

## Zoning Board of Appeals Minutes, 10/05/2016

### Lenox Zoning Board of Appeals

#### Minutes

October 5, 2016

Land Use Room

**Members present:** Chair Ethan Berg (EB); Shawn Leary Considine (SLC), Ned Douglas (ND), Robert Fuster, Sr. (RF) and Al Harper (AH)

**Staff Present:** Land Use Director/Town Planner Gwen Miller

**Daniel R. Zussman and Rebecca Brenner, 582 East Street (Map 23, Parcel 44)**

Mr. Zussman and Ms. Brenner requested a Special Permit for the relocation of their existing garage from the rear of their home to next to their home. They indicated this would make it easier for them to use the garage and take mowing equipment out for their back field.

Mr. Zussman noted that relocating the garage will leave them with a side setback on the southern side of their home of 8 feet.

RF asked where the nearest intersection to the property is. Ms. Brenner explained the home was coming down the hill after East Over, and that it is a gray farmhouse. SLC commented the home had been nicely renovated. AH asked if the garage was historic; Mr. Zussman indicated it was estimated to be from the 1960s, and they did intend to relocate it since it was in good condition.

EB asked the petitioners if they had communicated their plans with their neighbors. The petitioners confirmed they had shared their plans with their neighbors, and Mr. Zussman pointed out that there is an existing tree line between his property and the neighbor to the south, and 70' on the neighbor's side between the lot line and neighbor's home. The petitioners are also improving the landscaping when relocating the garage.

The Board of Appeals received no correspondence regarding the petition.

There were no members of the public present regarding the petition.

EB moved to close the public hearing. The Board moved to approve the Special Permit, noting the following:

ND found the project to meet the criteria of a Special Permit and that the relocation of the garage will not impact the neighborhood.

RF stated he found the petition as presented to meet all the criteria of the Special Permit.

SLC agreed that the criteria for the Special Permit had been met and there would be no adverse impacts from the relocation of the garage. She added that the work done to date on the property looked very nice.

AH stated he agreed that all criteria had been met and that there would be no adverse impacts to the neighborhood or town services, and that the new configuration would look good.

EB stated while an 8' setback is a short setback, there would be no impediment to the view of the petitioners or neighbors, and the relocation of the garage will improve the property.

The Board of Appeals provided no conditions to the Special Permit.

The Board of Appeals voted to adjourn the meeting at 7:44.

**Minutes:** The minutes of September 7 were unanimously approved. Motion by RF, seconded by SLC.