

## MINUTES OF 14 MARCH 2024

The Francess town Zoning Board of Adjustment met on 14 March 2024 to continue the hearing on the variance application of Elizabeth Dunning for a variance and to hear the application of Durwin Day and Linda Day for a special exception to permit a driveway within the wetlands buffer.

Present were S. Jonas, C. St. Jean, S. Pitman, S. Brock, and S. Little, board members, Elizabeth Dunning, Bruce Dunning, Taylor Hennas, and Mark Schaal.

S. Little noted that the site walk on 8 March 2024 started late and that S. Jonas, S. Pitman and he were present as were Mr. and Mrs. Dunning.

The Board resumed its hearing on the Dunning variance request. No new evidence was offered after inquiry. The Board closed the public portion of the hearing and reviewed the facts and the criteria for a variance. The facts supporting the variance request are the proposed structure is ancillary to the existing residential use, small footprint, no abutter opposition, a small seasonal wet area on the opposite side of the drive, no harm to the public by the request, no evidence of diminution in value, and the topography and existing structures make the use reasonable and the literal application of the ordinance to these facts unreasonable. On each of the points elaborated the members unanimously agreed. On motion by S. Brock and seconded by S. Jonas, the members voted 5 in favor and none opposed to grant the variance to locate the 10' x 24' horse stable 25' from the abutting property sideline.

Taylor Hennas and Mark Schaal presented the Day application for a special exception to locate a driveway to serve a proposed residence within the buffer from wetlands as shown on the plans submitted with the application. The Conservation Commission reviewed the application and wrote to the Zoning Board that the plans submitted provide appropriate erosion control measures and construction sequence to meet provisions Article II-A, s. 2.4(a) of the ordinance. Ms. Hennas summarized her written presentation in the application. Mr. Schaal affirmed the driveway is not to be paved and that any trenching for underground utilities would be within the driveway as shown on the plans submitted. The Board members determined that the application addressed all points required for the special exception. No one rose to speak in opposition. The hearing then closed to public participation. S. Brock moved and S. Jonas seconded that the special exception be granted on the conditions that the plans be followed, no paving of the driveway (except as may be required for an apron at the entrance on to Journey's End Road, and that any trenching for underground utilities occur within the driveway.

Respectfully submitted

Silas Little

19 March 2024