

**Town of Becket
Zoning Board of Appeals
557 Main Street
Becket, Massachusetts 01223
Phone (413) 623-8934 Ext. 20**

Meeting Minutes for November 13, 2018

Board Members Present: Victoria Bleier, Joy Lennartz, Jeff Wilkinson, Katherine Warden, Alvin Blake and Karen Karlberg

Board Members Absent: None

Administrative Assistant: Jessica Perotti

Public Present: Paul Merrill, Rosie Bleyer, Sally Baumer and Brent White

Call to order

Victoria Bleier calls the meeting to order at 7:05 PM. Ms. Bleier welcomes everyone and reads the rules of the meeting. The Board introduces themselves.

Board to review meeting minutes of May 1, 2018

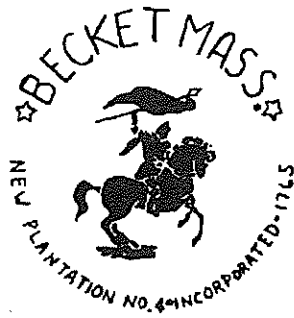
Ms. Bleier asks if everyone has had a chance to look at the minutes of May 1, 2018. The Board agrees they have reviewed the minutes. Ms. Bleier asks if anyone has any corrections to be made to the minutes. Alvin Blake **makes a motion** to approve the minutes of May 1, 2018. Jeff Wilkinson **seconds the motion**. All in favor with the exception of Katherine Warden who abstains from the vote. **Motion passes.**

Board reorganization

Mr. Blake **makes a motion** to move this item down on the agenda in the interest of the applicants. Ms. Lennartz **seconds the motion**. All in favor. **Motion passes.**

Public Hearing/Public Input: Rosemary Bleyer and Sally Baumer seek relief from the Town of Becket Zoning Bylaws, Section 4.2.6 - Minimum Side Setback, to permit the construction of an attached garage to the existing single family home that will only provide a 15.9' setback to the western side property line

Ms. Bleier asks the Board if anyone has a conflict of interest regarding the application. Hearing none, Ms. Bleier asks Jessica Perotti if all fees have been paid. Ms. Perotti confirms all fees have been paid and also confirms that taxes on the property are current. Ms. Bleier asks the applicants to present their application to the Board. Brent White introduces himself and informs the Board he will start the presentation and answer any questions from the Board. After introducing the applicants, Rosemary Bleyer and Sally Baumer, Mr. White begins his presentation by showing the Board the layout of the property. Mr. White points out the area where the variance is needed. Mr. White explains the applicants have been part-time residents here for quite a number of years and have recently decided to live here full-time. Ultimately, they need some extra space to consolidate their homes and have a space to store their vehicles as well as storage for the home itself. Mr. White further explains that the Becket Conservation



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Commission has given approval of the project, requiring an operation and maintenance plan to address the drainage from the house.

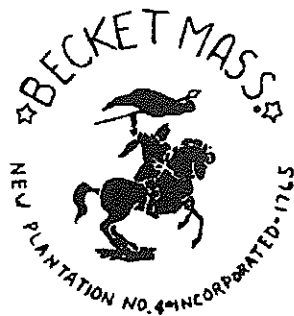
Mr. White says during the winter months and because of the steep gradient, ice and snow makes for a hazardous condition. This is why they would like to construct a two (2) car garage. Mr. White passes out pictures of the home to the Board. Mr. White explains he has received two (2) letters from neighbors expressing their support in building the garage and also hands those out to the Board. Mr. White acknowledges Paul Merrill, a neighbor who directly abuts the property on the western side, and says he is present tonight to show his support of the application.

Mr. White explains that he knows the Board looks to see that variance requests will fit in with the neighborhood. He says he took an image from Massachusetts GIS (geographic information system) maps which shows there are a number of similar properties that also have structures in close proximity to neighboring properties if not right on the property line.

Mr. White reassures the Board they looked at putting the attached structure at the front of the house because that would meet the set-back. However, it could not be done because the septic system is at the front of the house including a raised leach field. Mr. White explains they could not meet the set-back to the wetlands pointing to another side of the house. Mr. White concludes that after their evaluations, requesting the set-back from this property line was the best fit for the neighborhood.

