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**TOWN OF CHARLOTTE
ZONING BOARD OF ADJUSTMENT
MAY 4, 2016**

DRAFT

MEMBERS PRESENT: Frank Tenney, Chair; Matt Zucker, Jonathan Fisher.

ABSENT: Stuart Bennett, Andrew Swayze.

ADMINISTRATION: Daryl Benoit, Town Planner / Zoning Board Staff.

OTHERS PRESENT: Brian Bertsch, Jeff Hanson, Peter Fenn.

Minutes subject to correction by the Charlotte Zoning Board of Adjustment. Changes, if any, will be recorded in the minutes at the next meeting of the Board.

6:00 PM SITE VISIT: Paul Arthaud/Peter Fenn, 1012 Flat Rock Road.

6:30 PM SITE VISIT: Jeffrey and Linda Hanson, 2644 Guinea Road.

AGENDA:

- **16-48-CU: Conditional Use Review request Jeffrey and Linda Hanson for construction of an accessory structure with a footprint greater than 2000 square feet (2952 sf total) at 2644 Guinea Road.**
- **16-51-CU: Conditional Use Review for Paul Arthaud/Peter Fenn for the demolition and reconstruction of a camp at 1012 Flat Rock Road in the Shoreland Seasonal Home Management District. The newly constructed camp will be larger and will involve review as an expansion of a nonconforming structure (within setbacks).**

CALL TO ORDER

Mr. Tenney, Chair, called the meeting to order at 7:10 p.m.

16-48-CU: CONDITIONAL USE REVIEW REQUEST JEFFREY AND LINDA HANSON FOR CONSTRUCTION OF AN ACCESSORY STRUCTURE WITH A FOOTPRINT GREATER THAN 2000 SQUARE FEET (2952 SF TOTAL) AT 2644 GUINEA ROAD.

Jeffrey Hanson, owner, and Brian Bertsch, Omega Realty civil engineer, appeared on behalf of the application.

STAFF NOTES

Mr. Tenney reviewed staff notes, and noted that a site visit was conducted at 6:30 p.m. this date.

Mr. Tenney explained the process for establishing interested party status.

Mr. Hanson and Mr. Bertsch were sworn in.

APPLICANT COMMENTS

- 48 Mr. Bertsch reviewed a proposed site plan to renovate an existing two story garage
49 located behind an existing house as follows:
- 50 • The 50'X36' garage would be expanded by 20' for a total of 2,952 square feet,
51 which triggers a Conditional Use review
 - 52 • The height of the existing garage was over the 25' height allowance. The height
53 would be reduced to 18' and would be less visible from Guinea Road
 - 54 • The proposal included a 12'X36' shed
55

56 **EXHIBIT A: A single black and white photographic copy showing the existing**
57 **house and garage was reviewed and accepted as Exhibit A.**
58

59 There was discussion regarding Sheet 2 of the Site Plan and attached black and white
60 photographic copies there were submitted with the application. Mr. Bertsch pointed out
61 the dimensions of the existing garage and proposed changes. The site plan was drawn to
62 scale noting changes in front elevation, side elevation and the proposed new roof line.
63

64 **ZBA QUESTIONS/COMMENTS**

65 Mr. Fisher asked if the garage was for personal use or a business use. Mr. Hanson replied
66 that it was for his personal use to store his cars. Mr. Bertsch said that the new garage
67 would have power, but no heat or water sources.
68

69 Mr. Fisher asked for the following additions to the site plan: a dimensional scale, the
70 distance of the side yard setbacks, and survey lines. Mr. Bertsch said that the setback
71 distances were based on the deed description. The south rear setback was 309', the east
72 side yard setback was 93' and 80' on the west. He would mark the survey lines on the site
73 plan, said Mr. Bertsch. Mr. Tenney said that the property lines needed to be verified
74 before a permit could be issued.
75

76 Mr. Fisher asked if the property had been surveyed. Mr. Hanson replied that he had found
77 all the pins and used the septic plan drawings.
78

79 Mr. Bertsch said that the area was all open lawn and no trees would be cut.
80

81 Mr. Tenney asked if a new driveway was needed, or would there be a side access in the
82 garage. Mr. Hanson explained that it was all lawn; no driveway was planned. He would
83 access the garage through a back 9'X9' overhead door. His cars would be stored inside
84 for winter and removed in the spring. A 3' wide man-door would be installed on the side
85 and a 5' barn door on the shed. There were no windows planned. He wanted a tight
86 building to keep out rodents, said Mr. Hanson.
87

88 Mr. Fisher asked for a clarification of siding and roofing materials, and colors. Mr.
89 Hanson replied that he would reuse some of the old garage materials and new texture T 1-
90 11 siding and trusses. The roofing may be shingled. A frost wall would be poured, said
91 Mr. Hanson.
92

93 Mr. Benoit, ZBA Clerk, pointed out a discrepancy in the application regarding a 59' side
94 yard setback distance shown in orange on the parcel map attached to the Staff Report.
95 The setback required clarification, said Mr. Benoit. Mr. Bertsch said that he would mark
96 and correct the boundaries.

