

## Avon Planning Board Minutes March 14, 2013

Caucus at 6:30 pm. Discussion about FEMA awareness, how the changes in flood elevation affect future applications and possible formation of a subcommittee to address ordinance changes ( 4 members ).

Vice Chairperson Teresa Egan sitting for Chairperson Richard Maloney opens the meeting at 7pm. Egan reads the opening statement and leads the flag salute.

Attendance:

Davey, Egan, Ernst, Kenny, Mayor Mahon, F. McGovern, McLaughlin, O'Malley, Ryan, Talmage, Board Engineer C. Rooney, Board attorney Mark Kitrick

Absent: Maloney, R. McGovern, Placitella

Egan states that the minor subdivision for Placitella that was on the original agenda will be carried to April with no further notices

First on the agenda is the approval of the February 14, 2013 minutes.

Motion by Kenny seconded by F. McGovern that the February 14, 2013 minutes be approved as written.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Mahon, F. McGovern, McLaughlin, Talmage

No: 0

Abstain: O'Malley, Ryan

Absent: Maloney, R. McGovern, Placitella

Motion passed.

Second on the agenda is the approval of the Dunne ( 304 Lincoln Ave.) resolution. Egan makes note that the signature page needs to be changed as she sat for that hearing not Maloney as written.

Motion by Davey seconded by McLaughlin that the resolution be approved as written.

The vote:

Aye: Davey, Egan, Ernst, Kenny, F. McGovern, McLaughlin, Talmage

No: 0

Abstain: Mahon, O'Malley, Ryan

Absent: Maloney, R. McGovern, Placitella

Motion passed.

Third on the agenda is the approval of the Mazouat (340 Woodland Ave.) resolution.

Motion by Ernst seconded by Egan that the resolution be approved as written.

The vote:

Aye: Davey, Egan, Ernst, Kenny, McLaughlin

No: 0

Abstain: Mahon, F. McGovern, O'Malley, Ryan, Talmage

Absent: Maloney, R. McGovern, Placitella

The motion is passed.

Fourth on the agenda is the approval of the Young ( 316 & 318 Woodland Ave.) resolution.

Motion by Kenny and seconded by Egan that the resolution be approved as written.

The vote:

Aye: Davey, Egan, Ernst, Kenny, Talmage

No: 0

Abstain: Mahon, F. McGovern, McLaughlin, O'Malley, Ryan

Absent: Maloney, R. McGovern, Placitella

The motion is passed.

Fifth on the agenda is new application by Monty & Michele Forrest for a Bulk variance at 237 Norwood Ave. Attorney Kitrick swears in Mr. Forrest, attorney Lynn Kegelman and Board Engineer Charlie Rooney.

Ms. Kegelman asks Mr. Forrest to give testimony. Mr. Forrest states that they purchased the property in 2011 and hired a contractor & architect that they used in previous projects .They kept within the footprint of the house and did a tremendous amount of renovations. In the final inspections the back deck & stairs was found to be wider than the previous deck & stairs.

Mr. Forrest states that in building within current code standards the need for the variance came into affect. The construction sub code official would not approve the structure as it violated the setbacks.

In response to Ms. Egan's question as to how much larger is the new deck & stairs, Ms. Kegelman refers to submitted survey dated 9/7/2011 showing then existing grill pad, a/c pad , shower (since removed) and existing deck with stairs. Ms. Kegelman also refers to photos of property submitted as part of the application. Discussion follows regarding size of the new structure.

Engineer Rooney in referring to new survey concludes that the new deck and stairs are 2 ½ feet closer to the back property line.

Discussion with applicant's attorney and board as to whether permit updates were submitted. Board secretary Sullivan has the original update rejected by the building inspector for zoning purposes. Marked as evidence P1.

Engineer Rooney goes over his review letter.

Vice chairperson Egan asks for any questions or comments from the audience. There are none.

Back to the board for comments or questions. There are none.

