Commissioners Jason Brown and Richard Gilbert.

MEMBERS ABSENT

Stephen Somma

ALTERNATES PRESENT

William Piggott and Peter Roos

OTHERS PRESENT

Zoning Enforcement Officer John De Laura; MCTV taped the meeting.

Chairman Ned Moore called the public hearing and regular meeting of the Madison Zoning Board of Appeals to order at approximately 7 p.m., introduced the board and reviewed procedures; by state statute, four votes are needed to approve applications, and a simple majority is not sufficient. The legal notice, as published, was read into the record. Agenda items were taken in the order prescribed in the minutes. Chairman Moore seated Alternate Commissioner William Piggott for absent Commissioner Stephen Somma.

8220. 309 Boston Post Road. Map 36, Lot 17. R-1 District. Owners/Applicants. Stephen & Shelley Lipman; Applicant: Duo Dickinson Architect. Request to vary Sec. 3.6 a) and d) of the Madison Zoning Regulations to allow a front setback (east) of 17 ft. 10 in. where 40 ft. is required, and a side yard setback (north) of 20 ft. 7 in. where 30 ft. is required to permit renovations to the dwelling.

Architect Duo Dickinson presented a three-dimensional model of the project, stating that neighbors shown the model were pleased with it and submitted three letters of support, along with a map showing their properties in relation to the owners' parcel; in addition, Mr. Dickinson presented a large color plan of the proposal. Those exhibits were as follows: **EXHIBIT 1**, three letters of support, with accompanying map of residents' locations; **EXHIBIT 2**, three dimensional model of the project; and **EXHIBIT 3**, color plans of the project. Mr. Dickinson stated that the owners want a master bedroom on the first floor; a lean-to will be removed; a front entrance that is never used will be removed; and a septic system at the rear of the site will be moved to the front yard. Everything on the parcel is in noncompliance, and plans are to decrease the noncompliances; up to 236 square feet will be removed and 61 square feet will be put back, according to Mr. Dickinson. The master bedroom addition is in full compliance, and though

noncompliances will remain, they are being mitigated, according to Mr. Dickinson. With closets and storage, the master bedroom suite will be 600 square feet, Mr. Dickinson stated. It will be a one-story addition, which improves the ambiance of the house, he stated. There will also be a 230 square foot screened porch, which will serve as a shade for the sun and deter the insects, according to Mr. Dickinson. Setbacks on the west side and front side are being met, he stated. The hardship involves having to move the septic system and reducing noncompliances, according to Mr. Dickinson. A local resident and nearby Boston Post Road long-time property owner, present during the public hearing on the application, spoke in favor of the design of the project. Chairman Moore closed the public hearing and asked the Zoning Board of Appeals to begin deliberations. Commissioner Piggott spoke in favor the application, stating that the request is reasonable, attractive, and efforts have been made to reduce setbacks. Chairman Moore stated that the nonconformities are being reduced and the design is tasteful. Commissioner Jason Brown stated that 70 percent of the existing structure is nonconforming, the reduction of encumbrances from the existing structure are favorable, an unused front entrance is being removed, and the addition is within the setback, with the exception of the porch. This is pretty much the only way this project could be built, without having to tear it down, according to Commissioner Brown. Vice Chairman Thomas Kelty expressed approval for the reduction of the noncompliances. Commissioner Richard Gilbert spoke in favor of the application for the reduction of noncompliances and the support of four neighbors.

Commissioner Brown made the motion to grant the variances for Sec. 36 a) and d), with the hardship being that the buildable area of the lot is oddly shaped and small; it was seconded by Vice Chairman Kelty and unanimously approved.

Vote to approve 309 Boston Post Road passed, 5-0-0.

IN FAVOR: Chairman Moore, Vice Chairman Kelty, and Commissioners Gilbert, Brown, and Piggott.

OPPOSED: None.

ABSTAINED: None.

Election of Officers

Commissioner Brown made the motion to maintain Chairman Ned Moore as chairman and to maintain Vice Chairman Thomas Kelty as vice chairman; it was seconded by Commissioner Gilbert and unanimously approved.

Vote to approve election of officers passed, 5-0-0.

IN FAVOR: Chairman Moore, Vice Chairman Kelty, and Commissioners Gilbert, Brown, and Piggott.

OPPOSED: None.

ABSTAINED: None.

Approval of 2019 Schedule of Meetings

Commissioner Gilbert made the motion to approve the 2019 schedule of meetings; it was

Madison ZBA ▪ Regular Meeting, Jan. 8, 2019 ▪ Meeting Minutes ▪ Page 2 of 3

seconded by Chairman Moore and unanimously approved.

Vote to approve the 2019 schedule of meetings passed, 5-0-0.

IN FAVOR: Chairman Moore, Vice Chairman Kelty, and Commissioners Gilbert, Brown, and Piggott.

OPPOSED: None.

ABSTAINED: None.

Approval of Minutes: December 11, 2018

Commissioner Gilbert made the motion to approve the Dec. 11, 2018 minutes as submitted; it was seconded by Vice Chairman Kelty and unanimously approved.

Vote to approve the Dec. 11, 2018 minutes passed, 5-0-0.

IN FAVOR: Chairman Moore, Vice Chairman Kelty, and Commissioners Gilbert, Brown, and Piggott.

OPPOSED: None.

ABSTAINED: None.

Adjournment

Chairman Moore made the motion to adjourn at 7:25 p.m.; it was seconded by Commissioner Brown and unanimously approved.

Vote to approve adjourn at 7:25 p.m. passed, 5-0-0.

IN FAVOR: Chairman Moore, Vice Chairman Kelty, and Commissioners Gilbert, Brown, and Piggott.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy
Clerk