



# Zoning Board of Appeals – Town of Spencer

## *Minutes*

Zoning Board of Appeals Meeting  
**Tuesday, February 12, 2013 at 7:15 PM**  
McCourt Social Hall  
Memorial Town Hall

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The meeting was called to order at 7:15 p.m.

Zoning Board Members Present: Chair Allan Collette, Dee Kresco, Albert Drexler

Zoning Board Member Absent: Steven Rafer.

Staff present: Michelle Buck, Town Planner and Brynn Johnson, ODIS Clerk

Mr. Collette opens the meeting at 7:40pm

**1. Special Permit & Variance** – Applicant: Lee & Jeanette Jarvis. Project Location: 59 Oakland Drive. The applicant is requesting a Special Permit to allow a modification in footprint of house to accommodate a handicapped bathroom addition and a Variance for exceeding the lot's maximum building coverage by 1.6 %. The property is located within the Lake Residential Zoning District (LR). Lee Jarvis is in attendance to explain the project.

Mr. Collette opens the hearing.

Ms. Kresco reads the application.

Mr. Jarvis explains the new bathroom addition would extend from the existing bathroom. He says he would make the bathroom smaller if he could but the proposed bathroom is the minimum size the designer could properly design it to accommodate all the handicapped requirements.

Mr. Collette asks if there is another area in which the bathroom can go. Mr. Jarvis says no this is the only place they can have it.

Ms. Buck notes for the record in the letter from the applicant it says they lot coverage with the addition would be 26% but it is actually 26.6%.

Mr. Drexler asks if this is a substandard lot. Mr. Jarvis says yes the lot is only 8,500 sq. ft.

Ms. Kresco asks if the topography of the lot slopes down to the lake. Mr. Jarvis says yes there is a little bit of a slope but it's not steep.

Mr. Drexler asks if he will need approval from Conservation. Mr. Jarvis yes he has already been to Conservation and got approval from them.

Mr. Collette asks if the Board has any more questions. He notes there are no abutters or members of the public present.

Mr. Drexler makes a motion to close the discussion. Ms. Kresco seconds. Vote is 3-0 in favor. Discussion is closed.

**MOTION:** Mr. Drexler makes a motion to approve both the Special Permit and Variance for Lee and Jeanette Jarvis 59 Oakland Drive.

Findings for the Variance. That there is a hardship. Hardship being a substandard lot; there is on other reasonable place to construct the handicapped-accessible bathroom on this lot, and the lot coverage is exceeded by only 1.6%.

Findings for the Special Permit. That the proposed use is in harmony with the general purpose and intent of the zoning bylaw. That the proposed use will not create undue traffic congestion nor unduly impair pedestrian safety. That the proposed use will not impair the integrity or character of the district or adjoining zones, nor will it be detrimental to the health, safety, or welfare of the neighborhood or the Town.

Ms. Kresco seconds the motion.

**VOTE:** 3-0 in favor

**2. Approval of Minutes** – December 11, 2012 & January 08, 2013

MOTION: Mr. Drexler makes a motion to approve the minutes for December 11, 2012 & January 08, 2013. Ms. Kresco seconds the motion.

Vote: 3-0 in favor

**3. Adjournment:** Mr. Collette makes a motion to adjourn. Ms. Kresco seconds the motion. Vote is 4-0 in favor. With no further discussion the meeting is adjourned at 8:00pm

Submitted By: Brynn Johnson, ODIS Junior Clerk

Approved by the Zoning Board of Appeals on \_\_\_\_\_

**List of Documents used on February 12, 2013:**

Items mailed to ZBA members prior to meeting:

- Agenda
- Memo from Michelle Buck, Town Planner dated 2/05/2013
- Special Permit & Variance Application for 59 Oakland Drive
- ZBA Minutes for 12/11/2012 & 1/8/2012