

44 properties. He goes on talking about the property lines and where the structure will be added and
45 states that the abutting property owners have no issues with the construction. He states that it would
46 cost him significantly more money to build on the other side due to the amount of excavation that
47 is needed for that and the current house would have to be altered significantly and adds, due to the
48 driveway already existing on the right side of the house and his garage is directly in front of the
49 driveway, he would like to have the garages butt up to each other. He talks about the draft survey
50 and during that survey it was found that there is an existing right of way through that side of the
51 setback which is also on the deed which leads to the parcel behind his property. He states that this
52 right of way should have been dissolved due to the property behind no longer being landlocked.
53

54 Ms. Cushman states that for an existing right of way on a deed, for it to be removed, it would have
55 to be officially terminated. She asked Mr. Durrance if that was correct and he replied correctly but
56 that would be a separate conversation.
57

58 The board members talked about the original house being in the set back and what those set back
59 were in the 60's, the original deed and questioned why the realtor didn't catch the right of way.
60

61 Ms. Cushman asked Mr. Wood how long he lived in that residence and he replied, 8 years. He also
62 added that the reason they want to go through with the addition is so that they don't have to move
63 due to their family growing.
64

65 Ms. Cushman read aloud from the deed and it states that no building or structure shall be erected
66 within that right of way.
67

68 Mr. Pierce asked the board to go over issues and the possibility of continuing the meeting until the
69 issue of the right of way is addressed. The first issue is that the image that was provided for the
70 site plan is not too scale, the property line isn't correct, and the overall property isn't correctly
71 portrayed, a new site plan should be provided at the next meeting. Mr. Wood stated that for
72 professional rendering would cost him thousands and that is why that was originally included in
73 the application.
74

75 Mr. Pierce asked the applicant if maybe a lot line adjustment would make things easier and Mr.
76 Wood, they talked about it and didn't necessarily want to do that. Mr. Durrance adds that process
77 is done through the Planning Board and he can't talk to all the caveats about that.
78

79 Ms. Cushman asked Mr. Wood if he considered putting an addition on the back of the house and
80 that even though the house already exists in the setback, the variance would be easier due to the
81 addition not being in the right of way.
82

83 Ms. Jensen asked about the shed that exists and Mr. Wood said that he built it, but it exists on his
84 neighbor's property accidentally based on the measurement from the presumed property lines.
85

86 Mr. Wood talks about originally the house is a non-conforming structure and how the addition will
87 abut up to 6 inches of the property line and what is acceptable to the board to make the application
88 more palatable. Mr. Pierce and Mr. Durrance replied to his question with different scenarios
89 including building the addition to the rear of the house and how it might be cheaper for him than
90 wrapping around the house and having different roof lines. Mr. Pierce and Ms. Cushman added
91 that that scenario would be more palatable, and the variance would be easier due to the addition
92 not being 6 inches from the property line and being within the current distance that the house

93 already exists.

94
95 **Mr. Pierce made a motion to move the meeting to public comment. All in favor.**

96
97 No one from the public spoke

98
99 **Mr. Pierce made a motion to close the public part of the hearing and move to board**
100 **deliberations. All in favor.**

101
102 Ms. Cushman talks about the deed and restrictions and states there are a lot of unknowns that are
103 out of the board's authority.

104
105 Mr. Durrance states that they could continue this at the next scheduled meeting and Ms. Cushman
106 replied that this could take a lot longer than a month to resolve the right of way issue. She also
107 adds that she doesn't agree with approving a variance to build a structure on the right of way.

108
109 Mr. Pierce suggests that they should continue so that the board could have a clearer picture of the
110 site plan and deed can get resolved. Mr. Eastwood agrees and adds that he would be more open to
111 an addition on the back of the house and only intruding into the setback only a couple of feet and
112 not 6 inches to the property line.

113
114 Ms. Cushman asked if the board could get more clarification of what the setbacks were when the
115 house was built for the next meeting.

116
117 Ms. Jensen agrees with all the comments and adds that setbacks are buffers that should exist and
118 shouldn't be intruded on.

119
120 Mr. Peirce, Ms. Cushman and Mr. Eastwood talked about how easier the application would be to
121 decide if the addition was at the same set back as the house and not 6 in from the property line.

122
123 Mr. Durrance added that any substantial change to the plan would need a new application and it
124 would be easier to continue the meeting and clear up those issues, including the right of way first.
125 He added that the cost for a new application is expensive and that continuing this to another
126 meeting doesn't cost the applicant anything and continued talking about the process of either
127 applying for a separate application or a continuation.

128
129 **Mr. Eastwood makes a motion to continue the application to the next scheduled meeting for**
130 **the application for Case #688: Michael Wood (Applicant) and Michael Wood and Sarah**
131 **Wood (Owner), Tax Map 22, Lot 90, Zoned Residential Agricultural. Request for approval**
132 **of a variance from Section 4.2 Table of Dimensional Requirements, to allow an addition into**
133 **the side setback to 6 inches where 20 feet is required. Mr. Pierce Seconds, all in favor. Motion**
134 **passes 4-0.**

135
136 **4. Adjournment**

137 Mr. Pierce stated that the meeting was adjourned at 8:22 p.m.

138
139 *Respectfully submitted by Michael Lamb*