

**UNAPPROVED MINUTES**  
**Town of Auburn**  
**Zoning Board of Adjustment**  
**December 17, 2019**

**Present:** Mike DiPietro, Vice-Chairman. Kevin Stuart, Stephen Carroll & Dennis Vieira, Members of the Board. Minutes prepared by Denise Royce.

**Absent:** Mark Wright, Chairman. Dale Phillips & Shawn Matte, Alternate Members.

Mr. DiPietro called the meeting to order at 7:00 p.m.

Mr. DiPietro began by explaining tonight's procedures and then moved on to have the Board members introduce themselves to everyone present. Mr. DiPietro indicated that he would be Chairing tonight's hearing in the absence of the Chairman, Mark Wright.

With that said, Mr. DiPietro informed the applicant that there were only 4 members present tonight and that they only issue was that, in the event of a tie vote that they would be back to square one. Mr. DiPietro gave the applicant the option of waiting until there were more Board members if they wanted. Mr. Cataldo commented that they would go ahead with the Board members that were present tonight. With that said, Mr. DiPietro asked Ms. Royce to read the first case into the minutes for the record.

**Case #19-26**  
**Perry & Karly Cataldo**  
**145 Rattlesnake Hill Road – Tax Map 15, Lot 1-1**  
**Zoned Residential One**

*Applicant is requesting a Special Exception to allow an Accessory Dwelling Unit attached to existing single-family home located within a Residential One zone (Article 4, Section 4.06(3)(m)); and, a Variance to allow the construction of an 18-foot by 24-foot addition to be within the 30-foot side setback and which will also increase lot coverage to be 6.24% where 5% maximum building coverage is permitted in a Residential One zone (Article 4, Section 4.06(6)).*

Mr. DiPietro asked the applicants if they had a copy of their application with them and if not, we could supply them with a copy to read into the minutes. Mr. DiPietro pointed out to the Board members that, they would be looking for a Special Exception to allow an Accessory Dwelling Unit and a Variance to allow the construction of an 18-foot by 24-foot addition to be within the 30-foot side setback along with a Variance to exceed lot coverage to 6.24%. Mr. DiPietro asked Mr. Cataldo to read their application into the minutes for the record.

Mr. DiPietro asked Mr. Cataldo reviewed the plan provided to the Board members in their packages. Mr. Cataldo stated that, it was the most logical area to put the addition. Mr. Stuart asked how far into the setback would they be looking to go into. Mr. Cataldo was unsure but believed it would be 10 to 15 feet. Mrs. Rouleau-Cote asked the Board if they

wanted her to scale it for them. Mr. Stuart said yes. At this time, Mrs. Rouleau-Cote noted that it was in a scale of one-inch equals 20-feet and stated that it would be approximately 10 feet from the property line. Mr. Stuart commented that they would be going 20 feet into the setback. Mr. DiPietro stated that they could say no closer than 9 feet to the property line. Mrs. Rouleau-Cote commented that, they could just condition it to say that it was an 18-foot by 24-foot addition on the existing home. The Board all agreed with that determination.

Mr. DiPietro moved on to discuss the lot coverage and noted that the lot was relatively small and that the lot coverage would be increasing by 1.24%. Mrs. Rouleau-Cote explained that, it would not be increasing by that much because the lot coverage already exceeded the 5% prior to adding the addition. At this time, Mrs. Rouleau-Cote calculated the current lot coverage to be 5.58% and would be increased to 6.24% with the construction of the addition. Mr. DiPietro noted that it would not be that much of an increase. Mrs. Rouleau-Cote stated that, she had to have the Board address it because it was an increase to what was currently in place. The Board members briefly discussed the lot coverage.

Mr. DiPietro explained that, the best way to address this would be for a Special Exception to allow the ADU and the two (2) Variances and that they would vote on each one separately. With that said, Mr. DiPietro stated that he would entertain a motion to vote on the Special Exception to allow an ADU.

***Mr. Vieira made a motion to vote on the Special Exception to allow an Accessory Dwelling Unit (ADU) for property located at 145 Rattlesnake Hill Road, Tax Map 15, Lot 1-1 within a Residential One zone, for Case #19-26. Seconded by Mr. Stuart. Mr. Carroll voted to grant as he believed all the criteria had been met, Mr. Stuart voted to grant as he believed all the factors have been met, Mr. DiPietro voted to grant as he believed all the factors have been met, and, Mr. Vieira also voted to grant as he also believes that all the factors have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. DiPietro moved on to entertain a motion on the Variance for the side setback.

***Mr. Vieira made a motion to vote on the Variance application to allow the construction of an 18-foot by 24-foot addition to be no closer than 9-feet to the property line for 145 Rattlesnake Hill Road, Tax Map 15, Lot 1-1, for Case #19-26. Seconded by Mr. Stuart. Mr. Carroll voted to grant, Mr. Stuart voted to grant as he believed all five (5) factors have been met, Mr. Vieira voted to grant as he believed all the five (5) factors have been met, and, Mr. DiPietro also voted to grant as he also believes that all five (5) factors for the Variance request have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. DiPietro moved on to the last Variance which is for relief for the increase in lot coverage.

***Mr. Stuart made a motion to vote on the Variance application to allow the increase in lot coverage to 6.24% for 145 Rattlesnake Hill Road, Tax Map 15, Lot 1-1, for Case #19-26. Seconded by Mr. Vieira. Mr. Carroll voted to grant as he believed that all five (5) factors have been met, Mr. Stuart voted to grant as he believed all five (5) factors have been met, Mr. Vieira voted to grant as he believed all the five (5) factors have been met, and, Mr. DiPietro also voted to grant as he also believes that all five (5) factors for the Variance request have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. DiPietro informed Mr. Cataldo that he should be good to go and explained that there was a 30-day appeal period and if they were to begin prior to the 30-day appeal period that it would be at their own peril. Mr. DiPietro also stated that they had two (2) years for substantial completion.

## **Minutes**

***Mr. Stuart made a motion to accept the minutes of November 19, 2019 as written, seconded by Mr. Carroll. All were in favor, and the motion passed.***

## **Other Business**

Mr. DiPietro asked if there were any applications for January. Both Ms. Royce and Mrs. Rouleau-Cote said no and that they would try. Ms. Royce also pointed out that the deadline for the application is Monday, December 23<sup>rd</sup>.

Mr. DiPietro asked if there was any new business. Mrs. Rouleau-Cote informed the Board members that the Planning Board has proposed a zoning amendment for "55 and Older Housing" which the Public Hearing is scheduled for Wednesday, January 8, 2020. A brief discussion ensued between Mrs. Rouleau-Cote and the Board Members.

Mr. DiPietro thanked the Board and asked for a motion to adjourn.

## **Adjourn**

***Mr. Vieira made a motion to adjourn, seconded by Mr. Carroll. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 7.28 p.m.***

**The Zoning Board of Adjustment is scheduled for Tuesday, January 28, 2020 at 7:00 pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.**