

**ZONING BOARD OF APPEALS HEARING  
Police Station Community Room  
Tuesday, October 25, 2011 – 7:30 pm  
Minutes**

**Present:** Board Chairman David Lavenburg, Members Stephen Bennett, Ellen Freyman, Daniel Plotkin Jerry Plumb, and Russell Preston.

**Absent:** No one.

Chairman Lavenburg opened the hearing at 7:32 pm.

**Old Business: None**

**New Business:**

**Petition 2011-20; Kelly; 146 Tedford Dr.;** request a special permit to add a deck to rear of dwelling. Eric Kelly appeared before the Board. After a review of the petition, Chairman Lavenburg opened the hearing to public comment. No one from the public spoke for or against the petition and Chairman Lavenburg closed the public comment portion of the hearing. The existing non-conformities were identified as frontage on Shaker Road and lot area. Member Plotkin made a motion, seconded by Member Preston, that the Board find the proposed addition, per the plans submitted, would increase the existing non-conformities by increasing the density of the lot. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Plotkin made a second motion, seconded by Member Preston, that per the plans submitted, the Board find the proposed addition would not be substantially more detrimental than the existing non-conformities, that it would generally conform with the look of the neighborhood, and noted that no one from the public spoke against the petition. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion; the special permit is granted.

**Petition 2011-21; Casartello; 118 Duxbury Lane;** request special permit to add to rear of dwelling. Charles and Carol Casartello appeared before the Board with Rich Gale of LaPlante Construction. The existing non-conformities were identified as frontage and lot size. Chairman Lavenburg opened the hearing for public comment. Ron Kistner of 131 Lynnwood St. asked to see the proposed plans and expressed concern about increased water runoff due to the proposed increase in the applicant's roof area. After some discussion, it was determined that most of Mr. Kistner's concerns about drainage and water runoff were beyond the purview of the Zoning Board. As no one else from the public came forward to speak, Chairman Lavenburg closed the hearing to further public comment. Member Plumb made a motion, seconded by Member Preston, that the Board make a finding that the existing non-conformities are frontage and lot size. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Plumb made a second motion, seconded by Member Preston, that the existing non-conformities of frontage and lot size would not be increased. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Plumb made a third motion, seconded by Member Preston, that the proposed construction, per the plans submitted, would increase the density of the lot. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Plumb made a fourth motion, seconded by Member Preston, that the proposed construction, per the plans submitted, would not be substantially more detrimental than the existing non-conformities,

*Accepted as presented November 15, 2011*

and that it would generally conform with the look of the neighborhood. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion; the special permit is issued.

**Petition 2011-22; Quirk; 50 Chatham Rd.;** request special permit to add a family room. Samantha Quirk appeared before the Board with Randy Locklin of Locklin Construction Co. The existing non-conformities were identified as lot size, frontage, front setback, both side setbacks, and garage setback. No one from the public spoke for or against the petition. Member Bennett made a motion, seconded by Member Preston, that the Board make a finding that the existing non-conformities are lot size, frontage, front setback, both side setbacks and garage setback. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Bennett made a second motion, seconded by Member Plotkin, that Board find that the proposed addition, per the plans submitted, would increase the existing non-conformities by reducing the open space of the lot. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion. Member Bennett made a third motion, that the Board find that, per the plans submitted, the proposed addition would not be substantially more detrimental than the existing non-conformities, that it would generally conform with the look of the neighborhood, and noted that no one from the public spoke in opposition to the petition. Member Preston seconded the motion. Members Lavenburg, Bennett, Freyman, Plotkin and Preston voted unanimously in favor of the motion; the special permit is granted.

**Acceptance of Minutes:** Member Bennett made a motion, seconded by Member Preston, to accept the minutes from the September 20, 2011 hearing as presented. Members Lavenburg, Bennett, Freyman, Plotkin, Plumb and Preston voted unanimously in favor of the motion approving the minutes.

**Adjournment:** The Hearing adjourned at 8:12 pm.

Respectfully submitted,  
Elayne Ayan