

August 6, 2013

TO: Distribution

FROM: Chuck H.

SUBJECT: ZBA Special Permit Decisions and Applications

This summarizes the decisions reached at the July 24, 2013 ZBA meeting. So far there are no applications for the August 28th meeting.

July 24, 2013 Decisions

1. **APPROVED WITH CONDITIONS: CHRIS ALLEY FOR RICHARD KAUFFMAN; Article 8 Section 8.3; 20 Chappaquoit Rd.; Map 24 Lot 211:** Re-develop a pre-existing, non-conforming 1.81-acre parcel of land. One conforming 593 sq. ft. 3-bedroom structure will be removed and replaced with a new, conforming 3-bedroom structure that is approximately 2,477 sq. ft. A second 887 sq. ft. 3-bedroom, pre-existing, non-conforming structure that is 5' 4" from the east lot line will be replaced with a new 2-bedroom non-conforming structure that is approximately 678 sq. ft. and 10' 2" from the east lot line. The roof ridge of both new structures will conform to the regulations and be less than 18 feet above mean natural grade. The air conditioning condensers will meet the minimum 35 foot setback distance from the lot lines. The existing conforming garage will be moved to a location that meets the minimum 35-foot setback distance from the lot lines.
2. **The Board unanimously voted to uphold the Building Inspector's decision because the chiller is not a structure as defined by the Zoning Bylaws (as they existed in 2006) and was therefore not subject to the minimum setback requirements when installed. GEORGE BRUSH ESQ. FOR SUSAN SCHEUER; Article 9 Section 9.9; 11, 15 Chappaquoit Rd.; Map 24 Lots 209, 216:** The petitioner is appealing the Building Inspector's decision to not order the neighbors, Douglas and Patricia Sacks, to remove a so-called chiller situated within 50 feet of her lot line. The chiller measures 20' X 24' with 7 plus foot high concrete walls, about 45" below grade and 40" above mean natural grade. It houses HVAC compressors that service the Sacks' residence. The petitioner claims the chiller is a structure that is less than 50 feet from the petitioner's lot line and therefore it does not meet the minimum zoning setback distance.
3. **APPROVED: BRUCE MACNELLY FOR SUSAN GLAZER KHEDOURI; Article 8 Section 8.2; 14 Yardarm Lane; Map 24 Lot 227:** Remove the existing 3-bedroom non-conforming structure and replace it with a new 3-bedroom structure such that the distance from the west lot line increases from 11 feet to 16 feet. The setback distances from the other lot lines and the roof ridge height conform to zoning specifications.