

Appeals Board Summary
September 10, 2015

In attendance: James Kearney, Dorothy Sainio, Lowell Freiman, Henry Chapman, Bob Temple, Charlette Henderson, Cathy Blake Public in attendance: Robert Marks, Henry Sainio, Ed Roch

Lowell Freiman called the meeting to order at 7:00PM roll was taken.

Lowell Freiman stated that the Board Members that were present for the pre-hearing will vote at this Public Hearing. **Henry Chapman made a motion to have the same Board Members that were present for the pre-hearing to vote at this Public Hearing, Dorothy Sainio seconded, all in favor.**

Lowell Freiman opened the Public Hearing for a variance from Joel Shifman, 13 Liberty Road, tax map 18 lot 39.

Robert Marks, attorney representing Joel Shifman, explained that this is a request for an after the fact variance. In 1995 a variance had been approved the only evidence was only signed by one Board Member. The attorney's involved in this matter are no longer available. Robert Marks gave the history of the piece of property siting the exhibits presented with the application at the pre-hearing. This application is under the section Practical Hardship, allowed by State Law and acceptable under Section 6 in the Appeals Ordinance. The minimum lot needs to be 30,000 square feet or less. The town has been assessing this lot as one acre since 1995. It is believed to be 15 – 20,000 square feet about $\frac{3}{4}$ of an acre. The applicant wants to obtain an official variance to be recorded in the Registry of Deeds. He has a contract for sale which will hopefully close on this coming Monday. The condition of the closing is obtaining a variance. The application is for a variance from the Land Use Ordinance Village Section 6.6 which requires 30,000 square feet unit for a house. 6.3 of the Board of Appeals Ordinance guides the requirements of what the applicant needs to prove. Mr. Marks read through Section 6.3 1 – 6 stating the appellant's statements. They are requesting that the Board approves the findings and make the following ruling by motion: Based on the above findings, The Board of Appeals grants the request for a dimensional standards variance from the Town of Washington Land Use Ordinance Section VI, F, 3, a and b., of Joel B. Shifman, owner of property at 13 Liberty Road, Tax Map 18 Lot 39, as described in a warranty deed recorded in the Knox County Registry of Deeds, in Book 1972, page 96.

Bob Temple made a clarification that he is the Plumbing Inspector as well as the Code Enforcement Officer.

There was some discussion regarding the date the building was built. The consensus is that it was made into two apartments in 1989.

Public Hearing Closed.

Dorothy Sainio made a motion to accept the summary from July 9, 2015, Henry Chapman seconded, all in favor.

Dorothy Sainio made a motion to accept the summary from August 13, 2015, Henry Chapman seconded, all in favor.

Lowell Freiman moved to deliberate on the variance request.

Bob Temple stated that the copy of the Findings have the corrections that any Board Members found and bought to Bob's attention. Bob has three copies to be issued and signed for Ann Dean, Robert Marks, and Bob Temple.

Lowell Freiman asked the Board to review the findings 6.3 1 – 6 and move to accept or deny.

6.3.1 Henry Chapman made a motion to accept as written, Dorothy Sainio seconded, all in favor.

6.3.2 Henry Chapman made a motion to accept as written, Dorothy Sainio seconded, all in favor.

6.3.3 Henry Chapman made a motion to accept as written, Dorothy Sainio seconded, all in favor.

6.3.4 Dorothy Sainio made a motion to accept as written, Henry Chapman seconded, all in favor.

6.3.5 Henry Chapman made a motion to accept as written, Dorothy Sainio seconded, all in favor.

6.3.6 Henry Chapman made a motion to accept as written, Dorothy Sainio seconded, all in favor.

Motion by Dorothy Sainio second by Henry Chapman to make a ruling as based on the above findings, The Board of Appeals grants the request for a dimensional standards variance.

Mary Anderson typed a new back page with the proper spelling of names and an acknowledgement to be notarized. Ann Dean notarized the signatures of the Board Members.

The pre-hearing conference for Ed Roch, requesting an Administrative Appeal received 9/9/15 within 30 days, will be heard at the next meeting.

Dorothy Sainio made a motion that the pre-hearing conference be held on October 1, 2015 at 7PM in the Bryant Room of the Gibbs Library, James Kearney seconded, all in favor.

Henry Chapman stated that he will be away from 10/15 for a several months.

Henry Chapman made a motion to adjourn the meeting at 7:50PM, James Kearney seconded.

Respectfully submitted,

Mary Anderson