

Lenox Zoning Board of Appeals
Minutes
May 15, 2019 - DRAFT
Land Use Meeting Room

Members present: Robert Fuster (RF); Robert Fuster Jr. (RFJr); Cliff Snyder (CS); Ned Douglas (ND); Clayton Hambrick (CH)

Absent with notification: Shawn Leary Considine (SLC)

Staff Present: Land Use Assistant, Jessica Cote (JC)

Other Members of Public: Herbert Kantor, Mark Smith (Mark Smith Design)

7:00PM 70 Dunmore Court (Map 8, Parcel 6), allow for the reconstruction and extension of a pre-existing, non-conforming deck.

- RF opened the meeting at 7:00pm.
- Members sitting were RF, RFJr, CS, ND & CH.
- Mr. Kantor is represented by Mark Smith from Mark Smith Design.
- RFJr stated that he does live at 6 Dunmore court but is not a direct abutter. He also stated that the public notice did not clearly state both items on the petition.
- Item two on the petition is for a new structure. Mark Smith explained that the new structure would encroach on the setback at the same rate as the existing deck.
- RF suggested that the two items listed in the petition should be split into two different petitions. The second item would need to be a variance if the design is kept the same. If the new structure is pushed back off the setback then it would not need a variance and could be built by-right.
- Mr. Kantor stated that he would like to only move forward with the first item within the petition, the reconstruction and extension of a pre-existing, non-conforming deck.
- Mr. Kantor is withdrawing item number two, the new structure, from his petition.
- The board is only moving forward on item number one, extension of a pre-existing, non-conforming deck.
- RFJr asked how much of the size of the deck extension encroaches on the setback. Mark Smith replied that it is about 15 square feet, 3'x5'.
- CS moves to close public meeting portion. RFJr seconds. All in favor 5-0.
- Board discussed the application for Special Permit.
- ND motions to approval special permit for 70 Dunmore Court, Map 8 Parcel 6. CH seconds. All in favor 5-0.
- **RF to write decision.**

RFJr moves to close the meeting. ND seconds. All in favor 5-0. Meeting closed at 7:26pm.

Approve Minutes:

May 1, 2019 – Approved by consensus