

Bethel Development Review Board
Tuesday, July 7, 2015
Draft Minutes of Meeting

Board Members Present: Eric Benson, Keith Bollman, Robert Leister, Charles Washburn. Newt Whitcomb.

Public Present: Geneva Gaiko, Margarite Ketchum, Aaron & Danielle Iasham, Abbie Sherman

The meeting was opened at 7:00 PM.

The Public Hearing for Aaron Isham's request for a variance of setbacks for his property on Krystal Drive that was continued from June 16 was reopened at 7 PM. Present were Aaron and Danielle Isham. Mr. Isham provided an updated sketch of his lot to scale showing the location of the well and approximate location of the underground power, cable and phone lines. He had also proposed a new location of the garage that would meet the required 25' set back from the side property line. In addition, the depth of the structure had been decreased from 30' to 26' resulting in a 10' setback from the town right-of way on Krystal Drive vs. the original plan of 6'. Mr Isham also presented elevation drawings showing the ridge line of the garage running perpendicular to Krystal Drive. The Ishams also feel that this is the best location of the garage that would allow the most convenient access to the mud room entry into their dwelling. It was reported that the Road Foreman had visited the site and had no issues with the proposed location of the structure. After some further discussion, the hearing was recessed to allow the DRB members to do a site visit of the property and proposed location for the structure in question.

At the return of the Board members to the town office conference room, the hearing was reconvened at 7:40, closed, and the board went into deliberative session. Upon completing the session, a motion was made by Robert Leister and seconded by Chuck Washburn to deny the variance due to the close proximity to Krystal Drive and the estimated height of the gable end of the structure at that location which appeared to be in direct conflict with the following criteria as stated in the Bethel Zoning Ordinance, Section 603, Standard #2:

“That because of such physical circumstances or conditions, there is **no** possibility that the property can be developed in strict conformity of the provisions of this Ordinance and that the authorization of this variance is therefore necessary to enable the **reasonable** use of the property”;

and Standard #4:

“That the variance, if granted, would **not alter the essential character** of the neighborhood or district in which the property is located.....”

Precedence was also cited of a similar variance request of the owners of the then Jewett property located at 367 North Main Street in which the DRB granted a variance for setback from the street, but the ruling was appealed and overturned by the Environmental Court in 2009.

The vote was unanimous by the DRB members attending and motion passed to deny the variance request at this time.

In denying the request of the current design and positioning of the proposed garage, the Board

members would like to encourage the Ishams to explore additional design or location options on the property where 1) a variance of setbacks would no longer be required, or 2) the design of the roof and screening of the structure would be more esthetically acceptable for the neighborhood (ie: carriage shed style roof).

Next, a public Hearing was opened for a request from the Town of Bethel for conditional use approval for a property located at 115 Pleasant Street. The property is the Town's Recreation Center that is located in the Village Residential District and Medium Density District, both allowing "Municipal" use a a conditional use. Abbie Sherman, Assistant Town Manager was present to explain the planned reconstruction of the existing facility. Maps were provided as well as design details of the new pool bath house. The major upgrades/changes to the property include; the demolition and reconstruction of the new bath house building and pavillion area; relocation of the access drive, parking lot and tennis courts; the addition of a skate park and the connection of the facility to the Town Sewer System.

Margarite Ketchum, a neighboring property owner, wanted the designer of th new tennis court to be aware of the tendancy for excessive surface an subsurface water in the area where the tennis courts are proposed. There were no negative comments from the public attending regarding the proposed project.

The extent and control of the proposed lighting on the site was a concern to some Board members and different scenarios for the operation of the lighting was discussed with Ms, Sherman. The hearing was then closed.

A motion was made by Newt Whitcomb and seconded by Keith Bollman to approve the conditional use request with the condition that, in consideration of the potential for light pollution of the neighboring properties, as well as the potential for creating an unsupervised "hang out" space in these lighted areas, the exterior lighting on the property have the capability to be controlled from within the property. The motion carried by a unanimous vote.

There being no other business, the meeting was closed at 8:24 PM.

Respectfully Submitted,

Eric Benson