



**Town of Whitingham
Zoning Board of Adjustment**

MINUTES OF MAY 4, 2021 PUBLIC HEARING

Attendees:

ZBA members: Dana Dix, Marshall Dix, Craig Aekus, and Troy Felisko.

Zoning Administrator/ZBA Clerk: Gig Zboray.

Applicants: Brad Lackey, land surveyor, representing applicant

Others: Seth Boyd, Ed Metcalf, and Brent Betit, residents; Sarah Wheeler and "Fdail" (as signed in on zoom), abutting property owners.

Call to Order. Additions or Changes to Agenda:

Gig Zboray, Clerk, called the meeting to order at 7pm. There were no additions or changes to the agenda.

Hearing of visitors (for concerns not on the agenda)

None

Annual organization – nominate Chair, Vice Chair for this hearing or for the year

Craig Aekus nominated Marshall Dix to serve as Chair for the year, seconded by Troy Felisko, all in favor.

Hearing – request for setback waiver on Zoning Application W-8-21

Open hearing by reading the warning Marshall Dix opened the hearing by reading the Hearing Warning.

Brad Lackey noted that the owner wants the setback waiver to allow their accessory dwelling to be a little closer to the lake for better access and a better view.

Ed Metcalf questioned the term "accessory dwelling" saying it was semantics. He also stated that there is no hardship created on the lot, he does not feel "a better view" is a good enough reason to grant a waiver. He is concerned about the new dwellings being rental units.

Seth Boyd questioned if this fits the definition of accessory dwelling because it is a rental unit. Gig Zboray noted, in her interpretation of the Zoning Regulations, accessory dwelling is accurate.

Brent Betit is interest in maintaining the local characteristics of the neighborhood.

Mr. Lackey noted that the proposed unit would fit in the triangle the meets all setbacks. The unit will be a one-bedroom mobile home.

Mr. Dix questioned the size of the accessory dwelling. Per the current zoning regulation, it is allowed to be 30% of the size of the main dwelling.

An email opposing the waiver request was received from VT Fish & Wildlife which owns the dam and property abutting the applicants.

Close hearing

At 7:31pm the Hearing was closed, and the board entered deliberative session.

Deliberative session

After some discussion, **a motion was made by Troy Felisko to deny the waiver request and require the accessory dwelling to meet all required setbacks, seconded by Craig Aekus, all in favor.**

Other Business

Dana Dix made a motion to reorganize the board as five-member board and to request the Selectboard to approve it, seconded by Marshall Dix, all in favor.

Adjourn

Craig Aekus made a motion to adjourn at 7:43pm, seconded by Dana Dix, all in favor.

Meeting adjourned at 7:43pm.

Respectfully submitted,

Gig Zboray
ZBA Clerk