Mr. White says the garage itself is not your standard box configuration. Architectural detail was added by extending one of the car bays. Mr. White tells the Board that this does not add to the nonconformity; it simply adds character to the overall facade of the house. Mr. White turns the presentation over to the applicants to add any detail or make any corrections. Ms. Baumer thanks Mr. White and the Board. Ms. Baumer says they have been part of this neighborhood for weekends and summers for quite a while. She explains that about three (3) months ago, they moved here full-time knowing that ice and snow would be a problem and making winters a challenge. She says the storage is nice but the real need is to provide safety. Ms. Baumer thanks the Board again and says they will be happy to answer any questions from the Board.

Ms. Karlberg asks when the photo of the house was taken. Mr. White says the picture was taken quite a while ago. Ms. Karlberg agrees because she is aware of some work that is being done here that is not shown in the photo. Mr. White apologizes for the older photo, he was only trying to give the Board the best image of the house he had in his possession. Ms. Karlberg



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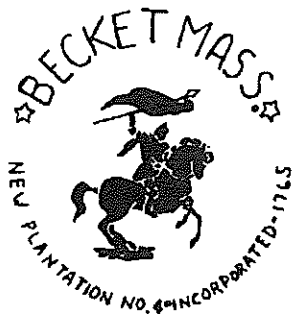
asks about a boulder shown in the photo; she would like to know how it will be removed. Ms. Baumer says a backhoe or small tractor put it in place from somewhere else on the property. It can be removed the same way. Ms. Karlberg is satisfied with the method of removal.

Ms. Karlberg says she also sits on the Conservation Commission and expresses her satisfaction with the operation and maintenance plan for the property. Mr. White goes into a brief description of the operation and maintenance plan showing how it is beneficial to the dwelling itself.

Mr. Wilkinson points out that the side of the garage does not appear to be parallel to the property line. He asks Mr. White if the back corner of the garage is actually closer to the property line than the front corner of the garage as proposed. The rest of the Board looks over the plan while Mr. White takes a measurement. Mr. White formally requests to amend the application requesting a fourteen foot (14') set-back from the western property line. Ms. Perotti makes a notation of the variance change on the application for Mr. White to initial thus acknowledging the change. Mr. White thanks Mr. Wilkinson for catching his error. Mr. Wilkinson also notices the garage is twenty six feet (26') wide. It is Mr. Wilkinson's understanding that a standard two (2) car garage should only be twenty four feet (24') wide. Mr. White says the exterior of the garage measures twenty-six feet (26'); internally, it measures twenty-four feet, nine inches (24.9'). Mr. White expects the extra space was to allow for the space of opening doors or a possible stairway. Ms. Baumer says a door will be put in that leads into the house and the extra space is for that. Ms. Bleyer adds that the extra space will also be needed to get the car doors open. Mr. Wilkinson agrees that the twenty-six feet (26') is nice but questions if it is really necessary since a variance is being requested for the garage. Mr. Blake adds that a variance would still be required. Mr. Wilkinson agrees and says a sixteen foot (16') variance is better than a fourteen foot (14') variance.

The Board recognizes Paul Merrill. Mr. Merrill lets the Board know he directly abuts the applicants to the side of the proposed garage. Mr. Merrill explains that he is aware that their house does not have a basement and understands why they would like to have a garage. He says he won't be putting anything up on his side so there won't be two (2) structures right next to each other. Mr. Merrill confirms he is agreeable to the fourteen foot (14') variance. Ms. Bleier thanks Mr. Merrill for his input.

Ms. Bleier asks why an application was submitted for a variance instead of a dimensional special permit. Mr. White had the same question. He explains that the existing structure is in compliance with the current zoning bylaw. If the current structure was nonconforming, a



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dimensional special permit would have been requested. Adding the attached garage makes the house nonconforming and thus a variance is required. Ms. Karlberg confirms with Mr. White that William Girard, Zoning Enforcement Officer and Building Inspector, recommended to him that the variance be obtained.

Ms. Karlberg asks Mr. Merrill if the garage will obstruct his view at all. Mr. Merrill says the garage will not obstruct his view.

Mr. White goes over various limitations they met on the *Request for Finding of Fact-Variance* section on *page 2 of 3* of the application.

Mr. Wilkinson notes the plan reflects a change in the frontage that he doesn't understand – changing it from sixty-three feet (63') to forty-seven feet (47'). Mr. White shows the Board that immediately beneath where Mr. Wilkinson referred to it shows the front yard set-back at 63' which is correct and will not be changing.

Mr. Wilkinson asks if there will be stairs going to a second story. Ms. Baumer explains there will only be shelves using a small ladder to store boxes and things.

