

SHARON ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 11, 2013

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, September 11, 2013 at 7:00 p.m. in the Selectmen's Meeting Room, Town Office Building. The following members were present: John Lee, Chairman, Seth Ruskin, Lee Wernick, Barry Barth, Abe Brahmachari, and Sam Reed.

7:00 p.m. AT&T, 68 Mohawk Street, Case No. 1656 Continued Hearing: As requested by the applicant's attorney, Ed Pare, Mr. Lee continued this hearing to December 11, 2013 at 7:00 p.m.

7:01 p.m. Rajiah Aldrin Denny, 40 Harold Street, Case No. 1729 Continued Hearing: As requested by the applicant, Mr. Lee continued this hearing to October 9, 2013 at 7:00 p.m.

7:06 p.m. Charles Matthews, 2 Morse Street, Case No. 1730: Mr. Brahmachari read the public hearing notice. Mr. Lee read a letter dated September 11, 2013 from Greg Meister, Conservation Agent. Mr. Lee noted that there was no correspondence received from Jim Andrews, Health Agent.

Ms. Matthews stated they are converting the master bedroom to a master bath and closet with a bedroom behind it and the front of the house will not change at all. Mr. Matthews stated the entrance will change modestly and Ms. Matthews stated the changes will be aesthetic ones only, but the footprint will remain the same as it is presently. Mr. Brahmachari stated that the bay window looks different and Mr. Matthews stated the existing window will remain in place. Ms. Matthews stated there is a big family room in the back. Mr. Lee questioned the front porch not being in compliance and asked how different it will be when finished. Ms. Matthews stated it is an old brick porch and they will be adding the post that is missing and they will be repairing it, but not expanding it.

Mr. Wernick asked that they bring back a plan to the board that shows what is existing and what is being proposed. Mr. Matthews stated that right now there are four brick stairs and in terms of the distance, it will not come out any more. Mr. Wernick stated it cannot be wider either or you would be increasing the non-conformity. Mr. Matthews stated they would like to add only 1-2' for aesthetics, but that is not something he has to do. Mr. Lee stated he doesn't think that would be a problem. He stated we need to decide how best to deal with this. Should we leave it as is or within the special permit allow them to increase the non-conformity, which we are trying not to do. Mr. Wernick stated he needs to see an exact plan. Mr. Lee stated they need to decide whether or not to leave it alone or take a change that the ZBA will approve a change. Mr. Matthews questioned widening the step 12-18" and asked if that is a problem. Mr. Wernick stated that is increasing the non-conformity. Mr. Lee stated they can leave it the way it is and repair it without creating a problem.

Mr. Ruskin feels this is a really nice project. Mr. Lee stated we need a letter from the Board of Health and a plot plan before voting. Ms. Matthews stated she filed a septic plan that shows the setbacks with the Board of Health.

There were no public comments. Mr. Lee continued this hearing to September 25, 2013 at 7:00 p.m.

7:28 p.m. Howard Glaser, 72 Cedar Street, Case No. 1731: Mr. Brahmachari read the public hearing notice. Mr. Reed recused himself. Mr. Lee read correspondence from the Board of Health and Greg Meister, Conservation Agent. The Board of Health stated they are looking for revised plans. Mr. Glaser stated he delivered them today to them. Mr. Lee stated we need confirmation from them before we proceed. Mr. Lee stated we have four residences on one lot. Mr. Glaser stated it is a pre-existing use. Mr. Lee stated the problem is you are now changing it. Mr. Glaser stated he wears many hats. He is a partial owner of the property. He stated that #74 and #76 are serviced by a septic system that will

SHARON ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 11, 2013 (2)

not be changing at this time and #70 has a new Title V system. The Board of Health moved the system away from the wetlands. Greg Meister stated he was satisfied. It is not his intention to increase the number of bedrooms because he is aware he can't. However, he would if he could. There are only 7-8 houses on this side of Cedar Street and the other side is community property plus a dog park. He submitted pictures to the board of the four houses on one lot.

