



**Town of Whitingham  
Zoning Board of Adjustment  
Planning Commission**

**MINUTES OF SEPTEMBER 18, 2019  
ZONING BOARD OF ADJUSTMENT HEARING**

**Attendees:**

ZBA members: Chair David Dumaine, Marshall Dix, Craig Aekus, Dana Dix, Lyman Tefft and Troy Felisko. Terrie Dumaine, acting clerk.

Zoning Administrator: Gig Zboray

Applicant: Lacy Hughes

Abutters: none

Others: none

At 7:00pm David Dumaine opened the hearing by reading the legal warning.

**Application overview:** 1384 Fuller Hill Road is in the Rural Lands Zoning District. Lacy Hughes would like to replace a small deck that has fallen in disrepair with a larger deck (Zoning Permit # W-15-19). The current deck is about 28' from the property line. The replacement deck will be 27' from the property line. The current allowed setback in Rural Lands District is 40' from the property line.

**Discussion:**

Lacy Hughes explained that she wanted to replace a small deck off a three-season porch and enlarge it to wrap around a portion of the back side of the house.

Dave Dumaine questioned if there will be stairs. Discussion ensued: Ms. Hughes is not sure where stairs should be placed. Troy Felisko asked for clarification of the position of the deck and if it would remain at 8' wide. Dana Dix suggested putting the stairs in the end of the deck. Ms. Hughes agreed if the stairs were to stay inside the fenced area. Concern was expressed about snow & ice falling and damaging it again. Craig Aekus suggested to put snow jacks on the roof. Troy Felisko suggested that the stairs be off the end of the deck and stated the new deck and stairs is not to be further than 8' off the existing structure at any point along the south side of the house. Gig Zboray questioned if the applicant should pay an additional fee for the square footage of the stairs. Craig Aekus clarified that stairs are not open space, therefore do not qualify. Troy Felisko and Dana Dix agreed there should be no extra charge.

**Motion was made by Marshall Dix to end the discussion, seconded by Dana Dix.**

**Motion passed.**

**Deliberation:** Discussion of piers in the yard, determined to be irrelevant. Discussion on the placement of the stairs and size of the deck to be kept at 8' from existing structure. Marshall made a motion to pass if not going into the 27' setback from the abutting property. Discussion continued. Dave indicated that she must stay at 8' from structure on the southern side of the property. At 7:20 **Marshall Dix made a motion to approve the waiver with the understanding that the new deck stairs would not exceed 8' from the house structure. Craig Aekus seconded motion. Motion passed.**

Old Business. Discussion regarding the need for a new clerk. Gig has been doing much of the work of the clerk for several meetings now. Gig will approach the Selectboard and will post notice in the next newsletter. Discussion on having a new ZBA member who can also clerk since Scott Reed has resigned due to conflict of interest.

Marshall would like a copy of the new (2014) zoning regulations sent to all ZBA members. Gig will prepare them for the ZBA members to pick up.

**At 7:30 Craig Aekus made a motion to close the meeting. Seconded by Marshall Dix. Motion passed.**

Respectfully submitted,

*~Terrie Dumaine,*  
Acting ZBA Clerk