

February 22, 2010

TO: Distribution

FROM: Chuck H.

SUBJECT: ZBA Special Permit Decisions and Applications

This summarizes the decisions reached at the January 19 and 26<sup>th</sup> ZBA meeting and outlines the agenda for its February meeting.

**January 19th Decision:**

1. Wind Turbine Appeal: Both Wind Turbine building permits meet the requirements for the agricultural exemption and were properly issued. Article 9 Section 9.9: Abutters' appeal of two building permits issued for a wind turbine. One at the Allen Farm and the other at Rainbow Farm (Grey Barn Real Estate Holdings, LLC).

**January 26<sup>th</sup> Decisions:**

1. **APPROVED:** Douglas and Patricia Sacks; Article 4 Section 4.2A1; Map 24 Lots 209, 216; 11, 15 Chappaquoit Rd.; Convert the existing 792 sq. ft. detached two bedroom space that is in the second floor of a garage into a guesthouse by installing a kitchen.
2. **CONTINUED TO FEBRUARY 23:** James B. Zuckernik; Article 4 Section 4.2A3; Map 30 Lot 47; 42 State Rd.; Construct an in-ground swimming pool with the required four-foot high safety pool fencing in a location that does not meet the minimum required setback distance from the lot lines. The pool will not have an auxiliary water heater. The pool equipment will be housed in an underground, sound-proof equipment vault.
3. **APPROVED:** Gregory Mayhew; Article 6 Sections 6.4, 6.5, 6.6; Map 30 Lot 48.2; 30 State Rd.; Create a 1.27-acre youth lot for Jeremy Mayhew.
4. **APPROVED:** David Feinberg and Hope Schrov, Trustees; Article 4 Section 4.2A3; 10 Allen Farm Rd.; Map 25 Lot 20.11; Heated, in-ground swimming pool plus a spa with the required four-foot high safety fencing. The pool equipment will be in an underground vault.

**February 23<sup>rd</sup> Agenda**

1. GEORGE SOURATI FOR JAMES B. ZUCKERNIK; TRUSTEE; Article 4 Section 4.2A3 and Article 6 Section 6.6; 42 State Rd.; Map 30 Lot 47; Construct an in-ground swimming pool with the required four-foot high safety pool fencing in a location that does not meet the minimum required setback distance from the lot lines. The pool will not have an auxiliary water heater. The pool equipment will be housed in an underground, sound-proof equipment vault.

(OVER)

## February 23<sup>rd</sup> Agenda

2. CHUCK SULLIVAN FOR PAUL & EDNA BARRY; Article 8 Section 8.3; 22 Larsen Lane; Map 27.1 Lot 45: Renovate and expand a pre-existing, non-conforming structure that does not meet the minimum 25-foot setback distance from the lot line. The proposed expansion does not increase the non-conformity of the structure. The Conservation Commission and Board of Health will also need to review the plans.
  
3. REID SILVA FOR DAVID H. FEINBERG AND HOPE F. SCHROY, TRUSTEES; Article 6 Section 6.6; 10 Allen Farm Road; Map 25 Lot 20.11: Renovate, expand and change an existing structure and its use as a conforming barn to a non-conforming structure that will be used as a pool house. The existing structure is approximately 38 feet from the lot line which does not meet the minimum 50-foot setback distance. See Site Review Committee report.