

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
OCTOBER 4, 2022 4:00 P.M.**

DOCKET 1371

5 EDGEWOOD ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, October 4, 2022.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. Dan Welsh

Also present were Mayor Nancy Spewak; Anne Lamitola, Director of Public Works; Erin Seele, City Attorney; Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Chairman Forshaw called the meeting to order at 4:00 P.M.

Approval and Adoption of the Agenda and Minutes

The agenda was adopted unanimously upon motion by Ms. Long and second by Ms. Panke.

The minutes of the September 6, 2022 meeting were approved unanimously upon motion by Ms. Panke and second by Ms. Long.

Docket 1371	Petition submitted by Mosby Building Arts for the property located at 5 Edgewood Rd. The petitioner is requesting relief from the City Planner denying an addition to a structure within the side setback. This is in violation of Ordinance of #1175, Section V-B-1.
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Mr. Sukanek reported that the applicant is requesting a variance for an addition to an existing legally nonconforming structure or cottage. The 430 square foot structure encroaches 25' into the required 50' side setback in the "B" zoning district. The proposal is to add 2 bedrooms, a bathroom and kitchenette to the one room cottage. A majority of the proposed addition lies within the required setback. The corner on the north of the cottage would encroach marginally more than 25'. The proposal enlarges the footprint of the structure. Most of the existing and proposed structure lies in the setback area.

Chairman Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated September 13, 2022;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter requesting the variance dated September 13, 2022;

Exhibit F – Entire file relating to the application

Mr. Brad Hagan, Mosby design/build firm representative, took the oath and addressed the Board, stating the Danforths retained Mosby to retain the charm and enhance the 1928 farmhouse and cottage. After purchasing the home in 2019, the applicants found the updates done by the previous owner were not done properly. The family would like to live in the cottage as the house is repaired. Expanding the other direction would add to the expense and necessitate moving the buried electrical service line.

Kate Danforth, owner, took the oath and expressed the frustration of having failing bathrooms, roof, appliances and HVAC systems and the associated expense after buying the renovated property. The deck that was added to the cottage around 2018 sits in the setback, and the addition would not be noticeable except from the house. For insurance purposes it is necessary to stay on site or erect a six-foot construction fence around the nearly 3-acre property. The rehab project for the house is expected to take 18-21 months. Therefore, the owners' preference is to upgrade the cottage and live in it while the house renovation takes place.

Ms. Jill Worobec, designer, took the oath, stating that the cottage addition design was prepared to keep the look from the front of the property. The small cozy structure plan does include bringing in public water, while the kitchenette would not include a range. The existing cottage is decrepit and if no variance is forthcoming, it would have to be knocked down.

The proposal has the support of the ARB and the Crancers at 7 Edgewood. The building line does not increase the encroachment.

Board discussion included whether the petition is for convenience or a practical difficulty, the precedent of enlarging a very nonconforming outbuilding, buildable area, obstacles, economics and efforts to salvage the historic property.

A Board member observed that economic reasons should not be taken into consideration as a practical difficulty when requesting a zoning variance. Chairman Forshaw asked the applicant whether she wanted to request a continuance. The applicant agreed. Ms. Forshaw granted the continuance.

Adjournment

The meeting was adjourned unanimously upon motion by Ms. Panke and second by Ms. Long at 6:25p.m.



Ms. Liza Forshaw, Chairman