

**Town of Red Hook
Zoning Board of Appeals Meeting Minutes
May 9, 2007**

CALL TO ORDER

The meeting was called to order at 7:15 P.M. by Robert Latimer, Acting Chairman.

ROLL CALL

Members Present: Robert Latimer, John Douglas, Jim Hegstetter, Michael Mosher.
Kenneth Anderson, present for the Curthoys review.

Members Absent: Timothy Ross, Corinne Weber.

PRELIMINARY BUSINESS

Minutes of April 11, 2007: Chairman Latimer asked for any corrections or discussion. Jim Hegstetter moved to accept the Minutes without any corrections. The motion was seconded by John Douglas and all were in favor.

Planning Board Minutes and Letters: Chairman Latimer asked for questions or comments on the Planning Board Minutes and letters. No comments were made.

Building Inspector/ZEO Permits and Memos: Chairman Latimer asked for questions or comments. The Board made no comments.

Comments from Chairman: Chairman Latimer stated that there has been a withdrawal on the Lindsay Partnership Appeal, so that is no longer of interest to the Board. Bob Fennell stated that they might be coming back to the Board in the Fall. Chairman Latimer stated that all applicants are advised that tonight, because we only have four members present, they have the option of keeping any public hearing open till next month. You can ask us to move or act on it, he said; however, you bear the consequences of there only being four of us if the motion should not pass. I will also attempt to advise each applicant of that individually; but I wanted to get that blanket disclaimer out early, he said.

PUBLIC HEARING

7:15 Public Hearing for Appeal 07-05, Jeffrey Koster Application for a variance to reduce the side yard setback of storage building from 20 feet to 5 feet. Chairman Latimer asked if anyone from the public was commenting on this. *Mette Coleman*, a neighbor, stated that she has no objections to the building of the shed. Chairman Latimer asked if anyone, other than himself, had a chance to drive there and take a look at it. He said he had driven there a few nights after the last meeting and felt that it was typical of that neighborhood. He had seen several such sheds in the area. Mr. Koster said that there are

about twenty sheds that are right on the line, just like himself. Chairman Latimer asked Ms. Coleman if she had a problem with the shed. She responded that she did not if it is not going to be toward her property. Chairman Latimer clarified that it is on the other side of the property. As there was no further comment, Chairman Latimer closed the public hearing and asked the applicant if he would like the Board to vote. Mr. Koster agreed to have the Board vote. Chairman Latimer asked if there were a motion. Jim Hegstetter moved to accept the plan as is. Chairman Latimer stated that there is no negative impact to the public safety, health and welfare. There is no detriment and it will benefit the applicant. It is at least five feet from the property line. Mr. Koster said that there are flags going down the side of the line. Bob Fennell stated that it is typical of the neighborhood. There are many of these sheds. Chairman Latimer said that he had counted at least a dozen such sheds and he finally stopped counting. Mike Mosher said he did four sheds over the last three years in that area. Chairman Latimer asked for a second on the motion. The motion was seconded by John Douglas and all voted in favor.

Mr. Koster said that there might be a further change, but he had spoken to Steve Cole and there would be no need for a further variance due to that change. He might have to come up with a new site plan, however. Bob Fennell said that he would not need a variance for this change and it was therefore a moot point.

PUBLIC HEARING

7:20 PM Continuation of Public Hearing for Appeal 07-02, Peter and Joseph Scibelli Application for three area variances to erect a 600 square foot addition to their existing auto repair facility. The maximum building coverage allowed is 15%; applicant is proposing 17%. Expansion of a non-conforming use is allowed up to 50%; applicant's proposed expansion will increase it to 85.5%. A 25 foot rear setback is required; applicant proposes a 16 foot rear setback. The applicants requested to continue the Hearing next month. Chairman Latimer scheduled the continuation for June 13th at 7:15 P.M.

