



**Town of Whitingham
Zoning Board of Adjustment**

MINUTES OF OCTOBER 3, 2024, PUBLIC HEARING

Call to Order. Additions or Changes to Agenda:

Marshall Dix called the meeting to order at 6:30pm. There were no additions or changes to the agenda.

Hearing of visitors (for concerns not on the agenda)

None

Open Pawlak Hearing Mr. Dix opened the hearing, receiving permission to dispense with reading the warning

Attendees:

ZBA members: Marshall Dix, Chair; Troy Felisko, and Lyman Tefft, Jr.

Zoning Administrator/ZBA Clerk: Gig Zboray

Applicants on Zoning Permit application #W-29-24: Daniel and Kelly Pawlak

Others: none

Introductions were made around the room

Applicant to explain what they are asking for

Daniel and Kelly Pawlak of 174 Brickhouse Road would like to build a shed that does not meet the required front setback (they are proposing 58.5', the required minimum is 65'). The shed would be used for storage, if they built it at 65' it would block an old road on their property that they would like to keep access to.

Hear from all concerned

We received one email from Angela Koehler, abutter, who has no problem with the application.

Final questions/comments

Shed to be used for storage only.

Close Pawlak Hearing Mr. Dix closed the Pawlak hearing at 6:36pm.

Findings

The ZBA found that a shed is an allowed use in the Rural Residential zoning district. The required setback is 65' from the center of the road. Applicants asking for 58.5' from the center of the road; a difference of 6.5 feet (10%). The proposed location will not hinder the safety of traffic on the road. The ZBA can grant a waiver after a hearing if the waiver will not result in a greater than 50% decrease in any dimensional requirement per Zoning Regulations Section 3.5.3c.

Conclusion

The request meets criteria to allow a waiver.

Decision

A motion was made by Lyman Tefft, Jr. to approve the Pawlak's Zoning Permit application # W-29-24 for an 8.5'x16'shed at 174 Brickhouse Road, allowing a 58.5' front setback, seconded by Marshall Dix, all in favor.

An interested person may appeal this decision within thirty (30) days to the Environmental Court as per 24 V.S.A. Chapter 117 § 4471.

Open Scott Hearing: Mr. Dix opened the Scott hearing at 6:42pm, receiving permission to dispense with reading the warning.

Attendees:

ZBA members: Marshall Dix, Chair; Troy Felisko, and Lyman Tefft, Jr.

Zoning Administrator/ZBA Clerk: Gig Zboray

Applicants on Zoning Permit application #W-30-24: William and Martha Scott

Others: none

Introductions were made around the room.

Applicant to explain what they are asking for

William (Andy) and Martha Scott of 371 Butler Brook Road would like to build a shed/workshop that does not meet the required front setback (they are proposing 38', the required minimum is 65'). If pushed back, they would lose a horse-chestnut tree, and the grade slopes away in the back. Structure will be used for storage of tractor and as a workshop. No plumbing proposed in the shed. It will have electric and woodstove heat, drainage will remain essentially as it is. The existing home is 32' from the center of the road, the existing garage is 34' from the center of the road, the new structure will be 38' from the center of the road.

Mr. Felisko questioned if exterior lighting was considered, not yet, if so, it must be downward facing.

Hear from all concerned

We received a letter from John and Johanna Robohm, abutters, who have no problem with the application.

Close Scott Hearing Mr. Dix closed the Scott hearing at 6:59pm

Findings:

The ZBA found that a shed/workshop is an allowed use in the Rural zoning district. The required setback is 65' from the center of the road. Applicants asking for 38' from the center of the road; a difference of 27 feet. The ZBA can grant a waiver after a hearing if the waiver will not result in a greater than 50% decrease in any dimensional requirement per Zoning Regulations Section 3.5.3c.

Conclusion:

The request meets criteria to allow a waiver.

Decision

A motion was made by Troy Felisko to approve the Scott's Zoning Permit application #W-30-24 for a 48' x 30' shed structure at 371 Butler Brook Road, allowing at 38' front setback, seconded by Lyman Tefft, Jr., all in favor.

An interested person may appeal this decision within thirty (30) days to the Environmental Court as per 24 V.S.A. Chapter 117 § 4471.

Adjourn

Meeting adjourned at 6:59pm.

Respectfully submitted,

Gig Zboray, ZBA Clerk