97

98 PUBLIC COMMENTS

99 Mr. Fisher asked if there were any comments from the neighbors. Mr. Hanson explained
100 that Suzanne Ferland, a neighbor, has asked him what he was doing. He told her that it
101 was not an apartment, and the height would be reduced. She said she didn't need to attend
102 the hearing, reported Mr. Hanson.

103

104 **MOTION by Mr. Fisher, seconded by Mr. Zucker, to close the hearing regarding**
105 **16-48-CU, a Conditional Use Review request by Jeffrey and Linda Hanson for**
106 **construction of an accessory structure with a footprint greater than 2,000 square**
107 **feet (2952 sf total). Property located at 2644 Guinea Road.**

108 **VOTE: 3 ayes, 2 absent (Mr. Swayze, Mr. Bennett); motion carried.**

109

110 Mr. Tenney explained that the ZBA had 45 days to issue a written decision, and there was
111 a 30 day appeal period.

112

113 **16-51-CU: CONDITIONAL USE REVIEW FOR PAUL ARTHAUD/PETER FENN**
114 **FOR THE DEMOLITION AND RECONSTRUCTION OF A CAMP AT 1012**
115 **FLAT ROCK ROAD IN THE SHORELAND SEASONAL HOME**
116 **MANAGEMENT DISTRICT. THE NEWLY CONSTRUCTED CAMP WILL BE**
117 **LARGER AND WILL INVOLVE REVIEW AS AN EXPANSION OF A**
118 **NONCONFORMING STRUCTURE (WITHIN SETBACKS).**

119 Peter Fenn, potential owner, appeared on behalf of the application.

120

121 STAFF NOTES

122 Mr. Tenney reviewed staff notes, and noted that a site visit was conducted at 6:00 p.m.
123 this date.

124

125 Mr. Tenney explained the process for establishing interested party status.

126

127 Mr. Fenn was sworn in.

128

129 APPLICANT COMMENTS

130 Mr. Fenn explained a proposal to demolish the existing camp and rebuild a slightly larger
131 camp. A portion of an existing driveway would be removed and relocated to the front
132 with a shared parking area, which should reduce the lot coverage calculation to allow for
133 the increased square footage of the new camp. The building height was 23', said Mr.
134 Fenn.

135

136 ZBA QUESTIONS/COMMENTS

137 Mr. Tenney noted that the property line went through the porch of the camp next door.

138

139 Mr. Fisher asked that the applicant notate a scale on the site plan.

140

141 Mr. Tenney asked for clarification of the median height from the ground level. Mr. Fenn
142 said that the ground drops 5' over the course of the back of the camp for a 2.5' median.

143 The height to the ridge would be 26'. The chimney would be 1'-2' higher, said Mr. Fenn.

144

145 Mr. Tenney asked if it was a two-story camp. Mr. Fenn explained that part of the back
146 facing the lake was a dormer. The camp was 1 1/2 stories. The western side of the camp
147 faced the road, said Mr. Fenn.

148

149 Mr. Tenney asked how many windows and what type were planned on the lake side. Mr.
150 Fenn replied cottage cape-style windows similar to the camp next door.

151

152 Mr. Fenn noted a change on the revised plan eliminated the proposed 1 and 1/2 baths to
153 only 1 bathroom.

154

155 **EXHIBIT A: the ZBA reviewed and accepted revised hand drawn site plans that**
156 **showed views in each direction of a 1 1/2 story camp, dated April, 2016, as Exhibit A.**

157

158 Mr. Tenney explained that the ZBA would condition approval on a state wastewater
159 permit to make sure all plumbing connections were up to date and conformed to the
160 Thompson's Point wastewater ordinances, Section 304 and Section 402.

161

162 Mr. Fenn said that Paul Arthaud had sent an e-mail to Jeannine McCrumb regarding the
163 revised plan.

164

165 Mr. Fisher asked if the deed/lease was separate for the two lots. Mr. Fenn replied that the
166 deed that Paul signed was just for that lot.

