

**UNAPPROVED MINUTES
Town of Auburn
Zoning Board of Adjustment
April 19, 2022**

Present: Mike DiPietro, Chairman. Kevin Stuart, Vice-Chairman. Patrick Bergeron & Jill Dross, Members. Shannon Daoust & Steven Kimball, Alternate Members. Minutes recorded and prepared by Denise Royce.

Also, Present: Carrie Rouleau-Cote, Building Inspector/Code Enforcement Officer.

Absent: Shawn Matte, Member. Nick Pappas, Alternate Member.

Mr. DiPietro called the meeting to order at 7:09 p.m. At this time, Mr. DiPietro introduced the Board members to everyone present tonight and then explained the procedure for tonight's hearing. Mr. DiPietro elevated Mr. Kimball to full voting status in the absence of Mr. Matte. Mr. DiPietro asked Ms. Royce to read the case into the minutes. Ms. Royce read the first case into the minutes for the record.

Case #22-07

**Joseph & Brittanny Chandonnet
12 Cottage Avenue – Tax Map 25, Lot 36
Zoned Residential One**

Applicant is requesting a Variance from Article 4, Section 4.06(6) to allow a 30-foot by 36-foot single story detached garage to be 18-feet from the front property line and 25-feet from the side property line and to exceed lot coverage in a Residential One zone.

Mr. DiPietro asked the applicant to read their application into the minutes for the record. At this time, Mrs. Chandonnet read her application. Mr. DiPietro asked the applicant that from looking at the plan presented to them that it looks like the garage will be 18-feet from the road. Mrs. Chandonnet explained that they measured 18-feet from the edge of pavement to where the garage would be and showed the Board members photos of the location on her phone. Mrs. Chandonnet stated that the garage would start where the shed is located. Mr. DiPietro explained that it should not be from edge of pavement but should be from where the property line is located. Mr. DiPietro informed Mrs. Chandonnet that if they were to grant her relief that they would say no closer than 16-feet, but they need to know those dimensions because if they find out it's only 12-feet then they would have to come back before the Board. A brief discussion ensued with regard to distance from the garage to the road. Mrs. Chandonnet added they would be 25-feet from the abutter because they found the property markers on that side. Ms. Dross asked Mrs. Rouleau-Cote if the setbacks for this property was 50-feet all the way around. Mrs. Rouleau-Cote commented that, she did not consider this property a corner lot because of the Boston and Maine Railroad abuts this property. Mr. Stuart asked to see the photo again which showed the 18-feet from the edge of the pavement. Mr. DiPietro noted that

it was a small lot and believed it would be tough to make a decision tonight as this was not a very good plot plan and that it may behoove them to invest in a plot plan that shows the actual locations for everything on the property. With that said, Mr. DiPietro turned the discussion over to the Board members for comment.

Ms. Dross asked about the plan that shows a proposed 24-foot by 24-foot garage on it. Mrs. Chandonnet stated that, that was done when the house was built with the original owners. Mr. Kimball asked why they wouldn't look at putting it in the original location. Mrs. Chandonnet stated that it was because of the leachfield and septic tank locations. Mrs. Rouleau-Cote commented that it was because the septic tank was pretty close to the house. At this time, discussion ensued with regard to the plan for the garage which was for a two (2) stall garage with storage above. Mrs. Chandonnet added that they started out with a 30-foot by 40-foot garage and shrunk it down a bit. Mr. Chandonnet added that he was looking at the future with storage and that there would be a set of stairs going to the loft which would be only used for storage.

Mr. DiPietro asked Mrs. Rouleau-Cote if she had any comments. Mrs. Rouleau-Cote commented that they have had several conversations with regard to where the actual property lines were located and what the distances were. Mr. Stuart asked if the property was ever surveyed. Mrs. Chandonnet stated that they have found some of the granite markers and pins. Mr. DiPietro asked Mrs. Rouleau-Cote if she was comfortable with the 25-feet and 18-feet. Mrs. Rouleau-Cote commented that, she has not seen the property lines staked out so before she issued a foundation permit, she would be asking for those lines to be staked out and to verify that they are going to be 25-feet and 18-feet if that is what the relief will be. Mr. DiPietro commented that, that was what he was getting at because if it turns out they are looking at 12-feet instead of 18-feet it makes a difference.

Mr. Kimball pointed out that this would increase the impervious surface ratio to almost double what the standard is. Mr. Kimball talked about groundwater recharge and had a concern about that. Mr. Chandonnet commented that, they are putting it on where the pavement currently is and if they had to pave a little more that it would be something that he could do himself. Mrs. Daoust asked if they could move the garage 5-feet more into the lot so that they could meet the 30-foot setback so they would not need the relief from the 30-foot setback. Mrs. Daoust also noted that they were already taking down the shed and taking down the pool then it wouldn't look so bad, and it would be closer to the house. Mrs. Chandonnet stated that they could possibly do that.

Mr. Kimball asked Mrs. Rouleau-Cote about the Variance to allow the house to be built. Mrs. Rouleau-Cote began by saying that the for the original house back in 1991 it was the same article where there was a stipulation that the setback would be no closer than 40-feet on the East and 40-feet on the West which was the front and rear and a 30-foot building envelope.

Mr. Stuart asked if they looked at building a 24-foot by 24-foot garage. Mrs. Chandonnet said yes. Mr. Kimball added that, if they did a 24-foot by 24-foot garage it would reduce the impervious. At this time, Mr. Stuart suggested that they enter into deliberation.