PUBLIC HEARING

7:40 Review of Appeal 07-03, Linda Lindsay Application for a Use Variance to create office space and apartments at 123 Old Post Road. The proposed site had been an apartment and a Certificate of Occupancy has been issued for it; however a Building Permit was not obtained. The applicant has withdrawn the Appeal.

PUBLIC HEARING

8:00 Review of Appeal 07-04, Ulster Savings Bank Application for four area variances: to decrease front yard parking/access setback from the required 40 feet to 15 feet; to reduce front yard building setback from the required 80 feet to 25 feet; to reduce side yard parking/access from the required 10 feet to 3 feet; to reduce open space between front building line and public right of way from 20% to 13.83%. Chairman Latimer opened the hearing for public opinion. *Glen Coon*, Red Hook, asked where people are going to exit. Where is the access going to be? Will it be on Rt. 9? Chairman Latimer suggested that the applicant could review the maps which were submitted to the Board. Bob Fennell suggested that the applicants explain their proposal. Chairman Latimer

agreed that this should be done and asked the applicants to introduce themselves. Mr. Terry Dodd of Ulster Savings Bank and Mr. Pat Roberts of Optimus Architecture introduced themselves and brought forward a large map on which they pointed out the proposed entry and exit areas. *Mr. Coon* stated that there are tractor trailers which back in off Metzger and that is going to create a major problem. He said that he has been there for quite a few years and there is a lot of traffic. That's a narrow road and I don't think it can handle that many cars, he said. That's a major concern. Most people are going to come out on Metzger and Metzger can't handle much traffic. Have you ever been on Metzger, he asked. It's about 80 cars a minute. That's my feeling and my concern, Mr. Coon stated. Chairman Latimer asked Bob Fennell what information we have regarding that intersection being controlled by a light. He responded that he has no knowledge of any proposed light and doubts that there will ever be a light. There's not that much traffic there, he stated. Mr. Roberts said that they had met with the Highway Superintendent regarding widening Metzger, but there are no concrete plans to do so.

Chairman Latimer stated that if there are any concerns about the drawing, he would have Mr. Roberts of Optimus address those concerns as his firm is responsible for making the drawings. *Mr. Coon* expressed a concern about the Bank being directly opposite his property. Chairman Latimer said that there were two traffic studies done by the Planning Board for that road for this project and they felt that the numbers were well within applicable limits; however I don't know what that translates into, he said. *Linda Coon* asked why it could not be a horseshoe. Why can't you go in from Route 9 and go back out onto Route 9? The response was that the building is too big. Chairman Latimer said that his understanding is that the exit from the bank property directly onto Route 9 is a northbound exit only and if you want to go south, it is going to be from Metzger Road.

Ms. Coon stated that there are so many cars going down that road fast now that she can't even get out to go to her mailbox. If there are two cars coming, I can't even stand at my mailbox, she said. It's not wide enough. If you add all that extra traffic to come out on that side, that's going to be a lot right in front of our house. Some tractor trailers take twenty five minutes to back in. If they are not good drivers, it can take that long. Will they allow enough room for the trucks to swing in, she asked. Chairman Latimer responded that there would never be a decrease in the town right of way. That's going to stay at 50 feet. It would never be allowed to encroach on the right of way, regardless of what the variances were. *Ms. Coon* stated that it seems like a really narrow road to have all that traffic exit onto. Bob Fennell asked if they had the number of cars expected per hour. He said, however, that the issue of traffic is not germane to the question. The application is for these variances, not about traffic. Mr. Roberts said that they had received a negative declaration on the SEQR review. Mr. Fennell said that traffic was part of that study.

Dick Franklin, Red Hook, asked how much of an offset it is from Route 9. Mr. Roberts said that currently they have a 40 foot offset to the parking and 25 feet to the building. Mr. Roberts stated that he had average traffic figures. There are 45 trips in the AM peak hour and 175 trips in the PM peak hour. Chairman Latimer said that this would therefore be about 2 or 3 cars per minute. Mr. Roberts said that there are significantly less trips

during non-peak hours. Chairman Latimer said that that figure and that information is tangential or almost irrelevant to the required setbacks we are talking about here. Those are traffic studies that were conducted and approved by the Planning Board.

