

Subject to Approval

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
April 11, 2023**

The Regular Meeting of the Madison Zoning Board of Appeals was conducted Tuesday, April 11, 2023, at 7 p.m. by way of an online Zoom Webinar, with public participation available through a Zoom Webinar link and password, as well as through a telephone call in number, with a Zoom Webinar identification number, all publicly posted.

MEMBERS PRESENT

William Piggott, Dennis Crowe, Richard Gilbert

ALTERNATES PRESENT

Dylan Stella

MEMBERS ABSENT

Jason Brown and Steve Bischoff

OTHERS PRESENT

Town Planner, Erin Mannix

CALL TO ORDER

Chairman Gilbert called the meeting to order at 7:05p.m and read his introduction / public hearing procedure statement. Dylan Stella was seated a regular member.

PUBLIC HEARING(S):

23-06. 66 Signal Hill Rd. Map 30, Lot 44, R-1 Zone; Owner: Susan Hartmann, Applicant: Todd K. Anderson, Anderson Associates, Variance request per Section 3.8 to 10.27% building coverage where 10 is required to construct a detached garage with accessory apartment.

Per Mrs. Mannix, the applicant submitted a written request to open and continue the public hearing to the May meeting to allow for 5 members to be present.

Chairman Gilbert motioned to open the public hearing and continue to May 9th. Seconded by Commissioner Piggott and unanimously approved.

23-07. 26 Wildcat Springs Dr. Map 66, Lot 21, RU-2 Zone, Owners: John and Debra Orlando, Applicant: William Thompson, AIA, Variance request Section 11.1 to allow an accessory building in a front yard.

Present for application - Will Thompson, architect on behalf of property owners. A proposed site plan was shown and reviewed for the commissioners outlining the site utilities, the lay of the land and why the accessory building in the proposed area is a reasonable request. Mr. Thompson states the accessory building is for an elderly parent and additional parking is needed for the owners.

Commissioner Piggott asked what is the side yard setback from the accessory building and why couldn't the garage be combined with the new building. Mr. Thompson states the grading of the property with respect to the Land Trust area that is next to the property restricts that. The accessory structure has a reduced side yard setback and the only variance that's being requested is the actual

placement of the accessory structure within the front yard. He further states the utilities on site creates a hardship.

After discussions, Commissioner Crowe asked for a review of the application. After the review, the hearing was then opened to the public. Chairman Gilbert asked if there were any questions or comments in favor or in opposition of the application.

Joseph Maco – 22 Randi Dr – states in this development, there are no detached garages especially in the front of houses, they are all on the side or in the rear property. He is concerned that this will set a precedent not only in this neighborhood but other places.

Chairman Gilbert made the motion to close the public hearing and move into deliberations. Seconded by Commissioner Crowe and unanimously approved.

Commissioner Piggott states he does not think there's a legal hardship and there's obviously not a reduction of nonconformities. He further states this is a much larger garage than a shed and while the garage will be tucked away, a hardship is not present and he does not see the impact on living conditions.

Commissioner Stella states a case could be made for a hardship as the building is necessary for accessibility reasons and because the garage cannot be placed anywhere else due to the site.

Commissioner Crowe and Chair Gilbert agreed there are no legal hardships. Chair Gilbert states in terms of use, this is for another garage and one already exists. Also, in the neighborhood, there are no other front accessory buildings in that entire development.

Commissioner Stella made the motion to approve the variance for application 23-07. 26 Wildcat Springs Dr. Map 66, Lot 21, RU-2 Zone; Variance request Section 11.1 to allow an accessory building in a front yard on the grounds that the shape of the lot and topography creates an unusual hardship for accessibility purposes. Seconded by Commissioner Crowe.

IN FAVOR: Dylan Stella

OPPOSED: William Piggott, Dennis Crowe, and Richard Gilbert

ABSTAINED: None.

APPROVAL OF MINUTES: March 14, 2022

The minutes were tabled to the next meeting.

ADJOURNMENT:

Chairman Gilbert made the motion to adjourn at 7:58p.m; seconded by Commissioner Piggott and unanimously approved.

Respectfully submitted,
Racquel Stubbs