Mr. Stuart made a motion to enter into deliberation. Seconded by Mr. Bergeron. The Board entered into deliberation at 7:29pm.

Mr. Stuart began by saying that he was receptive to them obtaining a two-car garage and realizes that they have a small lot and that other people in the area have garages. Mr. Stuart believed a two-car garage could be done by doing a 24-foot by 24-foot garage. Mr. Stuart also pointed out that it was on the original plan for this house. Mr. Stuart talked about getting rid of the side door which would reduce the impervious surface as this was also very close to the water. Mr. Bergeron wanted to point out that by having the side door it gives them stairs to get up to the loft for storage. A brief discussion between the Board members ensued regarding the extra space for the door and stairs. In conclusion, Mr. Stuart stated that his concern was trying to keep in line with the spirit of the ordinance and believed the applicant should be able to build their garage and should be able to use their property, but his biggest concern was keeping it in line with the spirit of the ordinance.

Mr. Bergeron mentioned that the tax card says .5 acres and they are saying it's .67 acres and believed this needed to be clarified. Mr. Kimball understood what Mr. Stuart was saying and was familiar with the area and talked about the impact on surrounding property values but believes it improves the overall character of the neighborhood. Mr. Kimball was concerned about the dimensions which were questionable and suggested that the Board Table this matter and ask them to get a more concise plan so they can get specific numbers with regard to impervious surfaces and they can maybe talk to their builder and believed they would end up with a better plan and make it easier for the Board to make a decision.

Mr. DiPietro asked if anyone else had anything else to add. Mrs. Daoust did not have a problem with the size of it if they could move it over 5-feet so they wouldn't need the side Variance and understood that their septic tank was located close to the house as well. Mrs. Daoust understood that the applicant was looking ahead and if we ask them to shrink it down more then they would probably be back before us requesting a shed. Mrs. Daoust also agreed about Tabling it for another month to allow them to get more information back to the Board. Mr. Kimball agreed so they can get an accurate location of the proposed garage.

Mr. DiPietro agreed with everything that has been said and the whole scheme of things with this house, this lot and this neighborhood you can never build too big. Mr. DiPietro wanted to touch base with the Board and if the applicant wants the whole thing that it may behoove them to come back with really hard dimensions and maybe shifting the garage a bit. With that said, Mr. DiPietro stated that, he would entertain a motion to come out of deliberation.

Mr. Stuart made a motion to come out of deliberation. Seconded by Mr. Kimball. The Board entered into deliberation at 7:37pm.

Mr. DiPietro stated to the applicant that they heard what they had to say and in the end the cost will be well worth it because it would allow them to give them relief with a specific number and the more, they pull it away from the street would be less of a Variance. Mrs. Chandonnet asked the Board if they wanted the property surveyed. Mr. DiPietro said yes because some of these numbers are kind of hard. Mr. Stuart also pointed out that, the exact lot line from the road is pretty important and would be extremely helpful. A brief discussion ensued with regard to having the property surveyed. Mrs. Rouleau-Cote believed that an As-Built would be helpful for sure. Both Mr. and Mrs. Chandonnet agreed with what the Board was asking.

With that in mind, Mr. DiPietro asked for a motion to Table this case until next month which would be May 24th and if they needed more time that they could contact Ms. Royce and request an extension for more time.

Mr. Stuart made a motion to TABLE the application for 12 Cottage Avenue, Tax Map 25, Lot 36 until the next meeting, which is scheduled for Tuesday, May 24th at 7:00pm. Seconded by Ms. Dross. Mr. Kimball voted to Table, Mr. Bergeron voted to Table, Ms. Dross voted to Table, Mr. Stuart voted to Table, and Mr. DiPietro also voted to Table. A vote was taken and, the application was TABLED until Tuesday, May 24th.

Mr. DiPietro informed the applicant that they have Tabled this matter until next month. Mr. Stuart reiterated that, if they were not ready by May 24th to let Ms. Royce or Mrs. Rouleau-Cote know and they can notify the Board. Mr. and Mrs. Chandonnet thanked the Board and the discussion ended.

Minutes

Mr. DiPietro moved on to the approval of the minutes of March 29, 2022.

Mr. Bergeron made a motion to approve the minutes of March 29, 2022, seconded by Ms. Dross. A vote was taken and, the motion passed with Mr. Stuart abstaining.

New Business/Other Business

Mr. DiPietro informed the Board members that they needed to nominate someone for Chairman and also needed to nominate someone for Vice-Chairman. Mr. DiPietro indicated that he would be happy to continue on as Chairman if the Board so chooses.

Mr. Stuart made a motion to Nominate Mike DiPietro as Chairman. Seconded by Mr. Bergeron. A vote was taken and, the motion passed. Mr. DiPietro will continue on as Chairman.

Mr. Bergeron made a motion to Nominate Kevin Stuart as Vice-Chairman. Seconded by Mr. DiPietro. A vote was taken and, the motion passed. Mr. Stuart will continue on as Vice-Chairman.

Mr. DiPietro asked if there was any other new business. None were noted at this time. Mr. DiPietro asked Mrs. Rouleau-Cote if she had anything to add. Mrs. Rouleau-Cote indicated that there were possibly two (2) cases that would be coming before the Board in May.

Mr. DiPietro thanked everyone and stated that he would entertain a motion to adjourn.

Adjourn

Mr. Matte made a motion to adjourn, seconded by Ms. Dross. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 8:05 p.m.

The next scheduled meeting is scheduled for Tuesday, May 24th, 2022 at 7:00pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.