Ann Dumkowski asked if the Board could tell her when those studies were done. Chairman Latimer responded that he couldn't. He remembered reading them, but could not give the date they were done. She said that she also lives on Metzger Road and there are two large trailer parks and a new development not far from Metzger Road and very close to Route 9 and there is a lot of traffic there now. She questioned why the exit and entry would have to be on that small road. Metzger Road is a very narrow road, she said. She asked why the exit and entry couldn't stay on Route 9. Chairman Latimer responded that this is a Planning Board issue. He further stated that, as explained to him, and he would defer to the gentleman from Optimus, for safety considerations by and on behalf of the State, the egress onto Route 9 from the bank property was kept at a northbound direction. Southbound traffic would be through the existing sign controlled road. *Ms. Dumkowski* asked if they would have to exit from Metzger Road. Chairman Latimer responded that if they are going south, it is going to be from Metzger Road. She asked if they would have to enter the bank from Metzger Road. The response was affirmative. It was clarified that the State reference made by Chairman Latimer was to DOT.

Donald Dumkowski asked if the right of way was 50 feet. He asked what is the actual width of Metzger Road. Chairman Latimer said that the town maintains a 50 foot right of way for their town roads. It is 16 ½ feet from the center of the road, Mr. Dumkowski said; that would give you 33 feet. *Dick Franklin* said there is an additional ten foot right of way from the asphalt back to the town property; so that makes your 50 feet.

Christine Kane, Chairman of the Planning Board for the town, stated she was there to register full support of the Planning Board for the application. Many of the issues raised tonight are site plan issues, she stated, which we have been thoroughly reviewing and which we will continue to review. As the applicant said, we are limited by DOT as to where the traffic can come out. They only want it to come out as is shown. There are going to be sidewalks added both to Route 9 and the Metzger side of the property on the applicant's property, which will be on the other side of the extra portion of the town right of way. There are going to be street trees planted all along there. Those are standard methods to slow down traffic. People feel closed in, so they drive slower. Some of the traffic numbers may sound high, but they fell well within the limits for that intersection and the roads in that area. You have to remember that, especially in the evening hours, the numbers go up because the people who work at the bank are leaving; so that's a lot of the traffic. I do want to compliment the applicants on their willingness to adapt their plans and their site plans to meet the goals and needs of Red Hook, she said. They have redesigned the exterior of their building and changed many features. They changed their lighting and took the time to go down and meet with County Planning to learn about the Intermunicipal Task Force recommendations which are being presented at the Firehouse tonight. They just got done explaining the major plans for this area, which are to bring in more mixed use development and more commercial.

The applicant has made provision for a connector road at the rear of their property to integrate all the Hardscrabble properties and the Hannaford Road out to Metzger, which has been a long term plan for the town. The variances are based on the Greenway concept. The town is a member of the Greenway Compact. By doing that, we indicated that we would be willing to follow this type of planning concept to bring the buildings closer to the road, to have parking in the rear and to use sidewalks and street trees for pedestrian friendly lanes. The Intermunicipal Task Force is recommending another type of smaller village center supplementary to the main village in this area which would be very pedestrian friendly and which would give depth to this area of Route 9. So this area will be built out eventually, if this plan is adopted. Zoning allows for more building in that area. There is a senior complex about to open in the village within walking distance of this bank. So that is another reason that we insisted, and the applicants agreed, to multiple entrances and sidewalks for pedestrian access. The side yard parking setback is actually adjacent on the south to the Hardscrabble parcel; so that is adjacent to a commercial use, not a residential use. The front yard open space requirement variance is requested because the building has been brought forward; but overall, the property is well beyond the total open space required for the parcel. Same thing with the side yard on the other side of the property, because the building has been brought forward, which was a recommendation of County Planning.