Ms. Bleier asks the Board if they would like to proceed to a vote or if anyone has any further questions. Ms. Karlberg **makes a motion** to proceed to a vote allowing the applicants to seek relief from the Becket Zoning Bylaws, Section 4.2.6-Minimum Side Setback, permitting the construction of an attached garage to an existing single family home allowing a fourteen foot (14') set-back to the western side property line. Ms. Lennartz **seconds the motion**. Hearing no further discussion, Ms. Bleier calls for a vote. All in favor. **Motion passes**.

The applicants thank the Board for their time and leave the meeting.

Board reorganization, con't.

Ms. Karlberg says she won't be able to commit herself to being the Vice Chair this year due to a family commitment. Ms. Bleier asks if anyone would like to take over as the Chair. There is a brief discussion and the Board encourages Ms. Bleier to stay on as Chair for at least one (1) more year. Mr. Blake **makes a motion** to nominate Victoria Bleier to remain as the Chair. Ms. Lennartz **seconds the motion**. All in favor. **Motion passes**. Ms. Bleier accepts the nomination and will remain the Chair for one (1) more year.



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Ms. Bleier asks if anyone would like to serve as the Vice Chair. There are no volunteers. There is a brief discussion to see who may be able to fill the position. All feel they are unable to fulfill the obligation of the position for various reasons.

Ms. Bleier asks if anyone would like to volunteer for the Clerk or Clerk Pro Tem positions. Mr. Blake says he will volunteer to be the Clerk Pro Tem. Ms. Warden says she will volunteer to be the Clerk. Ms. Karlberg **makes a motion** for Katherine Warden to serve as Clerk. Mr. Wilkinson **seconds the motion**. All in favor. **Motion passes**. Ms. Warden **makes a motion** for Alvin Blake to serve as Clerk Pro Tem. Ms. Lennartz **seconds the motion**. All in favor. **Motion passes**. Ms. Warden will serve as Clerk and Mr. Blake will serve as Clerk Pro Tem.

Old Business: Board to discuss the development of a process to ensure applications are complete before scheduling a Public Hearing: Ms. Bleier briefly explains to Ms. Warden that the Board was coming out for public hearings only to discover that pieces to the application were missing and hearings had to be continued. There is a brief discussion regarding past applications. The Board suggests finding towns that may already have these types of regulations in place and working off of those in addition to consulting with **Berkshire Regional Planning Commission (BRPC)**. Ms. Bleier asks the Board to get some information from various towns to share at the next meeting.

New Business: Ms. Karlberg brings up the solar array approved at 0 Tanglewood Circle and says she remembers that the Board requested that conservation seed be planted here but cheap grass seed is being used instead.

Mr. Blake informs the Board that the Planning Board has drafted a new solar photovoltaic installations bylaw. If it passes at the Special Town Meeting in January, the ZBA will be the approving authority for medium size solar arrays. Ms. Bleier confirms that the Planning Board will still approve large-scale arrays.

Mr. Blake also brings up the project they approved in 2017 regarding a new structure at 3805 Jacob's Ladder Road on Greenwater Pond. The structure was to be built on piers and it doesn't appear to be. The Board questions if the Building Inspector should have redirected the applicants back to the Board. Upon review of the minutes, the Board concludes that they didn't put conditions on the foundation, only the structure itself. No further action is required.



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Budget

Ms. Perotti lets the Board know that she purchased a back up recorder for meetings and is requesting one third (1/3) of the cost from the ZBA, \$33.33. Ms. Karlberg **makes a motion** to pay \$33.33 for the back-up recorder. Mr. Wilkinson **seconds the motion**. All in favor. **Motion passes.**

Correspondence

Ms. Perotti informs the Board of a Public Hearing that will be held next month regarding an application for a ten foot (10') fence to be installed on Main Street. Ms. Perotti briefly explains the request comes following a septic installation that required part of the backyard to be raised at the property next door. The applicants are looking for privacy.

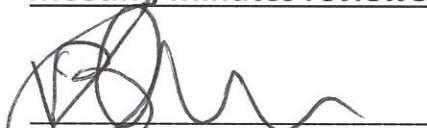
Any other business to come before the Board

None.


Adjournment

Mr. Blake **makes a motion** to adjourn. Mr. Wilkinson **seconds the motion**. All in favor. **Motion passes.** Meeting is adjourned at 8:14 PM.

Meeting Minutes reviewed and approved on April 2, 2019 by:


Victoria Bleier, Chair

Karen Karlberg, Vice Chair


Alvin Blake, Clerk Pro Tem


Joy Lennartz


Jeffrey Wilkinson


Katherine Warden