Egan speaks in favor of foregoing the 2' in light of the restoration being a profound improvement of the property.

Motion by Ernst seconded by Kenny to approve the variance for the existing rear deck & stairs.

The vote:

Aye: Davey, Egan, Ernst, Kenny, F. McGovern, McLaughlin, O'Malley, Ryan, Talmage

No: 0

Abstain: Mahon

Absent: Maloney, R. McGovern, Placitella

Motion passes.

Sixth on the agenda is a new application by owners Nappo/DeFilippis for a Bulk variance at 113 Lakeside Avenue.

Attorney Kitrick swears in Denise Nappo and architect Tom Peterson.

Ms. DeFilippis gives testimony on the property and her desire to use as a retirement residence. House is in need of some repairs and requires variances to accomplish this.

Tom Peterson introduces into evidence A1-FEMA advisory base elevation, A2- aerial view of property, A3-current survey of property, A4- photo sheets and A5- property tax map.

Mr. Peterson describes the property at 113 Lakeside as an existing single family house on an undersized lot. Mr. Peterson reviews the application and variance requests. They propose construction of 1<sup>st</sup> and 2<sup>nd</sup> floor additions to the house and the construction of a new detached garage. The proposed height of the house will be 32' 10". Engineer Rooney discusses the height of surrounding houses with Mr. Peterson. Mr. Peterson states that the look and mass of house would not be out of character with the surrounding houses.

Board member Ryan asks about the height of the proposed garage as compared to the existing surrounding garages. Mr. Peterson answers that the height will be in compliance.

Mr. Rooney refers to old survey dated 7/30/1962. Introduced into evidence as A6. Discussion on easement and parking follows.

Engineer Rooney goes over his review letter with requests and comments. Egan asks for questions from the board. Board member Talmage asks how many bedrooms are in the existing house. Ms. DeFilippis answers “three”. Vice chair Egan asks Rooney if the house can withstand a second story addition. Mr. Rooney “yes”.

Board member Kenny states that she would like to see the property coverage brought down.

Board member Ryan states that the board should permit some functionality for the smaller lots in town.

Egan opens the floor to the public for questions or comments.

Michele Egan for 115 Lakeside Avenue is sworn in by Mr. Kitrick.

Ms. Egan addresses the new two car garage proposed in that there has not been a structure there for years. She also asks that the applicant have their contractors be diligent of the parking during the project.

Egan and Peterson discuss the parking restrictions and that the garage will be brought down to 15’.

From the audience Judge Al D’Auria owner of 110 Norwood speaks in favor of the project as it would enhance the neighborhood.

Vice Chairperson brings the discussion back to the board.

Attorney Kitrick states that the height issue requires a Use variance.

Motion by Egan seconded by Ryan that application be approved with conditions set by Mr. Rooney.

The vote:

Aye: Davey, Egan, Ernst, O’Malley, Ryan

No: Kenny, Talmage

Motion is passed.

Seventh on the agenda is an informal hearing for JLM Realty Partners. This is their third appearance. Attorney Allen Weiss and JLM partner Jack Petillo are present. The applicant is proposing the purchase and development of 709 Main Street. Mr. Weiss displays rendering of new proposal with the height being reduced by an entire story also a reduction in impervious and building coverage. Mr. Weiss also states that they would be looking for several

variances. Discussion with board follows. The board is generally receptive to the new proposal.

Vice chair Egan asks for any comments from the public. Linda Henderson of 108 Second Avenue questions the board's plans on addressing future rebuilding of damaged properties in regards to elevation requirements. Mr. Kitrick describes the overall procedure for change. Vice Chair Egan states that the board will research putting together a subcommittee of board members to study and implement Land Use requirements.

Motion to adjourn by Ryan seconded by Egan.

The Vote;

Aye: All

Minutes approved at the April 11, 2013 meeting.

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Sheila Sullivan / Planning Board Secretary