Mr. Roberts asked, with the County plan for buildings being close to the road, would it be safe to say that the requirements for open space would also be reduced? *Ms. Kane* responded that it would have to be. *Dick Franklin* said that he had just come from the presentation at the Firehouse and basically what he is seeing is that they want to have commercial properties below and tenement housing on top of the buildings. With this limited 20 foot offset coming off the road, that means that when you have to deal with infrastructure you are going to be placing people in harm's way. That's one of my concerns about having the buildings so close to the road, he said. If a plow comes through the snow, that 20 foot area is going to have the potential of throwing damaging particles, rocks and snow, up against the buildings and creating another problem of additional maintenance. A lot of the things, while they are aesthetically pleasing, cannot be economically maintained and are not understood.

Ms. Kane protested that she was interrupted and would like to go on. She stated that she would like to say that this property has a number of problems in terms of using setbacks. It is very narrow and long and, in reality, nothing could be built on this property without some kind of variances. And you have problems with parking anywhere on the site because you have to put the building in the middle and all the parking would be around the outside of the site. It also was a non-conforming use for many years. It had a house on it for a long time and the rear portion of it was used for business. That house was taken down; but now it is being brought into conformance for the zoning in the area. Also, there was no mention of tenement housing at the program earlier this evening. *Mr. Franklin* said that he had just come from there and it was mentioned. Chairman Latimer asked Mr. Franklin to allow *Ms. Kane* to continue. She said that whatever plowing issues arise can be resolved. There was a house there that was probably even closer to the road than this bank is located. We are here in person, she said, to tell you that we fully support

this project. We did submit a letter to you and I do hope you received a copy of our SEQR findings. We clearly stated the studies that we have done and the reasons why we feel it would not have a negative impact. Chairman Latimer asked if Ms. Kane had concluded her presentation and she said she had. He said that the Board would like to thank Ms. Kane for her clarification of some of these issues.

Chairman Latimer recognized *Mr. Franklin*. He said that he had just come from the Intermunicipal Task Force meeting and basically their plan is to lay out the whole area down Route 9 in the lower village with commercial on the bottom and apartment buildings and living space above. They also intend to expand the residential areas within this area by adding a sewage plant and the numbers that were given out were about 700 additional residential units. They expect to have this going all the way down Route 9, all of it being right up close to the road, within at least 20 feet. So we are going to have expanded traffic issues to deal with. And when you look at so many new buildings coming in here, to me it resembles tenement housing because you have created congestion by bringing in so many residential units without effective planning. When you start building residences together with commercial, you have additional problems that go along with it. We are going to need an expanded Police Department. We are going to need an expanded Fire Department and other services. None of this was even brought up in the cost, not to mention how they are going to pay for any of this. So when you are talking about the town layout, you have to keep that piece in mind. That is critical, he concluded.

Chairman Latimer acknowledged having received a copy of the negative impact SEQR declaration and submitted it. *Glen Coon* asked about the impact of the connector road. Chairman Latimer stated that the connector road, or the preparation or creation of such, is not before the Board at this time. Those are all theoretical and hypothetical at this time and they are not on our burner. *Mr. Coon* said that we have to think about it if that's what the plan is. Chairman Latimer disagreed, saying that the Board does not have to think about that. We have to pick up a piece of paper and make a decision. This is the one job we have. We don't have to do thinking about those types of issues. The thinking is provided by Ms. Kane's group to this group. They make a determination as to whether or not they feel it is fit. We decide if it fits within the law and that the benefit to the applicant exceeds the detriment to the community. That is our only job here. It is not to think about the future of a road which may or may not go in.

