

## Minutes of Middlefield Zoning Board of Appeals Meeting

September 28, 2022

Present: ZBA members: Bill Gibson (chair), Richard DeRosa, Brennan Hoag, Lorna Wilhelm (secretary); Zoning Enforcement Officer Neal Newman; Josh Edmonds; Janet and John Wierzchowski; Michael Lewis

Meeting was called to order by chair, Mr. Gibson, at 7:00 pm. He noted that there are two proposals for zoning variances on the agenda.

- He began with the first application received, for a variance for addition of a mudroom on the lakeside camp of Fred Hughson, at 177 Lippitt Development Road (tax map #70.11-1-11.00). The zoning district is R-80, but the camp is within 100' of the Otsego Lake shore, so Otsego Lake Protection District regulations will apply. Mr. Edmonds, on behalf of Simple Integrity and the owners, presented the case for this proposal. Mr. Gibson verbally reviewed the application, then Mr. Edmonds described the proposed addition. Mr. Edmonds demonstrated with the floor plans that the current camp has two sections. There is a notch between the old and new sections which is currently exposed, but within the confines of the exterior walls. The proposal is to fill in the notch with a covered, enclosed mudroom. Roof line needs reframing, which would raise the level of that roof, but the highest peak would be unchanged. The enclosure would be built on piers, in keeping with the construction of the camp. Two new footings would be added. The proposed addition would increase the footprint of the camp by approximately 80 sf, which is addressed in Article IV G. This modification is on the back side of the camp, away from the lake, and would not bring the exterior walls out further. ZBA members who looked at the camp noted that there would be no apparent impact on the neighborhood, and that the addition may not be visible to neighbors, due to thick vegetation around the camp. Mr. Hoag asked about the storage shed above the camp, and Mr. Edmonds noted that it is a rebuild, which will be slightly larger. It is greater than 100' away from the lake, so ZBA variance is not required. Mr. Newman noted that the proposal was presented to the Planning Board, but there was no quorum in order to make a recommendation to the ZBA. Mrs. Wilhelm suggested that the current square footage of the camp should be used as the maximum footprint, should the camp ever be torn down and rebuilt. Therefore, any footprint increase approved at this meeting would not add allowable square footage for future projects. Mr. Hoag moved to grant the variance to build an addition, as shown in the presented plans. This additional square footage would not be able to be added to future projects, should the property ever be rebuilt. Mr. DeRosa seconded the motion, and all ZBA members voted to approve the variance request.
- The second application presented was for a property at 1382 County Highway 31 (tax map #70.00-1-12.31). The property is owned by Lacey and Sam Brown of Silver Spring, MD, and the contractor is Mike Lewis of High Peaks Log Homes. Mr. Lewis was present to represent the owners, and Janet and John Wierzchowski, the parents of an adjoining neighbor, were present as observers. The property is vacant land currently, in the R-80 district. The owners are proposing a home, garage, and guest house on the lot. Mr. Gibson verbally reviewed the application, then asked Mr. Lewis to present his variance request.

The variance requested is to defer the 200' road frontage requirement for each residential building on the property. Mr. Lewis described the relevant building lots, and noted that three lots of roughly 20 acres each were subdivided from the original lot. There is a significant road frontage for the three lots together, but most of it was retained in one of the subdivided lots. Thus, the current lot, though almost 20 acres, has only enough road frontage for a single residential building on the property. The owners would like a main house with 1,486 sf, and an additional 260 sf guest cabin on the property. The intended use for this would be for guests and for their growing children, to allow for a private space. There is no intention to use the space for rentals. Mr. Newman noted that the Zoning Enforcement Officer has already granted a permit for the home and garage. He noted that the current proposed site plan calls for 45' between house and guest house. This would need to be at least 50' away, per regulation. The ZBA members and public participants reviewed the plans extensively, and got various clarifications from Mr. Newman and Mr. Lewis. Driveway into the lot is initially shared by all three properties, then individual driveways branch off. Mr. Newman noted that no more than 2 residences may share a driveway. If more than 2, the road must be built to town road specs. This is not relevant for today, but worthy of mention for future. As regards the road frontage requirement, Mr. Newman notes that in Article IVA 3b, "Minimum continuous road frontage on a public highway: 200 feet," applies. Mrs. Wilhelm noted that Article V B allows only "...one principal building per lot, except that where a sufficiently large parcel exists, up to three principal buildings may be established...", as long as lot area and yard requirements are met. The 20 acre lot size is sufficient for up to 3 buildings, so the road frontage is the only sticking point to adding a separate guest house. Given the small size of the proposed guest house, and the anticipated usage, there were no objections to overriding the 200' road frontage requirement. Mr. Lewis noted that the family does not intend to make the buildings larger. The adjoining neighbor's parents, present at the meeting, denied having any objections to the proposed variance. With no further discussion offered, Mr. DeRosa moved to grant the variance to allow the building of a guest house, at least 50' from the main home and garage, and within the currently proposed 260 square feet footprint. Mr. Hoag seconded the motion, and all members approved the variance proposal.

Meeting was adjourned at 7:55 pm.

Respectfully submitted by Lorna Wilhelm