

MARSHFIELD DEVELOPMENT REVIEW BOARD

Meeting Minutes • Thursday, August 6, 2009 • 7:00 p.m., Old School House Common

DRAFT

Mark Dumouchelle, 2-lot Subdivision

Present; DRB members: Paul Brierre, Dina Bookmyer-Baker, Chuck Bohn, and Vince Feeney. Zoning Administrator: Bob Light. Applicant: Mark Dumouchelle. Other parties: Alan Christiansen, Jacqueline Soule, and Jeff Piette.

At 7:15 p.m., Paul opened the hearing on the 2-lot Subdivision for Mark Dumouchelle. Paul introduced the DRB members and described the hearing process. All parties planning to testify were sworn in. Mark testified that the abutters were notified and submitted the certified mail certificates from the mailing.

The members of the DRB reviewed the application, which included the following documents:

- an application for subdivision, received by the Marshfield Town Clerk on July 15, 2009
- the application included a waiver request: *Waiver of survey until pre-approval of the application*
- a list of the adjoining landowners
- a photocopy of the tax map of the existing parcel and the abutting properties
- a second photocopy of the tax map with the proposed subdivision and right of way drawn on it
- a map of Marshfield, showing the roads, prepared by CVRPC on 3/25/04.

Mark summarized project: He has 32.2± acres, of which he proposes to create 2 lots. Lot 1 would be of 22.2± acres, have 620 feet of frontage on Davis Road,* and is currently developed with a dwelling. Lot 2 would be of 10 acres, has no frontage, and is not developed. Lot 2 would be accessed by a permanent 50' right of way across Lot 1.

The board agreed that Mr. Dumouchelle could survey his property for the final plat. It will be required.

Concerns raised by Jacqueline Soule, abutting neighbor:

- Where does the road/driveway go within the 50' right of way? How close would it be to her property?
- Will the well be protected?
- Other important artifacts are close to the boundary: a grave, a maple tree, and a pet cemetery
- Concerns about increased traffic and road improvements

*There is a question of whether or not Davis Road constitutes a town road and if this lot has frontage on it, or if it is abandoned (thrown up) and is a right of way that ends at the dwelling structure on Lot 1. The subdivision must be served by permanent public access. The board needs more information on the status of this road.

Motion carried to close testimony for tonight and continue the hearing on our next regular meeting. At 8:25 p.m. the board recessed the hearing to continue on Thursday, September 3, 2009 at 7:15 p.m.

Greg Fitch, Appeal and Variance

Present: DRB members: Paul Brierre, Dina Bookmyer-Baker, Chuck Bohn, and Vince Feeney. Zoning Administrator: Bob Light. Applicants/Appellants: Greg Fitch and Jennifer MacHarg. Other parties: Lucille Fitch.

At 8:30 p.m., Paul opened the hearing on the appeal and a request for a Variance for Greg Fitch. Paul introduced the DRB members and described the process. All parties planning to testify were sworn in. Mark submitted his certified mail receipts.

The members of the DRB reviewed the application packet, which included the following documents:

- A zoning permit application, dated June 1, 2009, submitted by Greg Fitch to erect an accessory building at 3677 Hollister Hill Road.
- A form letter, dated June 3, 2009, from ZA Bob Light to Greg Fitch, explaining that the zoning permit application was denied because the proposed accessory building is too close to the property line.
- A letter of appeal and variance request, dated June 14, 2009, from Greg Fitch to the DRB, filing an appeal to the ZA decision, requesting a variance to the minimum setback, and describing the development limitations of the property.
- A site map sketch of the location of the proposed accessory structure showing the distance from the structure to the rear property line as 20-feet.

ZA Bob Light summarized the application history: The Appellant wants to add a detached garage, but where he wants to put it, it would extend 20-feet into the setback. ZA commented that he sees this is a case of poor planning which does not result in unnecessary hardship for Appellant. The property is reasonably developed—the house already includes an integral two-car garage on the ground floor of the house. Now the Appellant wants to add a separate garage and convert the existing garage into a game room. The Appellant has other options rather than building in the setback, for example, he could locate the garage on the other side of the house or get a boundary line adjustment from an abutting neighbor. The property is 3.2± acres. ZA recommends that the DRB deny the variance request, as the situation has been created by Appellant.

Appellants described the proposal and answered questions from the Board. They could have moved the house out (from the property line) some, but when they were told where they had to put the septic system, that determined where the house would go. There is also a significant amount of ledge that interfered with the suitability of a house site. Also there was the location of the well, a wetlands area, and a right of way to take into consideration. They don't want to put the garage on the left side of the house where the deck is because putting the garage over there would spoil the view from the deck. They purchased the property undeveloped. It had been through a perk-test and the septic site was determined before locating the house. The house was planned with the garage underneath, as it is now. They applied for the permit to build the house in October 2007 and ZA issued the permit 10 days later.

Appellants don't want to pursue a Boundary Line Adjustment as it is too costly and time-consuming. They want to complete construction before the ground is frozen.

After discussing another option, a dimensional waiver of 10-percent, which would be four feet, Appellants decided to amend the Variance request to a waiver request. They wrote a letter requesting a waiver during the hearing and submitted it to the board.

There being no further testimony, Paul made a motion to close testimony and all were in favor. The DRB will issue a written decision on the amended application within 45 days.

The Board went into closed session to deliberate the pending applications.

At 9:45 p.m. Paul moved to adjourn the DRB meeting, which was seconded by Vince, and all were in favor. The meeting was adjourned.

Respectfully submitted,
Dina Bookmyer-Baker