

DRB Hearing

March 1st, 2023

Scarborough Setback Request # 6234

Board Members Present: John Peterson, Sam Stone and Jack Schneider

Others in Attendance: Kristy Pinkham, Tony Johnson, Marcy Cram, Matt Cram, Donald Scarborough, Denise Scarborough, Joey Scarborough, Hillary Knapp, Secretary, Jeff Biasuzzi, Zoning Administrator

Meeting was called to order: 7:00pm

Tony Johnson and Kristy Pinkham requested and were granted interested party status.

Donald Scarborough, Denise Scarborough, Jacob Scarborough, Tony Johnson, Kristy Pinkham and Jeff Biasuzzi were sworn in.

Donald: I am the owner of 2284 Franklin Street, this is our 2nd application for a building permit. We have downsized the potential new structure. Currently the garage is a 21' by 29' structure that is deteriorating with a gravel floor and the roof leaks. We are looking to build a 24' wide by 32' long garage, built on the same location as the current garage, no closer to the current landowner. We would move the 3 feet to the south towards the house. The garage could not be moved back any farther from Route 7. The current structure will not move any from this current foot print. There was question brought up on the property line and doing a survey, I have contracted Short Surveying to survey the property, it is not currently done but will be by next week.

Jeff: The Town concurs with the statement in the site plan, that it is a pre-zoning non-conforming structure and will not come any closer to the current boundary lines and conforms with the other two residences in the Multi Use District. The lot is a certain size, in which less than 50% is usable. The Town has no concerns at this time. It is always good to have a survey and making sure that this is reliable.

Donald: As soon as I receive the survey, I will provide it to Jeff, who will then provide it to the Board.

Kristy: We are the North side neighbors. We did see the guys out doing the surveying and are appreciative of the survey. The reason why we asked for the survey was there was no survey on file and we wanted to make sure that the line is correct on the property. We do not know if it is 15 feet and 19 feet if the property line is correct on the survey. We are concerned with the other foot that is missing on the map. We want to make sure that the line is correct in the survey. We are submitting a letter into evidence (Exhibit A), Sam Stone read the letter into evidence. We do not want to have the building come one foot closer to the property line.

Sam: I wanted to ask about the setback differences stated in the applications?

Donald: We had the garage at 28' and now it is 24'.

Sam: You have changed the size of the structure so that the set back is no different than it currently is?

Donald: We had change it so it would not move any close to the neighboring property line.

Sam: The purposed structure no matter what is listed here in the application, the North would not go any closer to the line than it is now?

Donald: Correct, that would not move any closer to the neighboring property line. The measurements are taken from the fence.

Sam: What we are here to look at is a structure that is a non-conforming structure and we are looking at replacing the structure and if the setback waiver would cause any additional negative impact on the neighbors. I understand that both parties need to be heard and we are looking at maps and drawings on the maps and what is looked at is the least amount of non-conformity possible and that is what the board will look at. I think you have done a good job with changing the amount of the setback.

Jeff: This is for a set-back waiver in Section 1016 of the BLUO and there are two subsections and they are what the board will be looking at tonight. Jeff read the zoning rules for Setback Waivers.

Meeting was adjourned: 7:25pm