167

168 Mr. Zucker pointed out that there was a 2014 document for a driveway agreement, a
169 shared wastewater system, shared well and a shared propane tank.

170

171 Mr. Fisher said that the ZBA required a signed letter from Paul Arthaud appointing Mr.
172 Fenn as his representative regarding the application.

173

174 Mr. Tenney asked for clarification regarding colors, siding, and patio materials. Mr. Fenn
175 replied that colors would be a dark tone natural cedar shingles, dark brown siding, and
176 dark tone standing seam metal roofing. The patio would use flagstone, said Mr. Fenn.

177

178 Mr. Fisher asked if Mr. Fenn could produce revised site plans drawn to scale with
179 notations of scale, colors, style of windows, roofing, and siding within one week. Mr.
180 Fenn replied yes.

181

182 Mr. Tenney asked for clarification of the length of the camp facing the lake. Mr. Fenn
183 explained that the structure would be 30' across on the lake side. The front facing the
184 road is 24' wide, the sides go straight back for 10' on both sides, then there is a 3' jog out

185 to accommodate a covered porch on one side and a screened porch on the other. The lake
186 side is 24' wide with the 3' screened porch extending out and the 3' covered porch
187 extending out for a total width of 30', said Mr. Fenn.

188

189 Mr. Tenney asked if it was a small deck with stairs on the side. Mr. Fenn replied that an
190 open deck goes across the length of the camp on the lake side. There were no stairs down
191 from that. The stairs were back by the proposed kitchen, said Mr. Fenn.

192

193 Mr. Fisher suggested continuing the hearing in order to consider a complete application
194 that included a full sheet of drawings done to scale, a listing of materials for the proposed
195 siding, windows, colors, design, roofing, height to the ridge, precise side yard
196 measurements and the nearest point to the high water mean line, and a signed letter from
197 Paul Arthaud. The applicant should contact the state wastewater division regarding a
198 Thompson's Point waste water permit and the number of hookups. Make sure the
199 bathroom was grandfathered in, said Mr. Fisher.

200

201 Mr. Benoit read Section 3.8(b), page 28, Nonconforming Structures, Section 5.4
202 regarding a structure's footprint and height, and Section 402, Thompson's Point
203 connection to a public sewer. Mr. Tenney clarified that the ZBA needed to know the
204 number of 'fixtures' in the camp, number of bedrooms and bathrooms. Washers and
205 dryers were not allowed in the Thompson's Point district, said Mr. Tenney.

206

207 In response to a discussion regarding shoreline encroachments, Mr. Fenn said that the
208 proposed patio would replace part of the existing driveway and would be within 100' of
209 the shoreline. Mr. Fisher noted that a ground level stone patio was not considered a
210 'structure' by the Town.

211

212 Mr. Tenney asked if the applicant had contacted the Charlotte Tree Warden. Mr. Fenn
213 replied yes. The Tree Warden had recommended cutting some dying trees, said Mr. Fenn.

214

215 Mr. Fenn asked if the proposed camp met the Town criteria in terms of the front yard
216 setback related to nonconformance. Mr. Tenney said that the existing camp was
217 nonconforming regarding the side yard setbacks. Mr. Fenn said that the other side yard
218 has the septic tank and line and the camp could not be moved over.

219

220 PUBLIC COMMENTS

221 None.

222

223 **MOTION by Mr. Fisher, seconded by Mr. Zucker, to continue the hearing**
224 **regarding 16-51-CU, a Conditional Use Review for Paul Arthaud/Peter Fenn for the**
225 **demolition and reconstruction of a camp at 1012 Flat Rock Road in the Shoreland**
226 **Seasonal Home Management District; the newly constructed camp will be larger**
227 **and will involve review as an expansion of a nonconforming structure (within**
228 **setbacks) to May 18, 2016, at 7:00 p.m.**

229 **VOTE: 3 ayes, 2 absent (Mr. Swayze, Mr. Bennett); motion carried.**

230

231

232 Mr. Fenn asked if the state had the authority to approve the waste water hookup if there
233 was no record on file regarding the number of camp 'fixtures'. Mr. Tenney replied that
234 the ZBA could approve the application on the condition that the septic was permitted.

235

236 **ADJOURNMENT**

237 **MOTION by Mr. Zucker, seconded by Mr. Fisher, to adjourn the meeting.**

238 **VOTE: 3 ayes, 2 absent (Mr. Swayze, Mr. Bennett); motion carried.**

239

240 The ZBA meeting was adjourned at 8:25 p.m.

241

242 Minutes respectfully submitted, Kathlyn Furr, Recording Secretary.

243

244

DRAFT