Christine Kane was recognized and stated that she knows that there has been a lot of discussion at different levels and with different committees about how to get more commercial development for our tax base and how to become more business friendly. I think, she said, that this is how we can show that we are business friendly and certainly with an applicant who has tried so hard to work with the community. *Linda Coon* asked if there would be other meetings about this or was this the only meeting. She said she understood that there have just been a couple of variances. Chairman Latimer stated that this was the Public Hearing on the case. She wanted to know if she could ask questions about whether there would be a 24 hour ATM. Chairman Latimer stated that she could ask questions about the four variances which are before this Board. Outside of this forum,

you can ask these gentlemen any other questions you may have, he said. She wanted to know what the lighting would be like and would it shine right in her house. Chairman Latimer stated that those are issues for the Planning Board. In the interest of expediency, we must refrain from addressing such issues, he said.

Ms. Coon asked about the side lot variance, saying that she doesn't care how close to the road it is to Route 9. She was concerned only about the side lot which faces the front of her house. *Mike Mosher* said that this is only a parking setback. Her question, she said, is what will we see from the front of our house? Chairman Latimer said that at the far right you will see the parking lot, but if you look across the street you will see grass. Chairman Latimer asked *Ms. Coon* to point out her house on the map. *Mr. Roberts* said that there will be a 15 foot setback to the parking area. *Mr. Roberts* showed *Ms. Coon* the area on the map. So, she said, there will be a row of trees and then the sidewalk. *Mr. Roberts* said yes, that is what she would see. She asked about the grassy area. *Mr. Roberts* said that there would be grass and landscaping at the edge of the parking lot, too. *Ms. Coon* asked how far down the sidewalk would go. Would it go down to where her neighbor to the right lives? *Mr. Roberts* said that it goes all the way to the edge of the property. It will go right along Route 9 and right along Metzger.

Bob Fennell asked if this area was going to be maintained as a lawn. *Mr. Roberts* said that this would be open green space. *Mr. Dodd* also said it would be a lawn. Chairman Latimer clarified that this is the area of the septic field. *Mr. Fennell* said that he didn't know if this was a requirement of the law, but since it is on Route 9, he asked if the Appeal was sent to the Dutchess County Planning Department. Chairman Latimer said that this had been done and the Board had received a letter from the Planning Department in last month's packet. It was considered a matter of local concern, with comments. Chairman Latimer asked if anyone else had any other comments, questions, concerns or complaints. *Ann Dumkowski* asked if she could make a comment on the traffic. Chairman Latimer responded in the negative, asking if it refers directly to one of the four variances before the Board. *Ms. Dumkowski* said it referred to the traffic and Chairman Latimer said that that is not a matter before the Board. He asked if anyone had any further comments on the four variances which are before the Board. As none were forthcoming, he closed the public portion of the hearing and asked for comments, questions or criticisms from the Board members.

Mike Mosher apologized for not being present last month for the review of the application. He said, having read the Minutes and hearing some of the comments today, he appreciates the extensive discussions and planning which have gone on here in the town and also at the County level to properly locate the building and the parking on what he would call a narrow site. He recognized all the difficulties with respect to how the building might be situated, and how potentially it might play into other plans or the possible future character of that particular area of the town. But really, he said, I look at this and see that there are four area variances before this Board and two of them are very minor, one of them being the parking access setback on the Metzger side from 40 to 15 feet. I don't see any problem with that. Personally, I don't see any problem with the side yard variance from 10 to 3 on the south side of the parcel. I think one of the bigger issues

is the location of the building and the proximity to Route 9. I took the time that I had between the closing of our last public hearing and this public hearing to run down and take a look at where the building is situated as proposed on the map right there. The four corners of the building are staked. It is my personal opinion, he said, that the building is too close to the road. I understand that there have been extensive planning discussions that suggest that this might be a future village style character. But that doesn't exist right now and frankly, he said, my opinion is that 25 feet is just too close. I think we should establish a setback in keeping with at least the adjacent building, which I believe is the veterinary building, which is probably another 15 feet back, possibly 20. A setback of 40 to 45 feet is more in keeping with what we have there now and still puts that building a little bit closer to Route 9 than other buildings are in Red Hook. And in doing that, that mitigates the need for the fourth variance because open space would only grow as a result of shifting the building back. Shifting the building back does very little to the overall site plan. It does not change that part of it. It squeezes the center island, I believe, a little bit. And I think that would be, at least for me, something that would be in keeping with what's there and still in the spirit of what is planned for that area. It would be up to you to decide if you would like to talk about that, depending upon how other Board members feel. I know that a lot of time has been spent discussing and a lot of work has gone into this, but I do think that the building is a little close to Route 9. Those are my comments, Chairman, Mr. Mosher concluded.

