

## **Draft**

Town of Middlesex

Minutes of the June 26, 2014 Zoning Board of Adjustment

**Present:** Charlie Merriman, Doug Lombard, Charlene Bohl, Dennis Nealon, Roger Hirt, Stacy Brown, Eugene Joslyn, Cindy Carlson

Meeting called to order at 6:32 pm.

Charlie explains the rules of procedure for the meeting, the proposed project and swears in Stacy Brown and Eugene Joslyn.

Stacy provides a diagram of their property outlining their proposed pole barn and the location where they would like to build the barn. The bulk of the property is in the Conservation District and part is in Rural Residential which both require a 50' side yard setback. The proposed site of the shed does not meet the side setback requirements of the district.

The Board reviews the requirements for a variance waiver for the side setback. The following were reviewed.

1. **Unique physical circumstances or conditions that are peculiar to this lot that would create a hardship to the property owner.** Stacy states the lot is long and skinny, the house site is about 400' from the road, there is ledge on the property and when the house was built they had to blast, it is very steep and there is very limited flat area. They feel that any other location would impact the quality of the land in conservation district. The shed will be used for storage of equipment, it will be built on sauna tubes with a stone floor. There is discussion of the storage of a tractor or other equipment and how an oil spill would affect the concrete spring tile and spring box that is located on the abutting property. Two of the Board members are concerned about the storage of hazardous materials given the proximity of the water source. Currently the spring is not being used for a water supply. The Board discusses if blasting to create another location would cause undue hardship
2. **Because of the physical circumstances there is no other site that the project could be built on.** The Board feels that there could be another site at a potential cost to the applicant and it may impact the conservation district. So considering this under a variance fails due to not meeting criteria #2 as all criteria would have to be met to qualify for a variance waiver.

The Board reviews the proposed project under conditional use review.

The general standards are reviewed:

**1. The capacity of existing or planned community facilities and services.** This project doesn't impact this criteria.

**2. Character of the neighborhood or affected.** This project is consistent with the neighborhood and Eugene Joslyn states he does not feel the location of the proposed shed will impact his abutting property.

**3. Traffic on road and highway in the vicinity.** There will not be any increase in traffic, there will not be an increase in any business operations.

**4. Bylaws in effect.** The board feels the shed meets the requirements.

The Board discusses imposing conditions to address the concerns of the set back from the water sources on the abutting property owners property.

**Motion:** Dennis moves to approve the permit for Randy and Stacy Brown, Application # 14-08 to construct a pole barn as outlined in the permit subject to the following condition: There shall not be any storage of hazardous material stored in the shed that would exceed the amount of hazardous waste that is typical of a normal residential property. Doug Lombard seconds. Motion carries.

Charlie explains the process for the permit issuance stating there will be a 15 day waiting period before the permit goes into effect.

Meeting adjourns at 7:15 pm

Respectfully submitted,

Cindy Carlson, Zoning Administrator