

**Town of Lenox
Zoning Board of Appeals
August 4, 2021 7:00 p.m.
Lenox Town Hall**

Members Present: Robert Fuster Jr (RFJ); Al Harper (AH); Jedd Hall (JH); Cliff Snyder (CS); Kimberly Duval (KD)

Staff: Jessica Cote, Land Use Assistant

RFJ opened the meeting at 7:06pm. Before the presentation RFJ presented to the petitioner the ability to respond to the correspondence received today at 12:00pm from Attorney Alex Glover for the abutter at 52 Cliffwood Street. Attorney William Martin, for the applicant, requested a site visit to address concerns within the correspondence received from the abutter.

1. **50 Cliffwood Street** – Special Permit Application - for the removal of existing mudroom, rear sunroom, and attached shed to provide for a two-story addition as well as the construction of a 20' by 28' shed. The Proposed addition will not encroach into the side setback further than existing distance at enclosed porch on south side. The proposed shed will encroach 5' into each side setback and will not encroach in the rear setback.
 - Attorney Bill Martin, representing the applicant, presented application.
 - Cameron Brown, from Brown Associates, representing the applicant, described the reasoning for the Special Permit for addition to property.
 - Currently there is an existing one-story sunroom and side covered porch that enters into the side of the house as well as a small attached storage shed.
 - New plan proposed to keep same foot print of one-story side porch; remove porch and keep foot print and build up to create two stories.
 - Proposed removal of one-story sunroom in the rear of the dwelling as well as the attached storage shed and make that area two-stories.
 - Roof of the addition will be one foot higher than current roof. Current roof is 28 feet. Addition roof will be 29 feet.
 - Questions were raised by the Board on the nonconformity of the addition. Attorney Martin replied that in the side yard setback on the north side of the property, the addition will be eight feet from the lot line and that is less than another part of the home that is only two feet from the lot line, therefore it is less nonconforming.
 - Attorney Martin continued to describe the property, how the house sits on the lot and the proposed addition with respect to nonconformity.
 - The Board asked why the proposed shed in the back does not need a variance and instead would only need a Special Permit. Attorney Martin responded that the Building Inspector cited section 9.3.1 (Accessory Buildings – General Standards) in which a Special Permit could be granted for the proposed shed in

the rear of the property. Proposed shed would encroach into the side setback by five feet on each side.

- AH asked for square footage of current house as well as proposed square footage with the addition. Attorney Martin stated he would supply prior to the next hearing.
- AH asked Attorney Glover about her client's interest with this Special Permit (client is the abutter at 52 Cliffwood). House is for sale at 52 Cliffwood and the abutter just lost an offer on the property because of this proposed construction at 50 Cliffwood Street.
- Discussion ensued around requirements for site visit. ZBA would like to see the height marked with balloons and the addition clearly marked. The Board would also like the shed marked as well.
- AH Moves to continue to August, 10 2021 at 1:20 for site visit and August 11, 2021 at 7:00pm for hearing. CS seconds. All in favor 5-0.

RFjr closed the meeting at 8:14pm.