

TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
MEETING

October 17, 2022

Present for the online web conference meeting was Chair Callahan, Commissioners Cloud, Llewellyn, Nadim, Schoenhorn, Walsh and Alternate Commissioners Healy and Marsh. Assistant Town Planner Daigle and Clerk Michaud were also present. The meeting was called to order at 7:01 p.m.

Present in the Development Conference Room were Assistant Town Planner Daigle and Clerk Michaud. All others were present online.

Secretary Schoenhorn read the legal notice into the record.

PUBLIC HEARING

Henry & Linda Mason – 67 Reservoir Road

Application for variance to reduce side yard setback from 40 feet to 32 feet for addition to house and to reduce side yard setback from 40 feet to 12 feet for location of inground pool located at 67 Reservoir Road, R80 zone. Marcus Puttock, Godfrey Hoffman Hodge, represented the applicant. The property owners are proposing an addition to the existing home and to install an inground pool. The lot was created prior to current zoning requirements and is a non-conforming parcel. Mr. Puttock stated the septic tank, leaching fields and reserve area are located in the front yard and the ridgeline and ridgeline setback area is to the rear of the property. A detached garage is located in the rear yard. The closest point of the home to the west is approximately 86 feet from the property line. A proposed addition to the garage will be part of an application to the Town Plan & Zoning Commission due to the proximity to the ridgeline. Assistant Town Planner clarified the variance request to reduce side yard setback from 40 feet to 32 feet for addition to house located at 67 Reservoir Road was not needed per staff review of proposal and is no longer part of this application. The addition to the western portion of the home is an open porch and complies with the regulations regarding setback requirements. It was also noted the proposed accessory structure proposed next to the pool complies with the Zoning Regulations for height and location. Commissioners asked for clarification on the hardship. Mr. Puttock stated the size/configuration of the lot, the location of the site layout, ridgeline and location of the septic system limit the ability to install the pool in a conforming location. Commissioners asked for confirmation on the size of the pool and other planned improvements on the property.

Written correspondence dated October 12, 2022 from Thomas and Sonia Mason at 71 Reservoir Road in opposition to the application was received by the Planning Office and read into the record by Secretary Schoenhorn.

Tom & Sonia Mason, 71 Reservoir Road, expressed concern with noise the use of a pool can create, proximity to their home, the visibility from their bedroom windows and the impact on their property value.

The Board asked if the applicant would be willing to install a fence or plant evergreen for screening from the top of slope to the front corner of the house. Mr. Mason confirmed they had no objection to installing a fence.

The public hearing closed at 7:38 p.m.

Upon a motion made and seconded (Schoenhorn/Llewellyn) it was

VOTED: 2 in favor (Llewellyn, Cloud) to 4 opposed (Walsh, Nadim, Schoenhorn, Callahan) to approve the Henry & Linda Mason application for variance to reduce side yard setback from 40 feet to 12 feet for location of inground pool located at Reservoir Road, R80 zone with the condition an opaque fence be erected from the top of slope to the front corner of the house and additional planting of arborvitae or other evergreen for screening. The motion failed and the application was denied.

The Board did not feel the applicant sufficiently demonstrated hardship for the proposed location of the inground pool.

Nicole DiTommaso – 3 Harvest Lane

Application for variance to reduce rear yard setback from 25 feet to 17 feet for addition to house located at 3 Harvest Lane, R20 zone. The applicant did not meet notice requirements and this matter will need to be opened and continued to the November 14, 2022 meeting.

Upon a motion made and seconded (Schoenhorn/Nadim) it was unanimously

VOTED: To continue the Nicole DiTommaso application for variance to reduce rear yard setback from 25 feet to 17 feet for addition to house located at 3 Harvest Land, R20 zone to the November 14, 2022 meeting.

MINUTES

Meeting Minutes

Upon a motion made and seconded (Nadim/Walsh) it was unanimously

VOTED: To approve the September 19, 2022 Zoning Board of Appeals meeting minutes.

The meeting adjourned at 7:49 p.m.

SJM