



**Town of Hebron**

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## **ZONING BOARD OF ADJUSTMENT**

### **Minutes of Public Hearing**

**Tuesday, June 27, 2023**

**Members Present:** Curtis Mooney (Chair); David Hardy (Vice Chair); Alison York (Alternate); Mark Coulson (Alternate); and Carol Bears (Clerk)

**Members Absent:** Roger LaFontaine (Member); Jim Van Schaick (Alternate); Douglas McQuilkin (Member);

**Others Attending:** Stephen Derochea and Tabatha Wiseberg

**Time Convened:** 6:06 p.m. **Time Adjourned:** 6:48 p.m. **Next Meeting:** TBD

#### **Agenda:**

- 1. Discuss and approve minutes of previous meetings and other administrative matters.**
- 2. Hear the application for a Variance under Article IV, Section H.1 of the Hebron Zoning Ordinance by Stephen Derochea, Jr (Tax Map 19A, Lots #7). Addition to existing house, a new entry way, and new master bedroom. This is to improve the existing access which is not standard due to height limitations. (Case No. 298).**
- 3. Any other business that may come before the Board.**

#### **Call to Order:**

The meeting was called to order by Chairman Curtis Mooney at 6:06 PM. The first order of business was to elevate Alison York and Mark Coulson to full members to take the places of Douglas McQuilkin and Roger LaFontaine.

#### **Minutes and Other Administrative Matters:**

The minutes of the April 23, 2023 meeting were reviewed. There were no comments or corrections. Mark Coulson moved to approve the minutes as written and David Hardy seconded the motion. The vote was in the affirmative with everyone voting in favor.

#### **Application for Variance:**

##### **Case #298**

Curtis Mooney opened the hearing on the Application for Variance addressing Article 4 H-1 of the Hebron Zoning Regulation for setbacks for property located at 315 West Shore Road. The Application was complete, abutters were notified, notice had been posted in the paper and at the Town Office and Post Office. The fee for the application was also received.

Stephen Derochea reviewed his plan to build a porch on the front of the house. This will allow for the entryway into the house to be a normal height which now is low because of how the historic building

These minutes may be amended at a future meeting. Any changes will be included in the minutes of that meeting.

was constructed and how the house sits on the property. This proposal will make the setback 29' to West Shore Road. After some discussion it was noted the overhang was not accounted for in the 29' measurement so it will actually be a 28' setback. How the property is accessed from West Shore Road will not change.

- The Board thoroughly reviewed the five variance criteria and unanimously concurred that all were fully satisfied.
- The variance is not contrary to public interest as there was not objections to the proposed structure from abutters to this property.
- The spirit of the ordinance is observed as the proposed entry will provide valuable benefits to the applicant without harm to the bordering properties.
- Substantial justice is done as there are no other practical locations for the entry due to the historical layout of the historic homestead.
- The values of surrounding properties are not diminished since the structure will be aesthetically in keeping with the main dwelling.
- Literal enforcement of the provisions of the ordinance would result in unnecessary hardship to the applicant as there is no other practical location of the entry.

A motion was made by David Hardy to grant the variance to construct a new entryway on the property within 28' from West Shore Road which would include the overhang of the roof on the building. The motion was seconded by Alison York and the vote was in the affirmative.

Curtis Mooney reminded the applicant any person affected by the Board's decision has the right to appeal the decision within thirty (30) days of this meeting. Any work done by the applicant before the appeal period ends is at their own risk.

**Adjournment:**

There being no other business, Mark Coulson made a motion, seconded by David Hardy, to adjourn the meeting. The motion passed unanimously, and the meeting was adjourned at 6:48 PM.

Respectfully submitted,

Carol Bears, Clerk