Chairman Latimer called on John Douglas for comments. John had no comments. He then called on Jim Hegstetter. Jim said, I walked the property line, too and I do appreciate the amount of work which went into it. I would have to say that I concur with Mr. Mosher. I think it is very close to the road. I stood on Metzger Road to see where the angle would be. If you are lined up second or third in traffic and you are looking out, the building would have an obstruction. There is no doubt. I stood at the veterinary point and looked down the road. That would stick out. You would be a predominant point on Route 9. I do understand that there are conceptual changes that you are looking at. But I guess that at such time as this might be adopted, and I understand the ramifications of that, then perhaps there might be some different considerations. But at this particular point in time, it does not fit the scape that we've got right now. I don't think it would be advantageous. I would be willing to look at maybe 15 feet back. That's about it, as long as it is in line with the veterinary hospital. That's all I would be looking for. If there is consideration to make that change, I would be most agreeable to that. That's all I have to say, Mr. Hegstetter concluded.

Based on that information, Chairman Latimer asked if there was a contingency in place in the development of that plan for any shifting of the building back at this time. It seems that 15 feet is the magic number which keeps popping up. Mr. Roberts stated that he and Mr. Dodd were discussing the potential of what could change based on comments that they were hearing this evening. Of course, he said, the site is very narrow in the north to south direction; but it seems that moving the building back 15 feet would put it in line with the parking we have. Mr. Roberts asked Mr. Dodd if he could say that we would request that change. Mr. Dodd said that he wants to keep the process moving forward. He stated that they have been at this a long time and he is really in the middle in much of

this. One of the things he said he has to do is to explain to their Board of Directors that we are moving forward and he really wants to do that. If 15 feet is the magic number, he said, we would be willing to do that. We would change the variance to 40 feet. John Douglas said that this is good as long as the corners match with the veterinary hospital.

Christine Kane asked to be recognized. Chairman Latimer pointed out that the public portion of the hearing had already been closed and asked what she would be commenting on. She said that if you decide to accept the setback amounts which have been proposed this evening, I want to point out that they would have to return to the Planning Board for an amended site plan and this plan does make provision to be connected to a conceptual site plan for the adjacent property. So if the building were shifted back perhaps 15 feet, as you were discussing, either you move this road back and you have a problem with the connection to the property next door or this area becomes so squished that the turning radius does not work. Chairman Latimer stated that both of those are not the issues of the Board. That is my opportunity, he said, to throw the ball back in your court. We are concerned with satisfying the setback needs and concerns of the Board at this time.

Chairman Latimer offered the applicants two options. He said that he could entertain an amended motion to accept the setback changes from 80 feet to 40 feet, which changes the 15 foot setback. There would be a calculable increase in open space from the 13.83 %. That will go up. It may actually meet or exceed the 20%. Based on the fact there are only four members of the Board present tonight, Chairman Latimer stated that the second option is to continue this next month.

Jim Hegstetter said he wanted to address the turning ratio. You have an island which is 65 feet and a little bit more which would be moving down to 50 feet if you take it off the island. But you still have a 50 foot wide island with five lanes turning into it. It seems to me that there would still be plenty of turning radius to accommodate that and that's still a pretty good sized island. I understand what you are saying and I am taking a look at that. I did think about that; but I still think that island would be large enough to be accommodating.

