

March 10, 2009 Zoning Board of Appeals Meeting Minutes

Minutes of the March 10, 2009 Zoning Board of Appeals Meeting Minutes held in the Community Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 p.m.

Present:	Jerry Doolittle, Acting Chairman Daniel Kuhns, Member Christine Keenan, Member
Absent:	Stephen Beggs, Chairman Robert Drumm, Member
Recording Secretary:	Carleen LaRonde, Clerk Pro Tem
Others Present:	John Langey, ZBA Attorney Matthew Walker, Applicant Jennifer Koons Jesse Owens

Acting Chairman Doolittle called the meeting to order at 7:30 p.m. Everyone introduced themselves.

Acting Chairman Doolittle asked for any corrections or additions to the February 10, 2009 Minutes. There were none.

Members Kuhn moved and Keenan seconded the motion to accept the February 10, 2009 Zoning Board of Appeals Minutes as submitted by the Secretary. Motion carried.

Acting Chairman opened the Public Hearing of Matthew and Kari Walker. Acting Chairman Doolittle read the location of the variance. This hearing is for the purpose of having other people interested in this appeal to give their views or hear what is being presented.

The proposed two-story garage is to be put on site but to the rear southeast corner of the house, approximately 12-13 feet from the property line, depending on the eaves.

Acting Chairman asked about the footer.

Mr. Walker said that he will do what he has to do regarding the location of the neighborhood waterline. Mr. Walker will make sure of the location of the water line before digging footer.

Acting Chairman Doolittle requested Mr. Walker to mark water line.

Mr. Langey suggested there may be services to help define the water line. It does go under Route 11. Mr. Langey also suggested that the Zoning Code Officer, Mr. Lamson, be there to determine the water line prior to the permit;

Member Kuhns asked about the water line and authority.

Mr. Langey said the Town can grant a variance to 5 feet of line, well within rights for Ralph Lamson to flag line prior to permit.

Member Kuhns stated that the water line was not documented on deeds.

Mr. Walker stated that there were three homes being serviced by the water line.

Mr. Langey stated that a reasonable measure would be one foot from the line. Options would be to build a narrower garage, which would prevent putting it over the water line. The Zoning Board does have the right to trim down the side. Hardship could be proved if necessary.

Acting Chairman asked who was going to fix the water line if it sprung a leak. There would be all kinds of problems that could occur. How deep is the water line?

Mr. Walker said he would think that it was at least below the frost line.

Mr. Langey suggested that the safest bet would be a reasonable distance of 3 feet. Mr. Lamson could estimate the line and if happy, then he could issue a permit.

Acting Chairman asked for views or questions from the others in attendance.

Mr. Owens stated he lived at 2524 Route 11A and discussed the source of the water.

Mr. Walker said that there is a spring on the north side of Route 20 and a discussion continued about the spring and whose responsibility it would be to repair if something happened at the spring.

Acting Chairman Doolittle stated that the owner of the property where the spring is located would not be responsible for the spring or the water line. Even nature could dry it up.

Mr. Owens said that there is no reason for him to keep Mr. Walker from putting up a garage, if he stayed away from the water line.

Acting Chairman suggested staying 3 feet away.

Mr. Langey agreed that the distance should be 3 feet away. He also asked if the Zoning Code Officer was here. He was not.

Mr. Langey asked if the Zoning Code Officer would be present at the next meeting. He would like Mr. Lamson to talk with Mr. Walker. He also suggested someone with credentials, i.e., a builder. He would probably be the one locating the pipe. If Mr. Walker is not in a hurry to start building, everyone could come back next month. Mr. Lamson should be here.

Acting Chairman Doolittle then said to come back in one month.

Jennifer Koons identified herself as Mr. Walker's neighbor and on the water line also, with Mr. Owens and Mr. Walker.

A discussion ensued regarding the neighboring church. The church has a new drilled well.

Mr. Walker stated the water line ends at the church, per Charles Park, a neighbor who has resided a long time in the area.

Mr. Langey said that the Board would like to know where the cap is located. Have Zoning Code Officer Lamson to check, also. He'll need to view property.

Acting Chairman asked if there was anything else the audience would like to say. There was no continued discussion.

Acting Chairman Doolittle stated that the Public Hearing was closed for the evening, that the file would be kept open for next month to hear from the public.

Members Kuhns moved and Keenan seconded to table the discussion and reconvene on Tuesday, April 14, 2009 at 7:30 p.m. Motion carried.

Acting Chairman Doolittle thanked everyone in attendance and said the board would see what could be done next month.

Member Keenan moved, seconded by Member Kuhns that the meeting be adjourned. Motion carried.

The Zoning Board of Appeals meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Carleen LaRonde,
Clerk Pro Tem

Adopted 9/8/09