Mr. Wernick stated we can't approve any subdivision of land and Mr. Glaser stated he understands that. Mr. Lee stated

he has never known of anything like this as there is more than one house on a lot. Mr. Glaser thinks there is a similar situation right across from the lake. Under the current state statute, this property can be divided into four separate lots. Mr. Lee stated there is a bedroom on the second floor and storage area above the kitchen being shown on the plans. He asked if the dimension of the window is 10x15 and Mr. Glaser stated no it is smaller. He understands the concerns of the board that someone could sleep there, but it would be like sleeping in a closet as it is extremely narrow. There is a possibility that you could put a sleeping bag on the floor.

Mr. Ruskin left the meeting at 7:50 p.m.

Mr. Brahmachari stated it appears that the covered porch is becoming part of the living space and Mr. Glaser agreed. Mr. Lee stated that if this was a single lot, he would feel this is great, but he is concerned with the multiple houses on one lot and four different septic systems on one lot. Mr. Wernick is concerned with the second floor. Mr. Lee stated it is a one bedroom house and will remain a one bedroom house. Mr. Glaser agreed and stated it will be recorded as such. He stated the window is for cross ventilation purposes, but Mr. Wernick stated he could vent it instead. Mr. Glaser agreed. Mr. Lee stated we are not looking at you, but someone fifty years down the road. Mr. Glaser stated he would prefer the window, but a vent will be put in if necessary. Mr. Lee stated he would like to have town counsel review this to make sure we are headed in the right direction because this is so unusual. Mr. Wernick asked that town counsel supply us with language for the decision. Mr. Glaser stated he is okay with that but doesn't want the board to remove any rights he has for subdividing. Mr. Wernick stated we are not addressing that or touching that. Mr. Glaser stated he is 76 and will not be doing anything further to the other houses. Mr. Lee stated we have to look at zoning issues.

Mr. Lee stated we need a letter from the Board of Health stating they are okay with the revised plan and we also need to see the revision on the second floor that the window is gone and has been replaced with a vent. Mr. Glaser asked if he could do it himself and initial it and Mr. Lee stated no, it has to be done by an engineer. Mr. Glaser agreed. Mr. Wernick stated the living room is strictly going to be a living room and cannot be used as a bedroom. Mr. Glaser agreed. Mr. Brahmachari asked if there is a bedroom and Mr. Glaser stated yes, but you wouldn't want to live in it. There is outside access only. Years ago he kept a 14 ½' boat and trailer in the basement. It is only a portion of the house and there is also a crawl space. Mr. Wernick would like that included on the drawing – what is basement, what is crawl space and also the access to both. Mr. Lee asked if this is a tear down and Mr. Glaser stated no, he is only replacing what is rotted. Mr. Lee asked if he is building on top of a house was built in the 1920's and Mr. Glaser stated yes, but may put some footings in the porch area. Mr. Lee asked him to show what is in the basement and what will have tubes. Mr. Wernick stated in other words, show us the support structure. Mr. Lee stated we are dealing with a single property that is non-conforming. He is not sure how we should proceed. He feels we need language to approve the renovation of a dwelling on a lot containing four dwellings. Mr. Barth stated we are not approving anything to do with the other three houses. Mr. Glaser asked if the board would like a disclaimer.

SHARON ZONING BOARD OF APPEALS MINUTES OF SEPTEMBER 11, 2013 (3)

Mr. Lee asked how many bedrooms in the other houses and Mr. Glaser stated two and this one has only one. Mr. Lee stated that means there are seven bedrooms on one lot with four separate systems. He stated we need a revised plan showing the window removed and a letter from the Board of Health. He will contact town counsel. Mr. Wernick stated we need to see what is actually on the lot. Mr. Glaser stated he will remove the window, submit a diagram of the basement and submit a plot plan enhanced to show setbacks to the other three houses. Mr. Lee stated he will contact town counsel tomorrow. He continued this hearing to October 9, 2013 at 7:00 p.m.

Mr. Reed returned to the board at 8:10 p.m.

Mr. Lee informed the board that the selectmen are looking for someone from the Zoning Board to be part of the 2015 town celebration.

It was moved, seconded and voted to adjourn. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