Mr. Roberts stated that one consideration, which may not be a consideration for the Zoning Board, was that they want elderly clients to come and park along that southbound strip and this would reduce that area by a number of spaces. We were trying to have a certain number of elderly clients have access to that sidewalk, he said, and this would reduce that. Mr. Roberts asked what would they have to do for the open space if they were to accept the revised variance for the front yard. Would you just give us a variance based on that number which is currently in front of you, he asked. Chairman Latimer suggested that the motion could be worded so that the variance would be not less than 13.83%.

Chairman Latimer stated that he would entertain a motion for the amended variance. Mike Mosher said that the applicant has the option as to what they want to do. Mr. Dodd said that there is not much of an option because it sounds like we are talking pretty much about a unanimous vote on this side and that's more than a majority of the full panel.

From an engineering and design standpoint, I think we can do it. Chairman Latimer then confirmed that the applicant does wish the Board to proceed. Mr. Mosher made a motion to decrease the front yard parking access setback from the required 40 feet to 15 feet, to reduce the front yard setback from the required 80 feet to 40 feet, to reduce the side yard parking access from the required 10 feet to 3 feet and to reduce open space between the front building line and the public right of way from 20% to no less than 13.83%. Mike said that he would like to add that the applicant has shown that, on balance, the four actions would not have adverse environmental impact and would not produce undesirable changes in the neighborhood. The motion was seconded by John Douglas and all voted in favor.

REVIEW OF APPLICATION

8:30 Appeal 07-06, Kim and Joe Curthoys, application for the following area variances for an addition to their existing building: increase maximum building coverage from 7% to 20 % and reduce minimum open space from 80% to 69%. Mr. Curthoys was given the certified mailing letter and paid the appropriate fee by check. The Chair recognized the arrival of Kenneth Anderson in time to join in the review of the application. Chairman Latimer asked Mr. Curthoys to give the Board an overview of what he is proposing. Mr. Curthoys showed the footprint of the property borders on the map which he had submitted to the Board and pointed out where the house is and where the new construction would be. We are asking for a variance, he said, because most of the homes there are over their lot variances. He submitted to the Board a listing of parcel accesses. Chairman Latimer stated that for the record, the Board has a map with the footprint of existing and proposed construction. One note to make is that none of the proposed construction is going to require setback variances. Everything is within the required setbacks. We are just talking about area here. Mr. Curthoys stated that most of the parcels on Shooks Pond are over the area square foot requirements. He said that he had examples and asked if he could hand them out. Chairman Latimer told him to do so. Mike Mosher stated that he had just done one of these recently. Most of the lot sizes are about .32 acres to .37 acres and the house sizes all run around 27 or 28 hundred square feet. Some of them are as low as 17, but most of them are 27 or 28 hundred square feet. We are at 13,090, he said, not including the proposed new construction. Chairman Latimer stated that Mr. Fennell quotes a figure of 1561. Mr. Curthoys responded that the 1561 includes the shed; but if we get the garage, he said, the shed would go.

Mike Mosher asked Mr. Curthoys if he had started working before he got a building permit and he said that he had. He asked if Mr. Curthoys had gotten a stop work order and Mr. Curthoys said that he had. John Douglas asked if he knew that he needed a building permit. Mr. Curthoys stated that he gave the job to his wife and she seemed to make a few phone calls and they weren't returned. So she thought she had a green light. I didn't even ask, he said; I just thought all the ducks were in a row. Bob Fennell stated that his office always returns their phone calls, so that couldn't be true. If she called our office, we would have responded to it.

Chairman Latimer stated that we need to set this on the Agenda for 6/13/07 for a Public Hearing at 7:30 P.M. Mr. Curthoys was asked if he was going to make it part of his

application that if he gets this, he is going to tear down the shed. He said no, he is just going to relocate the shed. When asked where he was going to relocate the shed, he said that it would be either on his dad's property or on another lot he has out there which has nothing on it.

ADJOURNMENT

Chairman Latimer asked for a motion for adjournment. A motion to adjourn was made by Mike Mosher, seconded by John Douglas and all were in favor. The meeting was adjourned at 8:55 P.M.

Respectfully submitted by,

Sheila Franklin
Clerk of the Board

